

**CITY OF LAREDO
CITY COUNCIL MEETING
M2016-R-02
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
FEBRUARY 1, 2016
5:30 P.M.**

I. CALL TO ORDER

With a quorum present, Mayor Pete Saenz called the meeting to order.

II. PLEDGE OF ALLEGIANCE

Mayor Pete Saenz led in the pledge of allegiance.

III. ROLL CALL

In attendance:

Pete Saenz,	Mayor
Rudy Gonzalez,	District I
Esteban Rangel,	District II
Alejandro Perez, Jr.,	District III
Juan Narvaez,	Mayor Pro-Tempore, District IV
Roque Vela, Jr.,	District V
Charlie San Miguel	District VI
George J. Altgelt,	District VII
Roberto Balli,	District VIII
Doanh "Zone" T. Nguyen	Acting City Secretary
Jesus Olivares,	City Manager
Cynthia Collazo,	Deputy City Manager
Horacio De Leon,	Assistant City Manager
Raul Casso,	City Attorney

Cm. San Miguel arrived at 5:50 pm.

IV. MINUTES

Approval of the minutes of January 19, 2016 and January 26, 2016.

Motion to approve the January 19, 2016, and January 26, 2016, minutes.

Moved: Cm. Vela

Second: Cm. Rangel

For: 8

Against: 0

Abstain: 0

V. COMMUNICATIONS AND RECOGNITIONS

Communiqués

- 1. Presentation by City Staff on the Cell Phone Ban Ordinance Media Campaign.

Xochitl Mora, Public Information Officer, stated that Mayor Pro Tempore Narvaez hosted a press conference unveiling the logo and tagline for the cell phone ban ordinance going into effect Wednesday, February 3, 2016. The original ordinance was passed on September 8, 2015. The past three months have served as a grace period in which citizens driving while talking or texting on their phones were issued warnings rather than citations. This cell phone ban media campaign is to educate the community and spread the message of practicing safe driving. The image will be available for individuals to download. Promotional items can be printed for City events as funding allows.

Joe Garcia of Graphitix displayed the logo of the campaign as well as the hashtag tagline; the materials will be printed in English and Spanish. He introduced a social media contest idea in which individuals can take pictures with the logo and win prizes based on their accrual of likes.

Recognitions

None.

Citizen comments

Tricia Cortez of the Rio Grande International Study Center stated that 2016 is the fourth year that the organization will be taking part in the Laredo Birding Festival. However, the organization received an email informing them that they will receive only half of what the City committed to provide for the Birding Festival. Ms. Cortez is concerned because this festival brings many tourists and visitors who would not otherwise come to Laredo. Funding is needed to host visitors, partner with over 20 ranchers, and perform multiple outreach programs. According to Ms. Cortez, the Laredo Birding Festival was promised \$10,000.00 for funding and reimbursement for van rentals and insurance (around \$5,000.00) by the Convention and Visitors Bureau from in-person meetings and emails and \$15,000.00 from Third-Party Funding as approved by the Laredo City Council on September 8, 2015. She stated that she was notified via email on February 1, 2016 that the Laredo Birding Festival would only be getting \$12,000.00 as per CVB and the City Manager’s Office.

VI. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

- a. Appointment by Council Member Alejandro "Alex" Perez of Danny Tijerina to the Planning & Zoning Commission.

Motion to approve Council Member Alejandro “Alex” Perez’s nomination of Danny Tijerina to the Planning and Zoning Commission.

Moved: Cm. Perez

Second: Cm. San Miguel

For: 8

Against: 0

Abstain: 0

- b. Appointment by Council Member Alejandro “Alex” Perez of Danny Tijerina to the Historical District/Landmark Board.

No action taken.

- c. Appointment by Council Member Roque Vela Jr. of Richard Norton to the Planning and Zoning Commission.

Motion to approve Council Member Roque Vela Jr.’s nomination of Richard Norton to the Planning and Zoning Commission.

Moved: Cm. Vela

Second: Cm. Gonzalez

For: 8

Against: 0

Abstain: 0

VII. PUBLIC HEARINGS

- 1. Authorizing the City Manager to accept and enter into contract with the Texas Department of State Health Services (DSHS), amending the FY 2015-2016 Budget by appropriating additional revenues and expenditures in the amount of \$200,000.00, and amending the FY 2015-2016 Full Time Equivalent (FTE) Listing by adding one (1) Health Educator Supervisor, R38 position and one (1) Caseworker, R34 position to implement the Texas Healthy Adolescent Initiative (THAI) clinic-based program for the period beginning December 21, 2015 through August 31, 2016. This program will assist youth to get preventive health care, behavioral health services and counseling that maybe needed to address social-psycho issues. (Approved by Operations and Finance Committees)

Motion to open the public hearing.

