

**CITY OF LAREDO
CITY COUNCIL MEETING
M-2013-R-15
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
SEPTEMBER 16, 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
Alejandro Perez, Jr.	District III
Juan Narvaez,	Mayor Pro-Tempore, District IV
Roque Vela, Jr.,	District V
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. Garza, Cm. Perez, Cm. San Miguel and Cm. Liendo.

Moved: Mayor Pro Tem Narvaez

Second: Cm. Vera

For: 4

Against: 0

Abstain: 0

Cm. Perez joined the meeting at 6:00 pm.

Cm. San Miguel joined the meeting at 6:24 pm.

Cm. Liendo joined the meeting at 6:34 pm.

IV. MINUTES

Approval of the minutes of September 3, 2013.

Motion to approve the September 3, 2013 minutes.

Moved: Cm. Vera

Second: Mayor Pro Tem Narvaez

For: 4

Against: 0

Abstain: 0

V. COMMUNICATIONS

Citizen comments

None.

VI. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

- a. Appointment by Council Member Roque Vela, Jr. of Valentin Cuellar to the Historic District/Landmark Board.

Motion to approve the nomination of Valentin Cuellar to the Historic District/Landmark Board.

Moved: Cm. Vera

Second: Cm. Rangel

For: 5

Against: 0

Abstain: 0

- b. Appointment by Council Member Mike Garza of Roberto Garza Jr., to the Parks and Recreation Board.

Motion to approve the nomination of Roberto Garza, Jr. to the Parks and Leisure Services Board.

Moved: Cm. Vera

Second: Cm. Rangel

For: 5

Against: 0

Abstain: 0

VII. PUBLIC HEARINGS

- 1. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning all of Block 1302, Eastern Division, located at 2200 Zacatecas Street, from R-2 (Multi-Family Residential District) to B-3 (Community Business District); providing for publication and effective date.

Staff supports the application and the Planning and Zoning Commission recommends approval of the zone change. District II

Motion to open the public hearing.

Moved: Cm. Liendo

Second: Cm. Vela

For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Liendo

Second: Cm. San Miguel

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Liendo

2. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 1, Block 1, Igal Subdivision, located at 23161 F.M. 1472, from AG (Agricultural District) to B-4 (Highway Commercial District); providing for publication and effective date.

Staff is in support of the application and the Planning and Zoning Commission recommends approval of the zone change. District VII

Motion to open the public hearing.

Moved: Cm. Liendo

Second: Cm. Vela

For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Liendo

Second: Cm. Rangel

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Liendo

3. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 1, 3, 4, 5, 6, 7, 8 and 0.1365 acres out of Lot 2, Block 206, Western Division, located at 1202 Santa Cleotilde Avenue, from R-3 (Mixed Residential District) to B-1 (Limited Commercial District); providing for publication and effective date.

Staff is in support of the application and the Planning and Zoning Commission recommends approval of the zone change. District VIII

Motion to open the public hearing.

Moved: Cm. Liendo

Second: Cm. Vela

For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Liendo

Second: Cm. Vera

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Liendo

4. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for administrative offices and bus inspection on Lots 1, 3, 4, 5, 6, 7, 8 and 0.1365 acres out of Lot 2, Block 206, Western Division, located at 1202 Santa Cleotilde Avenue; providing for publication and effective date.

Staff is in support of the application and the Planning and Zoning Commission recommends approval of the conditional use permit. District VIII

Motion to open the public hearing.

Moved: Cm. Vela

Second: Cm. Liendo

For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Liendo

Second: Cm. Rangel

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Liendo

5. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for an amusement redemption machine establishment on Lot 2C, Block 1, Zaftex Subdivision, Phase II, located at 3917 Jaime Zapata Memorial Highway, Suites 1 & 4; providing for publication and effective date.

Staff is not in support of the application and the Planning and Zoning Commission recommends in favor of the conditional use permit. District I

Motion to open the public hearing.

Moved: Cm. Vela

Second: Cm. Rangel

For: 7

Against: 0

Abstain: 0

Alma Arellano stated that she had bought the property a year and a half ago and her plan was to change the building façade and design. She outlined her specific changes and explained that she wished to invest in the improvements.

Motion to close the public hearing and introduce with the condition that the building be a uniform color .

Moved: Cm. Vela

Second: Cm. Vera

For: 6

Against: 0

Abstain: 1

Mayor Pro Tem Narvaez

Ordinance Introduction: Cm. Vela

6. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 1, Block 1, Bruni at Fiesta Subdivision, located at 102 Alta Mar Drive from B-3 (Community Business District) to B-4 (Highway Commercial District); providing for publication and effective date.

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

Motion to open the public hearing.

Moved: Cm. Rangel

Second: Cm. Liendo

For: 7

Against: 0

Abstain: 0

Humberto Ramirez, property owner, stated that he was asking for the zone change to a B-4 for construction of a mini storage facility because his concern was the expenses required under a Special Use Permit.

