

**CITY OF LAREDO
CITY COUNCIL MEETING
M-2013-R-09
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
JUNE 3, 2013
5:30 P.M.**

I. CALL TO ORDER

With a quorum present, Mayor Raul G. Salinas called the meeting to order.

II. PLEDGE OF ALLEGIANCE

Mayor Raul G. Salinas led in the pledge of allegiance.

III. ROLL CALL

Raul G. Salinas,	Mayor
Esteban Rangel,	District II
Juan Narvaez,	Mayor Pro Tempore, District IV
Charlie San Miguel,	District VI
Jorge A. Vera,	District VII
Cynthia Liendo,	District VIII
Gustavo Guevara, Jr.	City Secretary
Carlos Villarreal,	City Manager
Cynthia Collazo,	Deputy City Manager
Horacio De Leon,	Assistant City Manager
Jesus Olivares,	Assistant City Manager
Raul Casso,	City Attorney

Motion to excuse Cm. Perez, Cm. Vela, and Cm. Garza.

Moved: Cm. Narvaez

Second: Cm. Vera

For: 5

Against: 0

Abstain: 0

IV. MINUTES

Approval of the minutes of May 20, 2013.

Motion to approve the May 20, 2013 minutes.

Moved: Cm. San Miguel
Second: Cm. Vera
For: 5

Against: 0

Abstain: 0

V. COMMUNICATIONS AND RECOGNITIONS

Recognitions

- a. Recognition of the United High School Baseball Team for their Southwest Regional Championship.

Mayor Salinas and the City Council publicly acknowledged the United High School baseball team for their outstanding performance and presented each member with certificates of recognition.

VI. PUBLIC HEARINGS

1. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 2, Block 1628, Eastern Division, located at 2711 Cleveland Street, from R-2 (Multi-Family Residential District) to R-1-MH (Single-Family Manufactured Housing District).

Staff does not support the application and the Planning & Zoning Commission recommends denial of the zone. District II

Motion to open the public hearing.

Moved: Cm. Liendo
Second: Cm. Vera
For: 5

Against: 0

Abstain: 0

Gilbert Hinojosa, son of property owner Maria T. Hinojosa, stated that Ms. Hinojosa has been renting this lot since 1969. She would like to bring a mobile home onto the lot, to rent, in order to help cover the taxes on the lot.

Motion to close the public hearing and send back to Planning and Zoning to discuss an application for a CUP.

Moved: Cm. Rangel
Second: Cm. Narvaez
For: 5

Against: 0

Abstain: 0

VII. FINAL READING OF ORDINANCES

Motion to waive the final reading of Ordinances 2013-O-072, 2013-O-073, 2013-O-074, 2013-O-075, 2013-O-076.

Moved: Cm. Liendo
Second: Cm. Narvaez
For: 5

Against: 0

Abstain: 0

2. 2013-O-072 Amending the City of Laredo FY 2013 Airport Operations Budget by appropriating proceeds from the sale of land to Diocese of Laredo and the Laredo Housing Opportunities Corporation, in the total amount of \$1,740,719.24. The amount of \$444,445.00 will be transferred and appropriated in the Airport Construction Fund Budget to provide local match for FAA Grant No. 72 for the Noise Abatement Program and to acquire PV Investments leasehold interest and authorizing the City Manager to implement said budget amendment.

Motion to adopt Ordinance 2013-O-072.

Moved: Cm. Liendo
Second: Cm. Vera

For: 5

Against: 0

Abstain: 0

- 2013-O-073 Amending the City of Laredo FY 2013 Airport Construction Fund Budget by appropriating revenues from the Federal Aviation Administration Airport Improvement Program Grant Project No. 3-48-0136-72-2012 in the amount of \$4,000,000.00 for noise mitigation under FAR PART 150 Noise Abatement Program at the Laredo International Airport and appropriating local match in the amount of \$444,445.00 and authorizing the City Manager to implement said budget amendment. The City's local match of ten percent (10%) in the amount of \$444,445.00 is available in the Airport Construction Fund.

Motion to adopt Ordinance 2013-O-073.

Moved: Cm. Liendo
Second: Cm. Vera

For: 5

Against: 0

Abstain: 0

- 2013-O-074 Amending the City of Laredo Bridge System FY 2012-2013 annual budget by appropriating \$490,266.00 from the Bridge System Construction Fund opening balance to be used for Bridge related projects such as toll lane signage, lane barrier gates and treadles and other related improvements.