Moved: Cm. Rangel

Second: Cm. Gonzalez

For: 6

Against: 0

Abstain: 0

Cm. Vela and Cm. Altgelt were not present.

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Rangel

Second: Cm. Perez

For: 7

Against: 0

Abstain: 0

Cm. Altgelt was not present

- 2. Authorizing the City Manager to accept a voucher payment reimbursement of additional funds in the amount of \$350,000.00 (for remodeling and roof repairs of the Santo Nino Community Center) from the Texas Department of State Health Services

(TDSHS) and amending the FY 2015-2016 Health Department Budget by appropriating additional revenues and expenditures for a total of \$5,964,826.00 for the Women, Infants and Children (WIC) Program of the City of Laredo Health Department (CLHD) for the period of October 1, 2015 through September 30, 2016.

Motion to open the public hearing.

Moved: Cm. Rangel

Second: Cm. Gonzalez

For: 7

Against: 0

Abstain: 0

Cm. Altgelt was not present.

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Balli

Second: Cm. Gonzalez

For: 7

Against: 0

Abstain: 0

Cm. Altgelt was not present.

3. Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 2, Block 624, Western Division, located at 2416 Ventura Street, from R-2 (Multi-Family Residential District) to R-3 (Mixed Residential District); providing for publication and effective date.

Staff does not support the application and the Planning and Zoning Commission recommends approval of the zone change. District VIII

Motion to open the public hearing.

Moved: Cm. Rangel

Second: Cm. San Miguel

For: 7

Against: 0

Abstain: 0

Cm. Altgelt

Nathan Bratton, Planning Director, stated that Mr. Castillo could not place a mobile home on the property under the R-3 designation. However, a R-1 MH designation would allow one manufactured home if it fits on the lot.

Mr. Castillo claimed that with an R-1 MH, the mobile home would need to be removed at the time of construction. What he wants is to live in the mobile home during construction of his home and then to remove the mobile home once construction is completed.

Mayor Pro Tempore clarified that Mr. Castillo can not place the mobile home within 20 feet of the edges of the lot property while building, which would require him to

remove the mobile home from the lot completely during construction. Mr. Castillo could construct the house as an attachment to the mobile home until it is completed, then remove the mobile home, but the 20-foot setback must be respected.

Mr. Bratton stated that the Planning Department could issue a Conditional Use Permit that would fit Mr. Castillo's purposes. They could return to the next Council meeting with the Conditional Use Permit authored with the appropriate conditions.

Motion to postpone until next meeting.

Moved: Cm. Balli

Second: Cm. Gonzalez

For: 8

Against: 0

Abstain: 0

VIII. INTRODUCTORY ORDINANCES

4. Authorizing the City Manager to execute a lease agreement with Washington's Birthday Celebration Association, Inc. (W.B.C.A.) for approximately 3.9 acres and more formally known as the "Park and Ride", and the approximate 7.35 acres consisting of all Lot No's. 1 and 2 of the Laredo International Airport Manufacturing Facilities Subdivision Plat, and the portion area north of the Animal Care Shelter on Maher/Hillside/Thomas Street for the W.B.C.A. Jalapeno Festival and other W.B.C.A. sponsored events. The lease term is for five (5) consecutive years for the month of February commencing on February 2016 and ending on February 2020 and providing for termination. Initial annual rental rate of \$1,000.00; providing for an effective date. (Approved by Operations and Finance Committees)

Ordinance Introduction: City Council

5. Closing and vacating as a public easement that section of Center Road, as dedicated by the R. M.R. Industrial Park Plat Unit 2, Volume 3, page 23, of the Webb County Plat Records and providing for the reversion of all public interest in said dedicated road to the current abutting landowners in equal shares provided that the City retain the east one half section of the road as a utility easement. The road section is further depicted on attached exhibit A and providing for an effective date. (Approved by Operations Committee)

Ordinance Introduction: City Council

6. Public hearing and introductory ordinance amending the City of Laredo's FY 2015-2016 Laredo Convention and Visitors Bureau Fund budget by increasing revenues and expenditures in the amount of \$195,000.00 for funding a documentary film in conjunction with TAMIU and KLRN. The funding will be transferred from the City of Laredo FY 2015-2016 Hotel Motel Fund budget. (Approved by Operations and Finance Committees as amended)

Ordinance Introduction: City Council

IX. FIRST AND FINAL READINGS OF ORDINANCES

7. 2016-O-020 An ordinance by the City Council of the City of Laredo, Texas authorizing the issuance, sale and delivery of City of Laredo, Texas General Obligation Refunding Bonds, Series 2016; approving and authorizing a purchase contract, an escrow agreement, and a paying agent/registrars agreement; approving and authorizing all other instruments and procedures related thereto; delegating authority to the Mayor and/or the City Manager to select outstanding bonds to be refunded and approve all final terms of the bonds; and authorizing amendment to the city's budget to appropriate such proceeds for purposes authorized herein; and ordaining other matters relating to the subject.