Motion to close the public hearing and go with a B-3 Special Use Permit and defer the construction plans until the SUP is approved as amended.

Moved: Cm. Rangel

Second: Cm. Vela

For: 7

Against: 0

Abstain: 0

7. Public hearing and introductory ordinance authorizing the issuance of City of Laredo, Texas Waterworks and Sewer System Revenue Bonds, New Series 2013, in the approximate aggregate principal amount of \$18,745,000.00, for the purpose of improving and extending the City’s combined Waterworks System and Sewer System, approving an official statement, authorizing the execution of a purchase contract, making provisions for the security thereof, delegating to the City Manager the authority to approve all final terms of the bonds; 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 open the public hearing.

Moved: Cm. Liendo

Second: Cm. Vela

For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Rangel

Second: Cm. Vera

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: City Council

8. Public hearing and introductory ordinance authorizing the issuance, sale and delivery of “City of Laredo, Texas Public Property Finance Contractual Obligations, Series 2013” in the approximate aggregate amount of \$11,300,000.00, for the purchase of personal property; securing the payment thereof by authorizing the levy of an annual ad valorem tax; approving and authorizing the execution of all instruments and procedures related thereto including a paying agent/registrar agreement and a purchase contract; approving the form of an official statement; delegating to the City Manager the authority to approve all final terms of the contractual obligations; authorizing amendment to the City’s budget to appropriate such proceeds for purposes authorized herein; and declaring an effective date.

Motion to open the public hearing.

Moved: Cm. Rangel

Second: Cm. Vela

For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Rangel

Second: Cm. Vela

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: City Council

9. Public hearing and introductory ordinance authorizing the issuance, sale and delivery of “City of Laredo, Texas Combination Tax and Revenue Certificates of Obligation, Series 2013” in the approximate aggregate amount of \$11,245,000.00, for paying all or a portion of the City’s contractual obligations incurred for the purpose of:

- 1) constructing and acquiring storm water drainage and flood control improvements, including related infrastructure and the acquisition of land and interests in land related to said improvements; and
- 2) constructing, improving and repairing City streets and sidewalks, together with drainage, landscape, traffic and street signalization and lighting improvements, including the purchase and acquisition of equipment and municipal vehicles related to said improvements; and
- 3) paying legal, fiscal, and engineering fees in connection with such projects; securing the payment thereof by authorizing the levy of an annual ad valorem tax; approving and authorizing the execution of all instruments and procedures related thereto including a paying agent/registrar agreement and a purchase contract; approving the form of an official statement; delegating to the City Manager the authority to approve all final terms of the certificates of obligation; authorizing amendment to the City’s budget to appropriate such proceeds for purposes authorized herein; and declaring an effective date.

Motion to open the public hearing.

Moved: Cm. Rangel

Second: Cm. Vela

For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Vela

Second: Cm. Liendo

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: City Council

VIII. INTRODUCTORY ORDINANCES

10. Authorizing the City Manager to execute a Lease Termination Agreement and General Release by and between the City of Laredo, a municipal corporation (“Landlord”), and Nextel WIP Lease Corp., a Delaware Corporation, d/b/a Nextel Partners (“Tenant”), to terminate Lease Agreement, dated November 21, 2000 (“Lease”) located at 610 Del Mar Blvd., Laredo, Texas, as authorized by Ordinance 2000-O-277 and accept transfer of certain assets to Landlord, effective November 20, 2013. (Approved by Operations Committee)

Ordinance Introduction: City Council

11. Authorizing the City Manager to execute a Lease Termination Agreement and General Release by and between the City of Laredo, a municipal corporation (“Landlord”), and Nextel WIP Lease Corp., a Delaware Corporation, d/b/a Nextel Partners (“Tenant”), to terminate License Agreement, dated November 21, 2005 (“Lease”) located at 2106 Avenida Mexico, Unit B, Laredo, Texas, as authorized by Ordinance 2005-O-300 and accept transfer of certain assets to Landlord, effective November 20, 2013. (Approved by Operations Committee)

Ordinance Introduction: City Council

12. Authorizing the City Manager to execute a Lease Termination Agreement and General Release by and between the City of Laredo, a Texas Municipal Corporation (“Landlord”) and Nextel WIP Lease Corp., a Delaware Corporation, d/b/a Nextel Partners (“Tenant”), to terminate Lease Agreement dated January 16, 2003 (“Lease”) located at 1301 Farragut St. Laredo, Texas, as authorized by Ordinance 2003-O-014 and accept transfer of certain assets to Landlord, effective January 5, 2014. (Approved by Operations Committee)

Ordinance Introduction: City Council

IX. FINAL READING OF ORDINANCES

Motion to waive the final reading of Ordinances 2013-O-115, 2013-O-116, 2013-O-117, 2013-O-118, 2013-O-119, and 2013-O-120.

