

**CITY OF LAREDO
CITY COUNCIL MEETING
M-2015-R-02
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
FEBRUARY 2, 2015
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

Pete Saenz,	Mayor
Rudy Gonzalez,	District I
Esteban Rangel,	Mayor Pro-Tempore, District II
Alejandro Perez, Jr.,	District III
Juan Narvaez,	District IV
Roque Vela, Jr.,	District V
Charlie San Miguel,	District VI
Roberto Balli,	District VIII
Gustavo Guevara, Jr.	City Secretary
Jesus Olivares,	Interim City Manager
Cynthia Collazo,	Deputy City Manager
Horacio De Leon,	Assistant City Manager
Raul Casso,	City Attorney

Motion to excuse Cm. Gonzalez.

Moved: Cm. Vela

Second: Cm. Narvaez

For: 5

Against: 0

Abstain: 0

Cm. San Miguel arrived at 5:50 pm.

IV. MINUTES

Approval of the minutes of January 20, 2015.

Motion to approve the January 20, 2015 minutes.

Moved: Cm. Narvaez

Second: Cm. Vela

For: 5

Against: 0

Abstain: 0

V. COMMUNICATIONS AND RECOGNITIONS

Recognitions

- a. Recognizing Coach Freddie Benavides as he enters the second season as a coach for the Cincinnati Reds Baseball Team.

Mayor Saenz and City Council congratulated Freddie Benavides and presented him with a certificate of recognition.

Citizen comments

Alma Slown from San Jose Subdivision stated that they were flooded last year and were seeing advancement with the wall being built; however, it had been approved only for half of her property. She further stated that they were asking for a park where her kids could play.

Armando Cisneros stated that video for the strategic meeting had not been posted yet. The other comment was that the Fasken Library is open at only limited times, and so he recommended that it be open Tuesday through Saturday rather than Monday through Friday so that they could serve the city as much as they could.

Luis Cisneros stated that the reason he was present was that Council Members were being well compensated for representing their district and that their vote should be based on what benefits their district, not on what benefits them personally. He concluded by mentioning the issue of absences of Council Members from the meetings.

Clema Owen, former manager of the Max, thanked Horacio De Leon, Gracie Briones, and Foresight Golf, and she asked what would happen to the rewards program through Foresight.

VI. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

- a. Appointment by Mayor Pro-Tempore Esteban Rangel of Mario Peña to the Charter Review Commission.

Motion to approve the nomination of Mario Peña to the Charter Review Commission.

Moved: Mayor Pro Tem Rangel

Second: Cm. Perez

For: 5

Against: 0

Abstain: 0

- b. Appointment by Council Member Alejandro "Alex" Perez to the Charter Review Commission.

Motion to approve the nomination of Frank Rotnofsky to the Charter Review Commission.

Moved: Mayor Pro Tem Rangel

Second: Cm. Perez

For: 5

Against: 0

Abstain: 0

- c. Appointment by Council Member Roque Vela, Jr., of Nick Benavides to the Citizens Environmental Advisory Committee.

Motion to table.

Moved: Cm. Vela

Second: Cm. Perez

For: 5

Against: 0

Abstain: 0

- d. Appointment by Council Member Charlie San Miguel of Manuel Sanchez to the Ethics Commission.

Motion to approve the nomination of Manuel Sanchez to the Ethics Commission.

Moved: Mayor Pro Tem Rangel

Second: Cm. Perez

For: 5

Against: 0

Abstain: 0

VII. PUBLIC HEARINGS

1. Public hearing and introductory ordinance amending the City of Laredo Recreation Fund FY 2015 Annual Budget by increasing revenues and expenditures in the amount of \$125,000.00 to be used for the transition period of March through May of FY 2015 to cover operating losses associated with The Max Golf Course. Funding will be made available through a transfer in from General Fund.

Motion to open the public hearing.

amount of \$19,730.00 for a total grant amount of \$1,019,730.00 from the 2014 Homeland Security Grant Program (HSGP) Operation Stonegarden (OPSG). This funding will be used for the purchase of vehicles and related equipment, and for overtime and fringe benefit expenses used for Stonegarden operations. The term of this grant agreement is from September 1, 2014 to February 28, 2016.