Noel Valdez of McCall, Parkhurst and Horton law firm stated that the ordinance approves the sale contingent on the approval certificate executed by the Mayor or the City Manager, which would only be executed if the savings presented are actually achieved and if the market allows for them to be realized.

Motion to adopt Ordinance 2016-O-020.

Moved: Cm. Rangel

Second: Cm. Perez

For: 8

Against: 0

Abstain: 0

8. 2016-O-021 Ordinance authorizing the issuance of City of Laredo, Texas Waterworks and Sewer System Revenue Refunding Bonds, New Series 2016, for the purpose of refunding Waterworks and Sewer System Revenue Bonds, approving an official statement, authorizing the execution of a purchase contract and the execution of an escrow agreement, and making provisions for the security thereof, delegating authority to the Mayor and/or the City Manager to select outstanding bonds to be refunded and approve all final terms of the bonds, and authorizing amendment to the city's budget to appropriate such proceeds for purposes authorized herein; and ordaining other matters relating to the subject.

Motion to adopt Ordinance 2016-O-021.

Moved: Cm. Rangel

Second: Cm. Perez

For: 8

Against: 0

Abstain: 0

X. FINAL READING OF ORDINANCES

Motion to waive final reading of Ordinances 2016-O-010, 2016-O-011, 2016-O-012, 2016-O-013, 2016-O-014, 2016-O-015, 2016-O-016, 2016-O-017, 2016-O-018, and 2016-O-19.

Moved: Cm. Rangel

Second: Cm. Gonzalez

For: 8

Against: 0

Abstain: 0

2016-O-010 Amending the City of Laredo FY 2016 Airport Operating and Airport Construction Budget to appropriate revenues in the amount of \$2.4 million for Airport Runway Protection Zone, appropriating said revenue to the appropriate expenditure accounts and authorizing the City Manager to implement said budget amendment. As amended to increase amount from \$2.0 million to \$2.4 million.

Motion to adopt Ordinance 2016-O-010.

Moved: Cm. Rangel

Second: Cm. Vela

For: 8

Against: 0

Abstain: 0

2016-O-011 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 1 and 2, and parts of Lots 7 and 8, Block 1774, Eastern Division, located at 819 S New York Avenue, 2901 Blaine Street, from B-1 (Limited Commercial District) to B-3 (Community Business District); providing for publication and effective date. District II

Motion to adopt Ordinance 2016-O-011.

Moved: Cm. Rangel

Second: Cm. Vela

For: 8

Against: 0

Abstain: 0

2016-O-012 Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit for a Restaurant Serving Alcohol, on Lot 2, Block 1, Walmart at San Isidro Ranch Subdivision, located at 10719 International Boulevard; providing for publication and effective date. District VI

Motion to adopt Ordinance 2016-O-012.

Moved: Cm. Rangel

Second: Cm. Vela

For: 8

Against: 0

Abstain: 0

2016-O-013 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning four (4) acres out of Tracts 8-A, 8-B, 8-C and 8-D, Casa Verde Acres Subdivision, as further described by metes and bounds in attached Exhibit "A", located at 8404 Casa Verde Road, from R-1 (Single-family residential District) to R-2 (Multi-Family Residential District); providing for publication and effective date. District V

Motion to adopt Ordinance 2016-O-013.

Moved: Cm. Rangel

Second: Cm. Vela

For: 8

Against: 0

Abstain: 0

2016-O-014 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 3, Block 1, Webb County Road and Bridge Plat Subdivision, located at 7210 U.S. Highway 59, from AG (Agricultural District) to B-1 (Limited Commercial District); providing for publication and effective date. District V

Motion to adopt Ordinance 2016-O-014.

Moved: Cm. Rangel

Second: Cm. Vela

For: 8

Against: 0

Abstain: 0

2016-O-015 Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for an impound lot on Lots 3 and 4, Block 807, Eastern Division, located at 306 and 316 South Meadow Avenue; providing for publication and effective date. District III

Motion to adopt Ordinance 2016-O-015.

Moved: Cm. Rangel

Second: Cm. Vela

For: 8

Against: 0

Abstain: 0

2016-O-016 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 2B, Block 3, McPherson Acres, Unit 1, located at 5812 McPherson Road, from B-3 (Community Business District) to B-4 (Highway Commercial District); providing for publication and effective date. District V

2016-O-017 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 10, Block 86, Western Division, located at 320 Iturbide Street from B-1 (Limited Commercial District) to B-3 (Community Business District); providing for publication and effective date. District VIII

Motion to adopt Ordinance 2016-O-017.