Moved: Cm. Rangel

Second: Cm. Vela

For: 7

Against: 0

Abstain: 0

13. 2013-O-115 Adopting the proposed Annual Budget for fiscal year 2013-2014 by appropriating the proposed revenues, expenditures and balances reported therein for the year beginning October 1, 2013 and ending September 30, 2014, consistent with the financial plan described in said Annual Budget (see Exhibit “A”) and motions approved by City Council at public workshops (see Exhibit “B”) and authorizing the City Manager to implement said Annual Budget. (AS AMENDED)

City Manager Carlos Villarreal said that he had not discussed third party funding with the Laredo Development Foundation members except when they had been there.

Mayor Pro Tem Narvaez said that he wished to meet with them to see how their money was being invested so that he could be sure that it was not for paying their own monthly expenses and payroll rather than for the promotion of the city. He felt that they should report this information every 90 days.

Cm. Vera asked for staff to find out how much it would cost to have a director of Economic Development and two assistants so that they could make a comparison.

City Manager Carlos Villarreal replied that he could bring them back an organizational chart of how much it would be to operate an economic development department.

Motion to adopt Ordinance 2013-O-115 to approve funding but not determining who will carry out the mission as amended.

Moved: Cm. Rangel

Second: Cm. Vela

For: 5	Against: 3	Abstain: 0
Cm. Rangel	Cm. Vela	
Cm. Perez	Cm. San Miguel	
Mayor Pro Tem Narvaez	Cm. Liendo	
Cm. Vera		
Mayor Salinas		

Motion to reaffirm the adoption of Ordinance 2013-O-115 and the 2013-2014 budget.

Moved: Cm. Rangel

Second: Cm. Vela

For: 7	Against: 0	Abstain: 0
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2013-O-116 Providing that the property tax rate (revenue) be increased by the adoption of a tax rate of \$0.637000 per \$100 value, which is effectively a 1.10 percent increase in the tax rate (revenue). This tax rate, which has been the same since Tax Year 2004, will have a Maintenance and Operation Rate of \$0.488257 per \$100 value and a Interest and Sinking Funs Rate of \$0.148743 per \$100 value for the levy and the collection of General and Special Ad Valorem taxes for the City of Laredo for Tax Year 2013 and Fiscal Year 2013-2014. (This will be the tenth year that the City would adopt this same rate.)

Motion to adopt Ordinance 2013-O-116.

Moved: Cm. Rangel
Second: Cm. Vela
For: 7 Against: 0 Abstain: 0

2013-O-117 Amending Chapter 18, Article III of the City of Laredo Code of Ordinances by increasing the Garage Sale Permit fee to fifteen dollars (\$15.00) per permit; providing for a savings clause; repealing all ordinances in conflict; providing for severability, publication and effective date.

Cm. Perez stated that he thought that people should not use garage sales as businesses and that they should amend the ordinance to allow only two sales per year.

Motion to adopt Ordinance 2013-O-117 as amended to allow for only two garage sales per year.

Moved: Cm. Rangel
Second: Cm. Vela
For: 6 Against: 1 Abstain: 0
 Cm. Perez Cm. Rangel
 Mayor Pro Tem Narvaez
 Cm. Vela
 Cm. San Miguel
 Cm. Vera
 Cm. Liendo

2013-O-118 Amending the City of Laredo 2013-2014 Laredo Auto Theft Task Force annual budget by increasing revenues in the amount of \$64,908.00 and decreasing expenses in the amount of \$104,114.00 to fund the Laredo Auto Theft Task Force and accepting a grant award in the amount of \$433,514.00 from the State of Texas Automobile Burglary and Theft Prevention Authority. The Texas Automobile Burglary and Theft Prevention Authority will fund the Laredo Auto Theft Task Force for the period of September 1, 2013 through August 31, 2014. This grant pays for salaries, equipment and supplies for Laredo Police Department (LPD) personnel to combat auto theft in the City of Laredo.

Motion to adopt Ordinance 2013-O-118.

Moved: Cm. Rangel
Second: Cm. Vela
For: 7 Against: 0 Abstain: 0

2013-O-119 Authorizing the City Manager to accept FY 2013 Federal Highway Administration (FHWA) Planning (PL112) Funds in the amount of \$461,833.00 and amending the City of Laredo's 2012-2013 General

Fund budget to reflect the PL112 funding allocation for the Laredo Urban Transportation Study, the Designated Metropolitan Planning Organization (MPO), by increasing revenues and expenditures by \$461,833.00 from \$500,000.00 to \$961,833.00.

Motion to adopt Ordinance 2013-O-119.

Moved: Cm. Rangel

Second: Cm. Vela

For: 7

Against: 0

Abstain: 0

- 2013-O-120 Amending Chapter 19, Motor Vehicle and Traffic, Article II, Administration and Enforcement, Division 2, Transportation and Traffic Safety Advisory Committee, Section 19-46, Created, Section 19.47, Filling of Vacancies, and Section 19-49, Meetings of the Code of Ordinances of the City of Laredo, to change method in which committee members are appointed, eliminating term limits, and establishing that five (5) members in attendance constitute a quorum for the Transportation and Traffic Safety Advisory Committee and to provide for publication and effective date.