Motion to open the public hearing.

Moved: Cm. Vela

Second: Mayor Pro Tem Rangel

For: 6

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Vela

Second: Mayor Pro Tem Rangel

For: 6

Against: 0

Abstain: 0

Ordinance Introduction: City Council

VIII. INTRODUCTORY ORDINANCES

4. Authorizing the City Manager to execute a lease assignment from Miguel A. Rojas, as Lessee, of that lease agreement approved by Ordinance No. 2005-O-056 dated March 29, 2005 for approximately 16,291.44 square feet of land located at 1719 E. Hillside St. located at the Laredo International Airport to Adriana Martinez, as assignee and to exercise the option to extend the lease agreement for one (1) consecutive ten (10) year term, until August 31, 2025. The current monthly rental is \$1,410.46 and shall be adjusted by changes in CPI, all other term and conditions remain the same and in effect; providing for effective date.

Ordinance Introduction: City Council

5. Authorizing the City Manager to accept the dedication of two (2) Utility and Public Access easements for the road and utility improvements planned for Mauro Sandoval Drive, formerly McDonald Street. The easements are being dedicated to the City of Laredo by Esther Santos Falk and Jorge Gonzalez and are further described in sequential order below:

Parcel 1: a tract of land containing 122 square feet , more or less, situated in Porcion 31, Abstract 3116, Jose Trevino, Original Grantee, same being out of Lot 1, Block 1, Limon Subdivision as recorded in Vol 16, Page 19 Webb

County Plat Records, (dedicated by Esther Santos Falk) and

Parcel 2: a tract of land containing 310 square feet , more or less, situated in Porcion 31, Abstract 3116, Jose Trevino, Original Grantee, same being out of Lot 3, Block 1, Loop 20 - Highway 359 - Commercial Plaza, as recorded in Vol. 16 page 27, Webb County Map Records, (dedicated By Jorge Gonzalez); and providing for effective date.

Ordinance Introduction: City Council

IX. FINAL READING OF ORDINANCES

Motion to waive the final readings of Ordinances 2015-O-003, 2015-O-004, 2015-O-005, 2015-O-006, 2015-O-007, 2015-O-008, 2015-O-009, 2015-O-010, 2015-O-011, 2015-O-012, 2015-O-013, 2015-O-014, and 2015-O-015.

Moved: Cm. Vela

Second: Mayor Pro Tem Rangel

For: 6

Against: 0

Abstain: 0

6. 2015-O-003 Amending the City of Laredo Bridge System Refrigerated Facilities FY 2014-2015 Annual Budget by appropriating \$63,750.00 from the Bridge System Refrigerated Facilities opening balance. Funds are to be used for capital improvements and repairs to the refrigeration system, plumbing system, lighting, electrical and security surveillance system of the refrigerated facilities.

Motion to adopt Ordinance 2015-O-003.

Moved: Mayor Pro Tem Rangel

Second: Cm. Vela

For: 6

Against: 0

Abstain: 0

- 2015-O-004 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning approximately 6.16 acres, as further described by metes and bounds in attached Exhibit "A", located west of Cuatro Vientos Road and south of Wormser Road, from R-1A (Single Family Reduced Area District) to B-3 (Community Business District); providing for publication and effective date.

Motion to adopt Ordinance 2015-O-004.

Moved: Mayor Pro Tem Rangel

Second: Cm. Vela

For: 6

Against: 0

Abstain: 0

2015-O-005 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 1A, 2A and 3A, Block 2, Las Blancas Subdivision Unit 2, located at 110, 114 and 118 Camino Nuevo Road, from B-4 (Highway Commercial District) to M-1 (Light Manufacturing District); providing for publication and effective date.

Motion to adopt Ordinance 2015-O-005.

Moved: Mayor Pro Tem Rangel

Second: Cm. Vela

For: 6

Against: 0

Abstain: 0

2015-O-006 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 25 acres as further described by metes and bounds in attached Exhibit "A", located on State Highway 359 south of South Aviators and Wilcox Roads, from R-1 (Single-Family Residential District) and B-4 (Highway Commercial District) to M-1 (Light Manufacturing District); providing for publication and effective date.