Moved: Cm. Rangel

Second: Cm. Vela

For: 8

Against: 0

Abstain: 0

2016-O-018 Authorizing the City Manager to execute a lease assignment from Adriana Martinez, as LESSEE, to Mel-Mac Deck Investments, LLC., as ASSIGNEE, of that original lease agreement approved by Ordinance No. 95-O-177 dated August 7, 1995 and as amended by Ordinance No. 2015-O-020 for approximately 16,291.44 square feet of land located at 1719 E. Hillside St., located at the Laredo International Airport. The monthly rental effective September 1, 2015 is increased from \$1,410.46 to \$1,660.46 and shall be adjusted by changes in CPI. All other terms and conditions remain the same and in effect; providing for an effective date.

Motion to adopt Ordinance 2016-O-018.

Moved: Cm. Rangel

Second: Cm. Vela

For: 8

Against: 0

Abstain: 0

- 2016-O-019 Authorizing the ratification of the contract amendment with the Texas Health and Human Services Commission (HHSC) and amending the FY 2015-2016 budget by appropriating additional revenues and expenditures in the amount of \$106,158.60 with a cash match of \$10,616.00 for a total of \$573,274.60 for continuation of the Nurse Family Partnership (NFP) for the City of Laredo Health Department (CLHD) to provide evidence-based nurse home visitation for first-time mothers and development and preventive care to their children to ensure a healthy birth outcome for mom and baby for the period beginning September 1, 2015 through August 31, 2016.

Motion to adopt Ordinance 2016-O-019.

Moved: Cm. Rangel

Second: Cm. Vela

For: 8

Against: 0

Abstain: 0

XI. MOTIONS

9. Confirming the recommendation by Judge Cuellar to appoint Elizabeth Martinez as Associate Municipal Court Judge.

Motion to confirm.

Moved: Cm. Rangel

Second: Cm. Vela

For: 8

Against: 0

Abstain: 0

10. Consideration to reject all bids for contract FY16-018 for the purchase and installation of Solar Lighting for Pathway for Bartlett Soccer Complex. These bids received were evaluated and rejected by staff as most were found to be incomplete and others far exceeded the estimated costs. Funding is available in the 2008 C.O.

Motion to reject.

Moved: Cm. Rangel

Second: Cm. Vela

For: 8

Against: 0

Abstain: 0

11. Consideration to award purchase contract to Hunter Knepshield, Plano, Texas in the amount not to exceed \$67,122.00. This contract is through BuyBoard Cooperative Purchase Contract and is for the purchase of LED Light Fixtures and Poles to be installed at Bartlett Soccer Complex. Funding is available in the 2008 C.O.

Motion to aware purchase contract to Hunter Knepshield in the amount not to

exceed \$67,122.00.

Moved: Cm. Rangel
Second: Cm. Vela
For: 8

Against: 0

Abstain: 0

XII. CONSENT AGENDA

Motion to approve the consent agenda.

Moved: Cm. Rangel
Second: Cm. Narvaez
For: 8

Against: 0

Abstain: 0

XII. (a) RESOLUTIONS

12. 2016-R-09 Consideration to grant fee waivers and a Tax Abatement Agreement between the City of Laredo and B & G's, LLC for the residential property located at 801 Fremont St., being Lot 1 Block 268 Eastern Division. The proposed residential property eligible for property tax abatement includes the new construction of a 1,279 sq. ft. structure in the total amount of \$54,783.63 which is equal to or in excess of 20% of the Base Value of the property in accordance with authorized guidelines and criteria established for the Neighborhood Empowerment Zone (NEZ). This agreement will be for a five (5) year period and will consist of an estimated annual tax abatement total of \$281.95 and estimated total fee waiver of \$681.00 based on capital investment for the purpose of economic development. Guidelines and criteria for the agreement are set forth in the attached agreement and information.
13. 2016-R-10 Authorizing the City Manager to execute this Memorandum of Agreement (MOA) into by and between the Coastal Bend Regional Advisory Council (CBRAC) and the City of Laredo Fire Department to participate as a member of Texas Emergency Medical Task Force (hereinafter EMTF). This MOA is to establish a mechanism for the utilization and coordination of emergency medical resources and assets in the event of an emergency or disaster.
14. 2016-R-12 Authorizing the City Manager to enter into and execute 77 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.
15. 2016-R-14 Authorizing the City Manager to execute this Memorandum of

Agreement (MOA) between South Texas Development Council (hereinafter STDC) and the City of Laredo Fire Department in the amount of \$20,000.00 to form a management and administration structure to oversee, implement, and maintain the WebEOC for the South Texas Region 19. WebEOC is a web based crisis information management system improving the ability to share awareness of resources throughout the state and provide access to regional medical operation centers. local health departments, hospitals, emergency medical services, fire departments, and other emergency centers across the state. Funds are appropriated in General Fund.