Motion to adopt Ordinance 2013-O-120.

Moved: Cm. Rangel

Second: Cm. Vela

For: 7

Against: 0

Abstain: 0

X. RESOLUTIONS

14. 2013-R-067 Adopting the 2014-2018 Capital Improvement Program of the City of Laredo.

Motion to approve Resolution 2013-R-067.

Moved: Cm. Rangel

Second: Cm. Vela

For: 7

Against: 0

Abstain: 0

15. 2013-R-076 Authorizing City Manager to accept a grant in the amount of \$25,004.00 from the Texas Department of Transportation for Enforcement of Commercial Motor Vehicle Selective Traffic Enforcement Program. The City of Laredo will be required to provide a match in the amount of \$25,650.72 for a total amount of \$50,654.72. This grant is for overtime salaries. The grant period will begin October 1, 2013 and runs through September 30, 2014. (Approved by Operations Committee)

Motion to approve Resolution 2013-R-076.

Moved: Cm. Rangel
Second: Cm. Vela
For: 7 Against: 0 Abstain: 0

16. 2013-R-077 Authorizing City Manager to accept a grant in the amount of \$50,077.00 from the Texas Department of Transportation for Enforcement of the Comprehensive Selective Traffic Enforcement Program. The City of Laredo match of 50% will be \$51,019.96 for a total amount of \$101,096.96. This grant is for overtime salaries. The grant period will begin October 1, 2013 and runs through September 30, 2014. (Approved by Operations Committee)

Motion to approve Resolution 2013-R-077.

Moved: Cm. Rangel
Second: Cm. Vela
For: 7 Against: 0 Abstain: 0

17. 2013-R-079 Authorizing the City Manager to accept a grant in the amount of \$709,840.00 from the 2012 Homeland Security Grant Program (HSGP) Operation Stonegarden (OPSG). Funding will be available on a reimbursement basis through the Webb County Sheriff's Office (WCSO). This funding will be used for overtime and fringe benefit expenses used for Stonegarden operations. The term of this grant agreement is from September 1, 2012 to February 28, 2014. (Approved by Operations Committee)

Motion to approve Resolution 2013-R-079.

Moved: Cm. Rangel
Second: Cm. Vela
For: 7 Against: 0 Abstain: 0

18. 2013-R-080 Authorizing the City Manager to accept two (2) continuation contracts from the Department of State Health Services (DSHS) as follows:

- 1) Title V-Child Health Services \$75,000.00
- 2) Title V-Prenatal Services \$37,986.00

These contracts in the amount of \$112,986.00 allow the continuation of the City of Laredo Health Department programs for the term period from September 1, 2013 through August 31, 2014. (Approved by Operations Committee)

Motion to approve Resolution 2013-R-067.

Moved: Cm. Rangel
Second: Cm. Vela
For: 7 Against: 0 Abstain: 0

19. 2013-R-081 Accepting the conveyance of the following Utility and Access Easement, for an 8 inch water line and fire hydrant, a fire protection requirement at Lots 11 and 12, Block 11, El Portal Industrial Park, Unit 7, from:

United Parcel Services, Inc. – Utility Easement as follows:
One 0.377 Acre Tract (16,413 square feet) a copy of which conveyance is attached as Exhibit 1;

And directing that the said Easement be filed of record in official property records of Webb County, Texas. (Approved by Operations Committee)

Motion to approve Resolution 2013-R-081.

Moved: Cm. Rangel
Second: Cm. Vela
For: 7 Against: 0 Abstain: 0

20. 2013-R-082 Authorizing the City Manager to accept a grant in the amount of \$90,054.00 from the Office of Justice Programs, Bureau of Justice Assistance for funding the 2013 JAG or Justice Assistance Grant for the period of October 1, 2013 through September 30, 2017. This funding will be used for support staff, equipment and supplies for police operations. The Bureau of Justice Assistance mandates that this grant be divided equally between the City of Laredo and Webb County. (Approved by Operations Committee)

Motion to approve Resolution 2013-R-082.

Moved: Cm. Rangel
Second: Cm. Vela
For: 7 Against: 0 Abstain: 0

21. 2013-R-083 Authorizing and approving a Fee Waiver and a Tax Abatement Agreement between the City of Laredo and Irma C. Ortega for a proposed project located at 2215 Musser Street, Lot 4A, Block 1270, Eastern Division that consists of a Single-Family Residence, 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 abate taxes on new improvements for the purpose of economic development. The project has an estimated capital investment total of \$161,251.27, estimated annual

tax abatement total of \$1,027.17 and estimated total fee waivers of \$1,201.00. Guidelines and criteria for the agreement are set forth in the attached agreement. (Approved by Operations Committee)

Motion to approve Resolution 2013-R-083.