Motion to adopt Ordinance 2015-O-006.

Moved: Mayor Pro Tem Rangel

Second: Cm. Vela

For: 6

Against: 0

Abstain: 0

2015-O-007 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning all of Block 1029, the 15,433.46 sq. ft. out of Thurman Street between Mendiola Ave. and Tapeyste St., the 15,433.46 sq. ft. out of Mendiola Ave. between Morton and Bayard St., the 15,433.46 sq. ft. out of Mendiola Ave. between Thurman and Morton St., and the 15,433.46 sq. ft. out of Mendiola Ave. between Palo Blanco and Thurman St., Eastern Division, located at 1701 Palo Blanco Street, from R-2 (Multi-Family Residential District) to B-3 (Community Business District); providing for publication and effective date.

Motion to adopt Ordinance 2015-O-007.

Moved: Mayor Pro Tem Rangel

Second: Cm. Vela

For: 6

Against: 0

Abstain: 0

2015-O-008 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning all of Blocks 1030, 1032, 1033, 1034, 1043, and Lots 2

thru 7, Block 1044, Eastern Division, located at 1701 Tinaja Street, 1601 Palo Blanco Street, 1601 Thurman Street, 1601 Norton Street, 1501 Norton Street, and 1501 Thurman Street, from R-2 (Multi-Family Residential District) to B-3 (Community Business District); providing for publication and effective date.

Motion to adopt Ordinance 2015-O-008.

Moved: Mayor Pro Tem Rangel

Second: Cm. Vela

For: 6

Against: 0

Abstain: 0

2015-O-009 Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit for a restaurant selling alcohol on .5657 acres of commercial area of Chaparral Village Subdivision Unit II, located at 601 E. Calton Road; providing for publication and effective date. (AS AMENDED)

Motion to adopt Ordinance 2015-O-009.

Moved: Mayor Pro Tem Rangel

Second: Cm. Vela

For: 6

Against: 0

Abstain: 0

2015-O-010 Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit for a Restaurant Serving Alcohol, on Lot 3B, Block 1, San Isidro – Loop 20 Commercial Plat, located at 2517 Bob Bullock Loop, Suite 104; providing for publication and effective date.

Motion to adopt Ordinance 2015-O-010.

Moved: Mayor Pro Tem Rangel

Second: Cm. Vela

For: 6

Against: 0

Abstain: 0

2015-O-011 Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for auto sales on Lot 4, Block 848, Eastern Division, located at 1519 San Pedro Street; providing for publication and effective date.

Motion to adopt Ordinance 2015-O-011 as amended to include the new site plan.

Moved: Cm. Narvaez

Second: Cm. Vela

Stopping, Standing or Parking, of the Code of Ordinances, City of Laredo: specifically adding Section 19-364 (13), which establishes the North side of State Highway 359, between Willow Oaks Street and Larga Vista Drive, as a No Parking Anytime/Tow Away Zone, Deleting Section 19-364 (4) and Section 19-364 (5) and renumbering of Sections 19-364 (6) through Section 19-364 (14) providing severability, effective date and publication.

Motion to adopt Ordinance 2015-O-015.

Moved: Mayor Pro Tem Rangel

Second: Cm. Vela

For: 6

Against: 0

Abstain: 0

X. RESOLUTIONS

7. 2015-R-15 Authorizing the City Manager to enter into and execute a Memorandum of Agreement between the Public Buildings Service (PBS) of the U.S. General Services Administration (GSA) and U.S. Customs and Border Protection (CBP) of the U.S. Department of Homeland Security and Authorized Representatives and the City of Laredo, Texas and Authorized Representatives to accept the City of Laredo's offer of an unconditional gift to GSA of a constructed hazardous materials containment facility on federally owned property at the World Trade Bridge Land Port of entry (LPOE) in Laredo, Texas.

Motion to approve Resolution 2015-R-15.