XII. (b) MOTIONS

16. Authorizing the City Manager to award an Architectural and Engineering Services contract in the amount of \$ 163,560.00 to Sepulveda Associates Architects, Inc., Laredo, Texas for the design, technical drawings, bidding documents, specifications, construction administration services with production printing, and as-built for the Utilities Department Administration Building. Funding is available in 2013 Sewer Revenue Bond and 14 WW/SW Revenue Bond.
17. Authorizing the City Manager to award an Engineering Services contract in the amount of \$ 110,000.00 to Porrás Nance Engineering, Laredo, Texas for the topographic survey & preliminary schematics, plans, specs, bidding documents, estimates, TxDot Permit & Utility Coordination, easement plat & description, construction staking, coordination & administration, as-built plans & close out documents for the 24" Waterline along Cuatro Vientos Road. Funding is available in the 2015 Water Revenue Bond.
18. Consideration to ratify the emergency contract issued to Bradley Motors, Gregory, Texas, in the total amount of \$51,805.00 for the repair of a 600 HP Vertical Motor at Jefferson WTP East High Service Pump #1. These repairs are needed due to high service pump usage during the upcoming summer months. Funding is available in the Utilities Department fund.
19. Authorizing the City Manager to enter into and execute a Toshiba Governmental Copier Lease Program Contract with Toshiba Business Solutions (USA) Inc., San Antonio, TX, for the use of ninety nine (99) new copiers; and authorizing that the equipment lease finance agent be Lage Landen Public Finance, L.L.C. This lease is through a TEXAS DIR Contract, Toshiba Public Finance Contract and lease agreement shall be for a forty eight (48) month period with an estimated lease contract total of \$416,640.96. This contract is contingent on continued appropriations in future fiscal years and funding for the lease purchase payments shall be available in user departmental budgets.
20. Consideration to award contract FY16-027 to the sole bidder, Galls, LLC., Lexington, KY, in the estimated annual amount of \$215,400.00, for the purchase of uniforms, boots and accessories for the Fire Department. These items are included in the Collective Bargaining Agreement between the City and the Firefighters Union. Each firefighter has a \$600.00 clothing allowance that may be used to purchase any of the listed items in the agreement. The term of the contract is for three (3)

years, subject to future budget appropriations. Contract has renewal options for two (2) additional one year periods. Funding is available in General Fund - Fire Department's operational budget.

21. Consideration to award annual supply contract FY16-022 to Neuhaus & Company, Weslaco, Texas in an amount up to \$50,000.00, for the purchase of John Deere original equipment manufacturer (OEM) repair parts for the City's lawn maintenance equipment. All parts 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. This contract has five extension renewal option periods, upon mutual agreement. Funding is available in the Fleet Maintenance Budget.
22. Consideration to award a construction contract to the lowest bidder, ABBA Construction, L.L.C., Laredo, Texas, in the base bid amount of \$99,280.00 for the Laredo Colombia International Bridge Expansion Joint Rehabilitation 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 May 2016. Funding is available in the Bridge 2008 Bond.
23. Authorizing the City Manager to renew contract FY15-027 for the Laredo Lemurs Baseball 2016 season visiting team and special events lodging expenses with TownePlace Suites. The contract amount is not to exceed \$102,000.00. Funding is available in the Laredo Convention and Visitors Bureau FY 2015-2016 budget.

Armando Cisneros asked if it is standard for the home team to pay for the opposing team's lodging. After learning that it is standard, Mr. Cisneros believes that footing the bill for visitors to Laredo defeats the purpose of them coming to the city. It's a burden on the taxpayers, and he asked Council to find a new solution.

END OF CONSENT AGENDA

XIII. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

24.

A. Request by Mayor Pete Saenz

- a. Exercise of Mayor's veto of contract awarded to Altus Construction, at the regular City Council Meeting on January 19, 2016 (Agenda item #24 of the January 19, 2016 published Agenda: award of construction contract for the Galveston Street Waterline Replacement Project).

Mayor Saenz received numerous calls and inquiries on the action awarding the contract to Altus Construction. After reviewing the video of the January 19, 2016 Council meeting, Mayor Saenz believes that the action taken may have violated the Texas Open Meetings Act (TOMA). The agenda item did not mention any bidders other than Qro-Mex, and he thinks that this item should be reset for the next Council meeting to notice consideration of all bidders.

City Attorney Raul Casso gave his opinion that the wording of the agenda item was not a TOMA violation.

Cm. Narvaez stated that for Altus Construction to have secured a \$5,000,000.00 bond for a \$2,000,000.00 project indicated that the company was responsible enough to perform this job.