Moved: Cm. Rangel

Second: Cm. Vela

For: 7

Against: 0

Abstain: 0

22. 2013-R-85 Accepting the System Inventory and Water Conservation Plan for the City of Laredo Max Mandel Golf Course individually operated irrigation systems.

Motion to approve Resolution 2013-R-085.

Moved: Cm. Rangel

Second: Cm. Vela

For: 7

Against: 0

Abstain: 0

XI. MOTIONS

23. Authorizing the City Manager to amend its HOME Investment Partnership Program (HOME) and Community Development Block Grant (CDBG) contracts with Bethany House of Laredo, Inc., by increasing the contract time by an additional four (4) months, from September 29, 2013 to December 29, 2013, to construct nine (9) transitional housing units at the Bethany House Center for Hope, a homeless shelter and transitional housing facility located at 817 Hidalgo. The extension is necessary due to the untimely performance of a subcontractor resulting in a delay of the project. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Rangel

Second: Cm. Liendo

For: 7

Against: 0

Abstain: 0

24. Consideration for approval of the CDBG Sidewalks City-Wide Project No. 47 (23 Blocks-District VIII) as complete, approval of change order No. 1, a decrease of \$5,043.70 for the balance of quantities actually constructed in place, release of retainage and approval of final payment in the amount of \$11,862.84 to ALCE Construction, L.L.C., Laredo, Texas. Final construction contract amount is \$118,628.35. Funding is available in the CDBG 37th Action Year – 2011 Grant. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Rangel

Second: Cm. Liendo

For: 7

Against: 0

Abstain: 0

25. Consideration to award contract No. FY13-072 to the sole bidder, Laredo Mechanical Industrial Services, Laredo, Texas, in an amount up to \$60,000.00 for the purchase of McNeilus Original Equipment Manufacturer (OEM) equipment repair parts and service for the City's refuse trucks. All parts and services will be secured on an as needed basis. Funding is available in the Fleet Maintenance budget. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Rangel

Second: Cm. Liendo

For: 7

Against: 0

Abstain: 0

26. Consideration to authorize the purchase of Hurst rescue tools and equipment from Wilson Fire/Rescue, New Braunfels, Texas, through the H-GAC Cooperative contract No. E08-11, in the amount of \$62,488.00 for the Fire Department. Funding is available utilizing 2012 PFFCO Bond proceeds. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Rangel

Second: Cm. Liendo

For: 7

Against: 0

Abstain: 0

27. Approving the property tax revenue increase for the fiscal year 2014 budget as required by the Texas Local Government Code Section 102.007 said increase being \$1,985,536.00 or 3.03%. The amount is due entirely to increases in property tax valuations and new property added to the tax roll and NOT to any increase in the current tax rate of \$.637000.

Motion to approve.

Moved: Cm. Rangel

Second: Cm. Liendo

For: 7

Against: 0

Abstain: 0

28. Authorizing the City Manager to award a professional services contract to Valley View Consulting L.L.C., for Investment Advisory Services for a period of two (2) years. The investment advisory services contract applies to any and all investable funds that may be governed by the City's Investment Policy. The fee schedule is on sliding scale ranging from .04% to .01% of the investment portfolio. The contract term begins October 1, 2013 and is subject to future budget appropriations. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Rangel
Second: Cm. Liendo
For: 7

Against: 0

Abstain: 0

29. Consideration to accept the renewal contract with the Texas Health and Human Services Commission (THHSC) to provide a Medicaid Eligibility Specialist to conduct eligibility services for the Temporary Assistance for Needy Families Program, Food Stamps and Medical Assistance Program operated under the Title XIX; housed at the Laredo Health Department. The Health Department will provide 50% of the cost to THHSC for a total amount of \$52,128.00. Term period will be from September 1, 2013 through August 31, 2015. Funding is contingent upon availability in the Health Department Administration budget. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Rangel
Second: Cm. Liendo
For: 7

Against: 0

Abstain: 0

30. Authorizing the City Manager to sign a Memorandum of Agreement with the Texas Commission on Environmental Quality (TCEQ) on the "Don't Mess with Texas Water" Program. The program will provide anti-illegal dumping signage on TXDot highways within the City Limits at no cost to the City of Laredo. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Rangel
Second: Cm. Liendo
For: 7

Against: 0

Abstain: 0

31. Authorizing the City Manager to contract with the following consulting firms for State and Federal intergovernmental, informational, and advocacy services to be provided to the City of Laredo for the period beginning October 1, 2013 through September 30, 2014. Funding is available in Telecommunications, NPDES, Water, Wastewater, General and Solid Waste Funds. Funding is contingent upon approval of the FY 2013-2014 Annual Budget and availability of funds accordingly:

- 1) Best Best & Krieger, P.L.L.C. (Gerry Lavery Lederer), Washington, D.C., in the amount of \$89,950.00.
- 2) McWilliams & Associates (Andrea McWilliams), Austin, Texas, in the amount of \$60,000.00.

Motion to approve.