Motion to adopt Ordinance 2013-O-074.

Moved: Cm. Liendo

Second: Cm. Vera
For: 5 Against: 0 Abstain: 0

2013-O-075 Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for a Manufactured Home on Lot 9, Block 2070, Eastern Division, located at 3305-B Santa Clara Street; providing for publication and effective date.

Motion to adopt Ordinance 2013-O-075.

Moved: Cm. Liendo
Second: Cm. Vera
For: 5 Against: 0 Abstain: 0

2013-O-076 Assuming that leasehold interest from LESSEE PV Investments, Inc., as approved by Ordinance No. 2011-O-121 dated September 6, 2011 on two (2) tracts of land being Lot No.1 consisting of approximately 15,463.8 square feet and Lot No. 3 consisting of approximately 4,769 square feet all located on Block No. 15 at the Laredo International Airport, including any sublease interests emanating there from, and compensating PV Investments in the amount of \$106,000.00 for improvements made on the leasehold premises, and authorizing the City Manager to execute all relevant documents. Funding is available in the Airport Fund.

Motion to adopt Ordinance 2013-O-076.

Moved: Cm. Liendo
Second: Cm. Vera
For: 5 Against: 0 Abstain: 0

VIII. RESOLUTIONS

3. 2013-R-045 Accepting the conveyance of the following Utility Easement and Temporary Construction Easement from:

Roberto Rodriguez – a 60 foot Utility Easement with corresponding Temporary Construction Easement as follows: one (1) 0.9525 Acre Tract, a copy of which conveyance is attached as Exhibit 1;

This 60 foot Easement is for an 8 inch water and 12 inch sanitary sewer line, for the service area of Shiloh Crossing, Stone Creek, Village Heights and Shenandoah Valley Subdivisions.

Motion to approve Resolution 2013-R-045.

Moved: Cm. Liendo
Second: Cm. Vera
For: 5 Against: 0 Abstain: 0

IX. MOTIONS

4. Authorizing the City Manager to grant a public fireworks display permit for the Laredo Country Club 4th of July fireworks display to begin at approximately 9 p.m. on July 4th, 2013. The technicians for the display will be Atlas Enterprises, Inc.

Motion to approve.

Moved: Cm. Liendo
Second: Cm. Rangel
For: 5 Against: 0 Abstain: 0

5. Referring the City of Laredo Comprehensive Plan to the Planning and Zoning Commission and requiring that a report from the Planning and Zoning Commission with any recommendations be brought back before the City Council before the adoption of the budget; in accordance with Article IX, Section 9.03 of the Charter of the City of Laredo.

Motion to approve.

Moved: Cm. Liendo
Second: Cm. Rangel
For: 5 Against: 0 Abstain: 0

6. Authorizing the City Manager to continue using the Webb County Jail to incarcerate prisoners that are arrested for Class C misdemeanor violations and to amend the current agreement with Webb County by setting a daily rate of \$62.50 per day per prisoner. The daily rate is subject to change in accordance with the rate allowed by the United States Government for incarcerating federal prisoners in the Webb County Jail. Subject to continued appropriation, the agreement will continue annually unless written notice from either party to discontinue the services is submitted. Webb County Jail is the only source that provides this service within our geographic area.

Motion to approve.

Moved: Cm. Liendo
Second: Cm. Rangel
For: 5 Against: 0 Abstain: 0

7. Consideration to award a software maintenance contract to the sole source provider, HTE Sungard, in the amount of \$304,641.57. This maintenance contract provides customer support and service for the HTE OSSSI computer software system utilized

by the Police and Fire Departments. The term of the contract is for twelve (12) months ending on December 31, 2013. Funding is available in the Police and Fire Department annual budgets.

Motion to approve.

Moved: Cm. Liendo
Second: Cm. Rangel
For: 5

Against: 0

Abstain: 0

8. Consideration to renew contract FY10-057 awarded to Delta House Electric and Motor Rewind, Freer, Texas, for an amount up to \$300,000.00 to provide electric motor repair service for the Utilities Department. Repairs are for motors with horsepower ratings from 1/8 HP to 400 HP that are used in water and wastewater operations. This is the last extension period for this contract. Funding is available in the Utilities Department Fund.

Motion to approve.