Cm. Balli considered both Qro-Mex and Altus to be qualified for the project at hand. He believes the accusations that Altus is not sufficiently experienced to handle the waterline replacement project are incorrect, a former City employee working for Altus is irrelevant, and the vote was fair.

Mayor Saenz still believed that Altus was the wrong company for this job given the large amount of money they are asking upfront, which puts the City at risk. The apparent lack of experience also concerns him.

Mayor Saenz vetoed the contract.

Luis Cisneros said that this contract has many red flags. He read a letter that he wrote to the editor of the *Laredo Morning Times*, noting that the opinions of the Engineering Consultant, City Attorney, and City Manager were all against Altus Construction, but Council awarded the contract to it anyway. The taxpayers need an explanation as to Council's disregard of staff recommendations. In his opinion, the decision to award the contract to Altus is cronyism. He asked Council not to overrule the Mayor's veto.

David James thanked the Mayor for exercising his veto power and asked Council to do the right thing, which he believed is to award the contract to the best company for this project.

Ignacio de Ugarte, manager at Altus Construction, said that Altus completed many projects, unlike what was said about them at the previous Council meeting. He noted that Altus is in Laredo to be involved in this community, and the consultation of Jorge Vera and Tomas Rodriguez has been critical to catering this project to the needs of Laredo. Mr. de Ugarte and the staff of Altus Construction would not compromise their integrity. He stated that the Council members who voted for Altus on January 19 after a fair bidding process made the right decision.

Riazul Mia, Utilities Director, confirmed that the City has certified inspectors and engineers to supervise this project. Altus Construction's bid prior to the recalculation was \$2,041,605.41; Qro-Mex Construction's bid was \$2,141,380.00.

Edward Garza with Crane Engineering, said that mathematical errors were found on the bid when conducting their bid tabulations. Altus Construction's bid amount was corrected to \$2,131,666.99. The bid opening was on December 11, 2015. Crane Engineering's letter of recommendation was submitted on December 22, 2015, and Crane's meeting with Altus Construction took place on January 13, 2016, after all bids were already evaluated and the official

recommendation was submitted. The information Altus provided at that meeting could not be considered as part of the bid because the official evaluation had already been submitted. Altus Construction did not tell Mr. Garza that it would honor its original bid amount at that meeting.

Cm. Altgelt noted that sufficient notice must be given for an agenda item. This particular item only stated that Qro-Mex was being considered, not “or any other company.” Mr. Casso countered that it is the Council’s prerogative to consider other companies when the initial company has been rejected.

Motion to override Mayor’s veto.

Moved: Cm. Vela

Second: Cm. Balli

For: 5

Cm. Gonzalez

Cm. Rangel

Cm. Narvaez

Cm. Vela

Cm. Balli

Against: 3

Cm. Perez

Cm. San Miguel

Cm. Altgelt

Abstain: 0

- b. Discussion with possible action on status of ongoing independent audit of First Recycling LLC, at landfill.

Veronica Baeza, Laredo Internal Auditor, stated that a compliance and financial review was conducted with First Recycling, LLC. Site visits and interviews were conducted. Some additional information has been requested to conduct sample testing. A tentative completion date has been set for the end of February, at which time a report will be authored.

- c. Discussion with possible action entering into an Memorandum of Understanding (MOU) with the Port of Corpus Christi, I-69 Freight Corridor.

Gerry Schwebel noted that an alliance with the Port of Corpus Christi provides a financial and community benefit to the City of Laredo.

Motion to direct the City Manager’s Office to enter into a Memorandum of Understanding with the Port of Corpus Christ, I-69 Freight Corridor.

Moved: Cm. Altgelt

Second: Cm. Balli

For: 8

Against: 0

Abstain: 0

B. Request by Council Member Esteban Rangel

- a. Discussion with possible action on the contract for the Chapter 380 agreement for the Wright Ranch Subdivision at Cuatro Vientos East. (Co-Sponsored by Council Member Rudy Gonzalez)

Daniel Ortiz, attorney representing Hachar Investments, stated that he had

been negotiating with City staff for possible terms for a Chapter 380 agreement for the development of this property. The main terms include: development of the property for single-family, multi-family, and commercial purposes; an overall grant that would total up to \$6,000,000.00 or 20 years (whichever occurs first); streets, water, and sewers would be eligible for grants pursuant to the 380 agreement; and in no given year would the property owner or developer be eligible for more than 50% of the property tax increases generated in grants. The City would never be responsible for issuing grants in amounts larger than the revenue from the development of this property.

Richard Hachar stated that by limiting the amount of homes per acre from 7.5 to 5, South Laredo may experience a reduced crime rate and increased property values. This allows them to build larger homes on bigger lots. He is donating \$1,000,000.00 for hike and bike trails in South Laredo and wants to move forward with this agreement to add amenities and commercial and residential value to the area.