Moved: Cm. Rangel
Second: Cm. Liendo
For: 7

Against: 0

Abstain: 0

32. Authorizing the City Manager to execute a services agreement contract with Motorola Solutions, Inc., in the amount of \$147,159.84 for the maintenance agreement of the City of Laredo's 800 MHz. Trunked Radio Communications System, as attached hereto. The service agreement provides annual maintenance for the infrastructure equipment, subscriber equipment, and support. Funding is available in the Information Services & Telecommunications Fund. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Rangel
Second: Cm. Liendo
For: 7

Against: 0

Abstain: 0

33. Authorizing the City Manager to execute a contract between the City of Laredo (City), South Texas Development Council (RPC), and Commission on State Emergency Communications (CSEC) for the period beginning September 1, 2013 and ending August 31, 2015 to administer the 9-1-1 program on behalf of the RPC for the Counties of Jim Hogg, Starr, Webb and Zapata.

Motion to approve.

Moved: Cm. Rangel
Second: Cm. Liendo
For: 7

Against: 0

Abstain: 0

34. Approval of the Fiscal Year (FY) 2014 Audit Plan in accordance with Ordinance No. 2011-O-077.

Motion to approve.

Moved: Cm. Rangel
Second: Cm. Liendo
For: 7

Against: 0

Abstain: 0

35. Authorizing the City Manager to award a construction services contract in the amount of \$141,500.00 to Proshot Concrete, Inc., Florence, Alabama regarding construction services for the Flores Avenue Storm Sewer Rehabilitation Project. Two other bids were received from ABBA Construction, L.L.C. and Lewis Concrete Restoration; however the low bid was incomplete and the second lowest bidder did not meet the bid specifications. Funding is available in the 2013 Sewer Rehabilitation Revenue Bond. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Rangel
Second: Cm. Liendo
For: 7

Against: 0

Abstain: 0

36. Consideration for approval of change order No. 1, in the amount of \$1,415,800.68 to Pepper-Lawson Waterworks, L.L.C., Houston, Texas for the South Laredo Wastewater Treatment Plant 6 MGD Expansion Project. This change order is to include specifications and preparations for the 12 to 18 million gallon per day future expansion of the plant. This contract had an allowance of \$800,000.00 that will cover a portion of the change order. The remaining balance of \$615,800.68 will be charged to the 2012 Sewer System Revenue Bond – TWDB – SLDO WWTP, and is subject to approval by Texas Water Development Board (TWDB). (Operations Committee referred this item to full Council for further consideration)

Motion to approve.

Moved: Cm. Rangel
Second: Cm. Liendo
For: 7

Against: 0

Abstain: 0

37. Consideration for approval of emergency change order No. 2, in the amount not to exceed \$475,000.00, to Pepper-Lawson Waterworks, L.L.C., Houston, Texas for the South Laredo Wastewater Treatment Plant 6 MGD Expansion Project. This change order is due to wastewater leak at the 54-in wastewater line in front of the existing influent pump station. The total contract amount to date is at \$42,921,540.68. Funding is available in the 2012 Sewer System Revenue Bond – TWDB – SLDO WWTP, and is subject to approval by Texas Water Development Board (TWDB). (Operations Committee referred this item to full Council for further consideration)

Motion to approve.

Moved: Cm. Rangel
Second: Cm. Liendo
For: 7

Against: 0

Abstain: 0

38. Directing staff to prepare a service plan for the unilateral annexation of one (1) tract of land totaling 21.540 acres, more or less, and the voluntary annexation of one (1) tract for 0.448 acres, more or less, for a total annexation of 21.988 acres, more or less, as shown on attachment “A”, in accordance with Section 43.052 of the Texas Local Government Code.

Motion to approve.

Moved: Cm. Rangel

Second: Cm. Liendo

For: 7

Against: 0

Abstain: 0

39. Consideration to authorize a purchase contract with Insight Public Sector, through the U.S. Communities Government Purchasing Alliance No. GQ09-997736-42B, in the amount of \$177,849.25 for the purchase of twenty seven (27) digital video camera systems for the Police Department. Funding is available in the Police Trust Fund. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Rangel

Second: Cm. Liendo

For: 7

Against: 0

Abstain: 0

40. Approving monthly adjustments to the tax roll. The amounts to be adjusted for the month of August 2013 represent an increase of \$15,566.18. These adjustments are determined by the Webb County Appraisal District and by court orders.

Motion to approve.

Moved: Cm. Rangel

Second: Cm. Liendo

For: 7

Against: 0

Abstain: 0

41. Consideration to ratify the City Manager's execution of a Memorandum of Understanding with Laredo Independent School District (LISD) to purchase, install and maintain playground equipment at Jesus A. Kawas Elementary and Don Jose Gallego Elementary Schools using Districts II, III and IV Discretionary Funds. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Rangel

Second: Cm. Liendo

For: 7

Against: 0

Abstain: 0

42. Authorizing and advancing funding to the Laredo Urban Transportation Study Metropolitan Planning Organization (L.U.T.S., M.P.O), in the amount not to exceed \$48,600.00 for payment of Kimley-Horn and Associates, Inc., consulting services for the development of the Railroad Quiet Zone Study Update which said sums are 100% reimbursable from federal funds supplied to the M.P.O. as per the fiscal agreement between the City and the MPO.