Moved: Cm. Vela

Second: Mayor Pro Tem Rangel

For: 6

Against: 0

Abstain: 0

8. 2015-R-16 Accepting the conveyance of the following 12 foot Utility and Utility Access Easement, for the right to construct, reconstruct, repair and perpetually maintain line improvements for the construction of an 8" sanitary sewer line from:

Robert McMahon - Utility easement as follows:

A 12' wide Utility and Access easement containing 3,054.17 square feet out of Lot 1, Block 1 McMahon Plat more or less, out of 4.70 acres a copy of which conveyance is attached as Exhibit A:

And directing that the said Easement be filed of record in official property records of Webb County, Texas.

Motion to approve Resolution 2015-R-16 as amended to substitute the new site plan.

Moved: Cm. Narvaez
Second: Mayor Pro Tem Rangel
For: 6 Against: 0 Abstain: 0

9. 2015-R-17 Authorizing the City Manager to execute a license agreement between the City of Laredo and the United States General Services Administration (GSA) for the purpose of the construction, operation and maintenance of security enhancements and temporary structures (improvements) on a portion of City of Laredo right-of-way, abutting the Colombia Port of Entry (POE). The improvements are necessary to support the Department of Homeland Security, Customs and Border Protection's (DHS-CBP) inspection of outbound vehicular traffic and to improve port security. The term of the agreement is effective for an initial five (5) year period with two (2) options to renew for an additional five (5) year period each.

Motion to table Resolution 2015-R-17.

Moved: Cm. Vela
Second: Mayor Pro Tem Rangel
For: 6 Against: 0 Abstain: 0

XI. MOTIONS

10. Ratifying payment to Foresight Golf, L.L.C., in the amount of \$286,889.75 for October, 2014 through January, 2015 golf course operating losses and approving advance of \$64,606.59 for estimated losses for the month of February, 2015. Funding is available in the Recreation Fund.

Motion to approve.

Moved: Mayor Pro Tem Rangel
Second: Cm. Vela
For: 6 Against: 0 Abstain: 0

11. Consideration to renew contract FY14-020 to Nick Benavides, Laredo, Texas to provide mowing and maintenance of the Chacon Creek Hike and Bike Trail. This contract is for an estimated amount of \$161,988.00 and maintenance area is approximately 32 acres of land which includes all areas

on or next to Chacon Creek Trail. This will be the first of two - one year extension options upon mutual agreement from both parties and there is no price increase. Funding is available in the Environmental Services Departmental Budget.

Armando Cisneros stated that Nick Benavides was lined up to be assigned to the Citizens Environmental Advisory Committee, and yet he was on the committee before; he concluded that the contract was a violation of the Ethics Ordinance and that it was voidable.

City Attorney Raul Casso said that a contract was voidable, not void; he added that he wished to look at this and make a recommendation.

Motion to table.

Moved: Cm. Narvaez

Second: Cm. Perez

For: 6

Against: 0

Abstain: 0

12. Consideration to award two (2) year contract FY15-014 to sole bidder, Dus-Tex Mops & Mats Rental, Laredo, Texas in the estimated annual amount of \$69,160.00 to provide dust mops and mats rental services to various city departments. This contract is subject to future appropriations and items will be requested on an as needed basis. If the contract pricing remains the same as current pricing structure, this contract can be automatically renewed for an additional two (2) years period, upon mutual agreement. Funding is available in the various city departmental budgets.

Motion to approve.

Moved: Mayor Pro Tem Rangel

Second: Cm. Vela

For: 6

Against: 0

Abstain: 0

XII. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

13. A. Request by Mayor Pro-Tempore Esteban Rangel

1. Discussion with possible to give the Interim City Manager discretion to execute contracts for goods or services under \$50,000.00 where time is of the essence; the contract is reasonably limited in scope; and, where preliminary steps for a contract, such as the performance of feasibility studies, have already been performed, and in other special circumstances where immediate administrative action without going to Council is in order.

Motion to approve a reinstatement of this authority for all services with

monthly staff reports.

Moved: Mayor Pro Tem Rangel

Second: Cm. San Miguel

For: 6

Against: 0

Abstain: 0

2. Discussion with possible action regarding the renovation and conversion of the former Santo Niño Library to a Community Center providing WIC services; identification of funding sources; and award of contract to Design Group International Architects for design and engineering services.