Motion to instruct the City Manager's Office enter into negotiations for a Chapter 380 agreement and to return to the next Council meeting with a finalized contract for approval.

Moved: Cm. Rangel

Second: Cm. Gonzalez

For: 8

Against: 0

Abstain: 0

C. Request by Council Member Alejandro "Alex" Perez

- a. Discussion with possible action to update the existing Tree Ordinance to include the protection of trees in private property from being removed for development. This item is in collaboration with Keep Laredo Beautiful.

Tricia Cortez voiced support of this item and stated that the Rio Grande International Study Center would be willing to provide their available resources to analyze other successful ordinances across the United States to aid in the protection of trees in Laredo.

Motion to direct staff to investigate ordinances in Austin and other cities regarding the protection of trees on private properties.

Moved: Cm. Perez

Second: Cm. San Miguel

For: 8

Against: 0

Abstain: 0

- b. Discussion with possible action on installing a memorial for a fallen Police Officer at Slaughter Park at the request of S.C.A.N.

Motion to postpone until next meeting.

Moved: Cm. Perez

Second: Cm. San Miguel

For: 6

Against: 0

Abstain: 0

Cm. Vela and Cm. Altgelt were not present.

D. Mayor Pro-Tempore Juan Narvaez

- a. Requesting assistance from each Council Member to help fund a media buy for an awareness campaign for the Cell Phone Ban Ordinance.

Mayor Pro Tempore Narvaez requested that each Council Member and the Mayor contribute \$500 from their promotional campaign accounts to help fund the social media campaign.

No action taken.

E. Request by Council Member Charlie San Miguel

- a. Discussion with possible action regarding the TIRZ for The Coves at Winfield.

David Earl, an attorney representing the Killam Development Limited Company, stated that the City Manager's Office and Killam Development had not met to-date, though they have tried. Webb County and Laredo Community College have approved non-binding resolutions to partner and participate with the City of Laredo should the City choose to approve a TIRZ for the Coves project. Webb County would provide \$34,646,000.00 toward this project. Laredo Community College would contribute \$27,590,000.00. This proposal would require the Killam Development company to commit to invest over \$65,000,000.00 into the Del Rio economy to build subdivisions, create retail and commercial jobs, and build over 700 acres of new development along the proposed loop with right-of-way. The proposal, subject to change, includes over \$775,000,000.00 of new tax base added to the City's tax revenue.

Blakely Fernandez of Bracewell stated that she has spoken several times with her counterpart, but that the meetings have been preliminary. They have not begun negotiations. She stated that they needed some direction from Council in order to negotiate their counterproposal.

Motion to authorize and direct the law firm of Bracewell & Giuliani, with staff welcome, to solely and immediately negotiate directly with Killam Development Limited Company and its attorneys over the next week and bring back a negotiated proposal directed to the Mayor and City Council for review and to place an item on the next City Council meeting agenda for a public hearing to consider creation of a tax increment reinvestment zone for the Coves of Winfield project and direct the publication of notice for the hearing as directed by Chapter 311 of the Texas Tax Code, as amended.

Moved: Cm. San Miguel

Second: Cm. Gonzalez

For: 7

Against: 0

Abstain: 0

Cm. Altgelt was not present.

- b. Discussion with possible action to recommend to the Charter Review Committee that they consider an item for the ballot that would require any and all City projects that are voted on by the public have an amount limit/up to, included in the wording for the referendum.

Cm. San Miguel reiterated that this is merely a recommendation to the Charter Review Commission. He believes that if public funds are being used to pay for a venue or project, the monetary amount should be reflected. The public needs to be well-informed on costs for projects on which they vote. He clarified that he is not including bonds for bids but only items which must be approved by referendum.

Motion to send the recommendation to the Charter Review Commission to consider an item for the ballot that would require any and all City projects that are voted on by the public to have an amount limit/"up to" included in the wording of the referendum.

Moved: Cm. San Miguel

Second: Cm. Vela

For: 7

Against: 0

Against: 0

Cm. Rangel was not present.

- c. Discussion with possible action to evaluate options to correct the drastic and sharp contrast in elevation that is presenting a safety hazard at the Shiloh and Loop 20 intersection.

Roberto Murillo, Traffic Manager, agreed that a notable change in the elevation of that intersection is causing traffic hazards. He noted that both roads are City roads requiring improvements.

City Manager Olivares confirmed that the City Manager's Office would meet with the Engineering Department to review plans for this intersection.

F. Request by Council Member George Altgelt

- a. Discussion with possible action to allow public comments at all meetings including special called meetings.

Rose Flores thinks it is important for all City entities to allow public comment as it benefits both Council and the community. Council will hear the needs of their constituents and can take action to meet those needs.