Moved: Cm. Liendo
Second: Cm. Rangel
For: 5

Against: 0

Abstain: 0

9. Consideration for acceptance, release of retainage, approval of change order no. 2, a credit in the amount of \$241,837.02 for a total final contract amount of \$642,027.48, and final payment in the amount \$84,612.96 to QRO Mex Construction Inc., Granite Shoals, Texas for the Regency Park Waterline Replacement project. Funding is available in 2009 Bond Sewer Line Rehabilitation account 559-4283-538-0363.

Motion to approve.

Moved: Cm. Liendo
Second: Cm. Rangel
For: 5

Against: 0

Abstain: 0

10. Consideration for approval to negotiate competitive sealed proposal construction contracts for the bids received for the South Laredo Library, and to award contracts for the trade packages which are within funding availability, namely: (1) site work & drainage package, (2) carpentry package, (3) HVAC package, (5) structural steel & roof framing package, (6) glass & glazing package, (7) doors & windows package, (8) elevator package, (9) millwork package, (10) metals package; reject the bids for (4) masonry & stucco package due to the bid being too high; and approval to advertise for bids for the masonry & stucco package rejected in this second advertisement and approval to award contracts for the first four (4) previous trade packages which are within funding availability, namely: concrete package to

Mariano Zapata, roofing package to A-Lert Roof Systems, a division of Centurion Industries, Inc., electrical package to AC-DC, Inc., and the plumbing package to A-Plus Plumbing Contractor, Inc. Funding is available in the 2008 C.O., 2009 C.O., Capital Improvements Fund, and Community Development 34th Action Year.

Motion to approve.

Moved: Cm. Rangel
Second: Cm. Liendo
For: 5

Against: 0

Abstain: 0

11. Consideration for approval of award of construction contract to the lowest bidder Martinez Paving Company, Inc., Laredo, Texas, in the amount of \$1,366,711.75 for the Backwoods Drive Extension Project from South of Yukon Drive to Shiloh Drive approximately 1800 L.F., with a six (6) months construction contract time; 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 January 2014. Funding is available in the 2007 Certificate of Obligation-Backwoods Drainage and 2010 Utilities Sewer System Revenue Bond.

Motion to approve.

Moved: Cm. Liendo
Second: Cm. Rangel
For: 5

Against: 0

Abstain: 0

12. Consideration to authorize purchase contracts utilizing the Houston-Galveston Area Council of Governments (H-GAC) and Buy Board Cooperative Purchasing Program pricing to:

1. Santex Truck Center, San Antonio, Texas, for the purchase of one (1) International Cab & Chassis in the amount of \$84,122.00 and;
2. Heil of Texas, Houston, Texas, for the purchase of one (1) grapple dump body in the amount of \$77,463.00.

Funding is available from 2012A Contractual Obligation Bond proceeds.

Motion to approve.

Moved: Cm. Liendo
Second: Cm. Rangel
For: 5

Against: 0

Abstain: 0

X. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

13. A. **Request by Mayor Raul G. Salinas**

1. Recognizing Mr. Miguel Timoshenkov for his 42 years of outstanding journalistic career and retirement.

Mayor Raul G. Salinas expressed his great pleasure in honoring a distinguished journalist whom he has always found to be, not only thorough and efficient, but ethical and professional in performing his job. He presented Mr. Timoshenkov with a proclamation declaring Miguel Timoshenkov Day and a certificate of recognition.

2. Discussion with possible action on creating a recognition program for new businesses opening in Laredo on a monthly basis.

Mayor Raul G. Salinas stated that there are many new businesses being created or opened throughout the city. He suggested scheduling a special meeting and inviting new business owners and the public to attend. This will give them an opportunity to be welcomed by Council and the public and to talk about their new businesses and what they have to offer.

B. **Request by Council Member Esteban Rangel**

1. Discussion with possible action directing the City Attorney to take legal action as necessary to obtain completion on the Maria Luisa Haynes Health and Wellness Center.

Jose Garcia, Modern Construction, reported that they are currently working on an internal reorganization. Modern Construction will be presenting a reorganization plan on June 7, 2013. Upon approval, Modern Construction can resume work and the fulfillment of the punch list for the Maria Luisa Haynes Health and Wellness Center.

Rogelio Rivera, City Engineer, reported that the punch list was submitted a year ago and they were at a point of 95%, or better, complete; however, Frank Architects, Inc. has been asked to submit an updated punch list.