Motion to approve.

Moved: Cm. Rangel

Second: Cm. Liendo

For: 7

Against: 0

Abstain: 0

43. Authorizing and advancing funding to the Laredo Urban Transportation Study Metropolitan Planning Organization (L.U.T.S., M.P.O.), in the amount not to exceed \$88,002.01 for payment of Alliance Transportation Group, Inc., consulting services for the development of the Transportation Management Area Certification Project which said sums are 100% reimbursable from federal funds supplied to the M.P.O. as per the fiscal agreement between the City and the MPO.

Motion to approve.

Moved: Cm. Rangel

Second: Cm. Liendo

For: 7

Against: 0

Abstain: 0

44. Authorizing and advancing funding to the Laredo Urban Transportation Study Metropolitan Planning Organization (L.U.T.S., M.P.O.), in the amount not to exceed \$126,113.29 for payment of CoPLAN L.L.C., consulting services for the development of the Congestion Management Plan which said sums are 100% reimbursable from federal funds supplied to the M.P.O. as per the fiscal agreement between the City and the MPO.

Motion to approve.

Moved: Cm. Rangel

Second: Cm. Liendo

For: 7

Against: 0

Abstain: 0

45. Authorizing and advancing funding to the Laredo Urban Transportation Study Metropolitan Planning Organization (L.U.T.S., M.P.O.), in the amount not to exceed \$249,932.45 for payment of CDM Smith consulting services for the development of the 2015-2040 Laredo Metropolitan Transportation Plan which said sums are 100% reimbursable from federal funds supplied to the M.P.O. as per the fiscal agreement between the City and the MPO.

Motion to approve.

Moved: Cm. Rangel

Second: Cm. Liendo

For: 7

Against: 0

Abstain: 0

XII. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

46. A. Request by Mayor Raul G. Salinas

1. Presentation by PILLAR (People with Idea of Love, Liberty, Acceptance and Respect) on suicide prevention efforts and other critical risk factors such as “bullying” affecting our community, with possible action.

Manuel Sanchez, co-founder of PILLAR, reported that three years ago they came before Mayor and Council to talk about the formation of PILLAR, a nonprofit organization. He went on to say that violence is rooted in emotional turmoil. He advised that their services were rendered free of charge to all because they had a lot of volunteers. He concluded that they received much community support.

B. Request by Council Member Alejandro “Alex” Perez

1. Discussion with possible action on supporting AEP Texas Central Company LED Pilot Program and providing LED street lighting services to the City of Laredo.

Cm. Perez stated that this was part of their continuing effort to go green.

Olga Maldonado, AEP Manager, reported that the City of Corpus Christi had passed an ordinance regarding this program. She mentioned that their committee had put together a draft ordinance for the City of Laredo’s consideration. She concluded that it would be a pilot program to be in effect through October 2016 and they would ask for a contribution in aid of construction up front; however, there was no cost on the high-pressure sodium.

Mayor Pro Tem Narvaez requested that some of the LED lights be tested on Clark Boulevard.

Motion to approve the LED Pilot Program to be financed with discretionary funds.

Moved: Cm. Perez

Second: Cm. Vera

For: 4

Against: 0

Abstain: 0

Cm. Rangel, Cm. San Miguel and Cm. Liendo were not present.

C. Request by Mayor Pro-Tempore Juan Narvaez

1. Discussion with possible action on creating an ordinance that would prohibit persons other than the owner or the City of Laredo designee to collect, remove, or dispose of cardboard debris through the city limits and making it unlawful for any person to remove recyclable material located within the City’s recycling bins. (Co-Sponsored by Council Member Alejandro “Alex” Perez)

Mayor Pro Tem Narvaez stated that he had seen people taking out aluminum and things of value and felt that the investments of the city needed protection.

Solid Waste Director Stephen Geiss reported that there was already an anti-scavenging and franchise ordinance which precluded anyone from collecting or transporting municipal waste. He went on to say that they would revisit the ordinance to see if it needed more teeth.

Mayor Pro Tem Narvaez replied that they should know for a fact that they were liable for removing items from the blue cans.

D. Request by Council Member Roque Vela, Jr.

1. Recognition of the Texas Youth Hunting Group for their work with our young men and women.

Cm. Vela stated that this group was sanctioned by the Texas Parks and Wildlife Department to help get the population in hand at ranches. He added that they go above and beyond to help young hunters to learn.

Mayor Salinas and City Council recognized Texas Youth Hunting Group members Carol Summers, Alfonso Blanco, Fernando Santos, Raul Garcia, Jorge Gutierrez, Ruben Venegas, Israel Solis, Salvador Vasquez, Roy Lanier, Martin Guerra, Martin Zaragoza, David Cartwell, Fernando Alarcon, Chris Mitchell, Gerardo Gonzalez, Leo Perez, Jim Winch, Amable Antonio Vilorio, Jerry Vasquez, and George Garza and presented them with certificates of recognition.