Mayor Pro Tem Rangel stated that they had wanted feedback to know how much it would cost to bring that building up to par.

Community Development Programs Administrator Arturo Garcia stated that they did have a balance of CDBG funds, a total of around \$350,000 that could be reprogrammed.

Motion to approve.

Moved: Mayor Pro Tem Rangel

Second: Cm. Perez

For: 6

Against: 0

Abstain: 0

XIII. STAFF REPORTS

14. Staff report regarding the status of negotiations for a Memorandum of Understanding with the United Independent School District (UISD) for a City of Laredo/UISD Natatorium, with possible action.

Interim City Manager Jesus Olivares reported that they had been going back and forth and they had not yet been able to agree on two items: a 35% maintenance fee for which the city would be responsible, and \$1 million being requested which had not come to Council for a vote.

UISD Attorney Juan Cruz reported that they had been dealing with this project for a while and the school board was looking forward to moving along with it. He added that, for the record, UISD would not expect for the City of Laredo to contribute any more than \$4 million because that was the cap. He further stated that UISD would contribute 65% for maintenance and operations and the city would contribute either 35% or not to exceed \$150,000, whichever was lower, adjusted for inflation every two years based on the CPI for the locale.

Interim City Manager Jesus Olivares stated that if they left the cap at \$150,000, any additional funds would have to come out of the general fund

and not the sports venue. He added that they needed for Council to be comfortable adding the additional \$1 million and was looking for a recommendation from the Mayor and Council.

Motion to approve \$4 million and to have staff come back with a recommendation of 35% or \$150,000 per year, and to move forward with the memorandum of understanding as amended to include a discussion about going out on construction bids.

Moved: Mayor Pro Tem Rangel

Second: Cm. San Miguel

For: 6

Against: 0

Abstain: 0

15. Discussion with possible action to refund Foresight's capital and start up expenses furnished by Foresight at the commencement of its operation of the Max A. Mandel Municipal Golf Course as prorated pursuant to §5.5.2 of the Leasehold/Management Agreement between the City of Laredo and Foresight Laredo Golf, L.L.C. Funding is available in the Capital Improvement Fund.

Interim City Manager Jesus Olivares reported that they had furnished a certain amount of money when the golf course was started, and the money would be returned if they ever were terminated or left. He added that there had been a request to return the money which was \$173,333 for a year and four months of operation, and so he was requesting direction from Council.

Motion to approve.

Moved: Mayor Pro Tem Rangel

Second: Cm. Perez

For: 6

Against: 0

Abstain: 0

16. Discussion with possible action to approve a Memorandum of Understanding (MOU) with Foresight Golf for a transition period of one hundred twenty (120) days to wind down and go through an RFP process to hire a management operating company for an amount of \$6,250.00 a month for their management fees of the Max A. Mandel Municipal Golf Course. Funding is available in the General Fund accounted for in the Recreation Fund.

Motion to approve.

Moved: Cm. Vela

Second: Mayor Pro Tem Rangel

For: 6

Against: 0

Abstain: 0

17. Staff Report regarding FY2016 Third Party Funding application process with

possible action.

Community Development Program Coordinator Arturo Garcia reported that they were seeking Council's guidance for their upcoming budget cycle for Third Party Funding. He asked whether or not they could accept new applications.

Motion to approve accepting new applications as amended to include reports from staff regarding the applicants.

Moved: Mayor Pro Tem Rangel

Second: Cm. San Miguel

For: 6

Against: 0

Abstain: 0

XIV. EXECUTIVE SESSION

None.

XV. ADJOURNMENT

Motion to adjourn.

Moved: Cm. Vela

Second: Mayor Pro Tem Rangel

For: 6

Against: 0

Abstain: 0

I, Gustavo Guevara, Jr., City Secretary, do hereby certify that the above and foregoing is a true and correct copy of the minutes contained in pages 01 to 15 and they are true, complete, and correct proceedings of the City Council meeting held on February 2, 2015.

Gustavo Guevara, Jr.

City Secretary