Carlos Villarreal, City Manager, stated his recommendation is for City Council to direct city staff to argue before the bankruptcy court judge to allow the City to finish this job on its own, separate from Modern Construction.

Motion to instruct the City Attorney to take whatever legal action is necessary for the City to finish this project.

Motion: Cm. Rangel

Second: Cm. Vera

For: 4

Against: 1

Abstain: 0

Cm. San Miguel was against.

2. Recognizing the Laredo Bad Boyz Baseball Team for their 2013 season accomplishments.

Cm. Rangel reported that the Bad Boyz baseball team continues to be undefeated, after winning their game against a San Antonio team in May, and that they will be traveling to Austin during the upcoming weekend for the State Tournament.

C. Request by Council Member Jorge A. Vera

1. Discussion with possible action to establish a one or two Miracle Baseball Fields that will benefit children with special needs.

Cm. Vera reported that the Miracle Field consists of a field made of recycled tires with the striping and bases painted on so that children in wheelchairs or with walkers can physically play baseball. The child has to have a volunteer play with them, which is usually a parent and which makes this a great family activity.

Ms. Brandy Villarreal stated that she helped found a group called Autism T.I.E.S., in 2011, and started a baseball league, last summer, that received a really good response from families with many special needs. Their biggest challenge was having access to a baseball field.

Jorge Batarchea reported that he worked with Ms. Villarreal to start a special needs team, regardless of age, gender or physical ability, and had a turnout of approximately 120 to 130 children. He asked the City Council to consider establishing one or more fields for these special needs children so they can play and enjoy baseball.

Cm. Vera stated that he will be traveling to San Antonio to visit a Miracle Baseball Field. Based on information he has received from other Miracle Field participants in San Antonio and other cities, it is better to convert multiple existing fields, rather than constructing one individual field so there is a greater access across the Laredo area.

2. Discussion with possible action on the proposed ordinance on “spice”, “saliva”, “bath salts”, and K2”, etc., otherwise known as “synthetic cannabis”, among prohibited substances and to include prohibiting the provision of “formulas” under the Texas Controlled Substances Act.

Cm. Vera stated that he had conversations with the City Attorney and, based on legislation already in place of the Federal and State levels, the City of Laredo will follow suit by drafting an ordinance in regards to these prohibited substances and the paraphernalia associated with it.

Raul Casso, City Attorney, stated that the city needs to have studies conducted by the Health Department and the Police Department to determine how dangerous these synthetic drugs are, how prevalent they are in the community and the impact they are having on the community. This will then allow the city to move forward on police action in dealing with these substances.

Motion to direct staff to draft an ordinance prohibiting the use of synthetic drugs and drug paraphernalia, and ordering studies to be conducted by the Health and Police departments in regards to the danger of synthetic drug use, and synthetic drug prevalence and impact on the community.

Motion: Cm. Vera

Second: Cm. San Miguel

For: 5

Against: 0

Abstain: 0

3. Presentation by Miss Texas Teen USA Daniela Rodriguez who will be traveling to the Bahamas to compete in the 2013 Miss Teen USA pageant.

Miss Daniela Rodriguez stated she has served as Miss Pre-Teen Laredo in 2010, Miss Laredo Teen 2011, and Miss Texas Teen 2013. Ms. Rodriguez will be traveling to the Bahamas on August 9-10, to compete for Miss Teen USA 2013 and asked for support from the City Council to help cover some of the cost of the trip.

Carlos Villarreal, City Manager, stated that he will research to determine whether Ms. Rodriguez's request meets all of the benchmarks and requirements for the use of city funds and that he will get in touch with her.

XI. EXECUTIVE SESSION

None.

XII. 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. Liendo

Second: Cm. Narvaez

For: 5

Against: 0

Abstain: 0

14. Motion to approve free bus rides on all Metro Routes on Thursday, June 20, 2013, in conjunction with the Eighth Annual American Public Transportation Association's National Dump the Pump Day.

Motion to approve.

Moved: Cm. Rangel

Second: Cm. Vera

For: 5

Against: 0

Abstain: 0

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

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

Moved: Cm. Liendo

Second: Cm. Vera

For: 5

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 11 and they are true, complete, and correct proceedings of the City Council Special City Council meeting held on June 03, 2013.

Gustavo Guevara, Jr.
City Secretary