Cm. Altgelt noted that to deny public comments at special called meetings, when it may matter most, would be a deviation of the Council Members' oaths to uphold the Constitution of the United States.

Motion to allow public comments at all meetings, including special called

meetings, using the current format in place in regularly scheduled meetings.

Moved: Cm. Altgelt

Second: Cm. San Miguel

For: 8

Against: 0

Abstain: 0

- b. Request for Qualification (RFQ) for a consultant to do a design plan for a dedicated noncommercial route from the Max Mandel golf course to IH-35.

Motion to go out for RFQs for a consultant to do a design plan for a dedicated noncommercial route from the Max A. Mandel Golf Course to IH-35.

Moved: Cm. Altgelt

Second: Cm. San Miguel

For: 7

Against: 0

Abstain: 0

Cm. Rangel was not present.

- c. Discussion with possible action to have the City of Laredo Traffic Department design and build a speed table at the intersection of Port Isabel and People's Blvd at the Green Ranch Subdivision that is consistent with the Institute of Transportation Engineers - ITE - design plan."

Roberto Murillo said that it would be difficult to build a speed table at this particular intersection for drainage. Cm. Altgelt countered that a steel grate was recommended for this implementation for drainage purposes.

Tano Carranza, President of the Green Ranch Homeowners Association, noted that this intersection is near a public park and causes a safety issue. He and other residents have a need to control speed and traffic at this intersection.

Chief Landin of the Fire Department voiced departmental opposition to speed bumps with regard to ambulances carrying patients with injuries. A speed table is a sufficient alternative to a speed hump for this intersection.

Motion to direct the Traffic Department to design and build a speed table near the intersection of Port Isabel and People's Blvd., consistent with the ITE design plan pursuant to special provisions.

Moved: Cm. Altgelt

Second: Cm. Vela

For: 7

Against: 0

Abstain: 0

Cm. Rangel was not present

G. Request by Council Member Roberto Balli

- a. Discussion with possible action to create one or more "Safe Zones" – places where online buyers and sellers can meet to safely exchange merchandise.

Chief Ray Garner of the Laredo Police Department suggested three locations to serve as “Safe Zones,” such as the Police Department parking lot, Fire Department Headquarters on Del Mar, and the City Hall Annex. Cameras and lighting are present at all three locations, as well as populated streets in the area. He also stated that signs would be posted to label the area as a safe location for e-commerce exchanges.

Motion to set up, with the guidance of the Laredo Police Department, “Safe Zones” for e-commerce exchanges in as many locations as Chief Garner feels is necessary.

Moved: Cm. Balli

Second: Cm. Altgelt

For: 7

Against: 0

Abstain: 0

Cm. Rangel was not present.

H. Request by Council Member Rudy Gonzalez, Jr.

- a. Discussion with possible action on installing surveillance equipment at all City parks and recreation facilities to deter crime and vandalism.

Osbaldo Guzman, Parks Department Director, confirmed that a fire was started in the Blas Castaneda Park bathroom earlier in the day, as an example of the vandalism present in Laredo’s parks. There are some low-resolution cameras in place at 14 parks but they are of insufficient quality for security purposes.

Beto Ramirez, Information Services & Telecommunication Director, noted that the previous cameras were so expensive because there were many infrastructure problems in place at the time to be addressed. There are currently 125 parks in Laredo. The implementation of cameras at all parks will be costly. The parks need to be sufficiently lit for cameras to capture images unless the City decided to invest in better quality cameras.

Motion to go out for RFQs for a design plan for park surveillance and manpower.

Moved: Cm .Altgelt

Second: Cm. San Miguel

For: 7

Against: 0

Abstain: 0

Cm. Rangel was not present.

XIV. EXECUTIVE SESSION

24. Request for executive session pursuant to Texas Government Code Section 551.072 to deliberate on-going negotiations regarding the value of real property located at north end of the Laredo International Airport, legally described as an approximate 18.33-acre tract of land, Eastern Division, Laredo, Webb County, Texas. Acquisition of this tract would be for municipal purposes, Runway Protection Zone.

Motion to go into Executive Session

Moved: Cm. Narvaez

Second: Cm. San Miguel

For: 8

Against: 0

Abstain: 0

Following Executive Session, Cm. Vela stated that no action was taken and staff will continue to negotiate.

XVII. ADJOURN

Motion to adjourn.

Moved: Cm. Gonzalez

Second: Cm. Altgelt

For: 7

Against: 0

Abstain: 0

Cm. Rangel was not present.

I, Doanh "Zone" T. Nguyen, City Secretary, do hereby certify that the above and foregoing is a true and correct copy of the minutes contained in pages 01 to 20 and they are true, complete, and correct proceedings of the City Council meeting held on February 1, 2016.

Doanh "Zone" T. Nguyen
City Secretary