2. Discussion with possible action on increasing awareness and enforcement of the City of Laredo's Ordinance No.2011-O-028 which prohibits texting while driving. (Co-Sponsored by Mayor Raul G. Salinas)

Lupita Zepeda with AT&T Texas stated that they continue educating their customers about the importance of not texting and driving. She mentioned their website, www.itcanwait.com, which she urged everybody to see and to take the pledge there to not text and drive. She advised that there were over 100,000 accidents per year blamed on texting and driving. She concluded that they had an app that they could activate on their phone so that, if you were driving over 25 miles per hour and received a text, your phone would automatically send a message saying that you would call the person back.

Motion to increase the fine for cell phone use in a school zone and for texting and driving city-wide to \$500.

Moved: Cm. Vela

Second: Cm. Rangel

For: 7

Against: 0

Abstain: 0

Cm. Vela mentioned that people might not like the fine increase unless a collision were involved. He decided to amend his motion.

Motion to increase the fine for cell phone use in a school zone and for texting and driving city-wide of \$500 to specify only when there is a collision involved, and to otherwise leave the \$200 fine as-is as amended.

Moved: Cm. Vela

Second: Cm. San Miguel

For: 6

Against: 0

Abstain: 0

Cm. Rangel was not present.

3. Discussion with possible action on allowing fire alarms as a secondary option instead of sprinkler systems in existing buildings.

Fire Chief Steve Landin stated that his staff is against this idea because sprinkler systems are an added layer of protection. He added that normally they are required under certain conditions such as occupancy and construction. He said that fire alarms are almost always required already in business facilities; they would not want to see a sprinkler system requirement removed because that would be taking their fire codes back to the 1970's. He concluded that they had adopted the International Fire Code by ordinance.

E. Request by Council Member Charlie San Miguel

1. A video presentation on the celebration of the grand opening of the Deacon Leonel and Irma San Miguel Swimming Pool at North Central Park.

A video was shown to the public on the grand opening and ribbon cutting ceremony.

F. Request by Council Member Jorge A. Vera

1. Discussion with possible action to instruct the City Manager to have Planning & Zoning to initiate the rezoning of two tracts; one adjacent to Muller Elementary School and the other across the street, from M1 to R2.

Cm. Vera stated that not too long ago there was a situation close to Muller Elementary where some chemicals were spilled. He thought that those two lots near the school needed to be changed.

Planning Director Nathan Bratton reported that the lots are owned by a bank. He added that they were currently vacant, unplatted and undeveloped. He concluded that the city had the unilateral right to rezone them to something less than an M-1 zone; therefore, they would start the process through the Planning and Zoning Commission.

Motion to do a unilateral zone change from an M-1 zone to an R-2 zone.

Moved: Cm. Vera

Second: Cm. Vela

For: 4

Against: 0

Abstain: 0

Cm. Perez, Cm. Rangel, and Cm. Liendo were not present.

2. Discussion with possible action on creating an ordinance that would regulate the conditions under which synthetic marijuana may be sold in the City of Laredo through the establishment of licensing regulations that would require businesses to pay an annual license fee, relocate to commercial or industrial areas and restrict hours of operation. (Co-sponsored by Council Member Mike Garza)

Cm. Vera stated that there was a big problem with this and they needed to be relocated from areas where kids were at. He wanted to see if the Legal department could look into these matters and come up with a recommendation to see how they could control and better monitor these establishments.

3. Discussion with possible action on requirements by the City on Third Party Funding agreements.

Cm. Vera said that came up at the last Council meeting regarding insurance and other requirements.

City Manager Carlos Villarreal said that they would take a look administratively and come back with a recommendation to Council.

XIII. EXECUTIVE SESSION

None.

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. Liendo

Second: Cm. Vela

For: 5

Against: 0

Abstain: 0

47. 2013-RT-05 Authorizing the City Manager to accept and execute the Texas Department of Transportation Section 5307, Grant No. 51422F7054, for Fiscal Year 2014, in the amount of \$575,507.00, from the State Public Transportation funds for Transit Operating Assistance. (Approved by Operations Committee)

Motion to approve Resolution 2013-RT-05.

Moved: Cm. Liendo

Second: Cm. Vera

For: 5

Against: 0

Abstain: 0

48. Consideration for approval of award of construction contract to the lowest bidder ALC Construction, Inc., Laredo, Texas, in the base bid amount of \$45,301.18 for the El Metro ADA Sidewalks and Ramps Project No. 59 (6 Blocks-District VII) with a construction contract time of thirty (30) working 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 November 2013. Funding is available in the Transit New Freedom Grant XF7094. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Liendo

Second: Cm. Vera

For: 5

Against: 0

Abstain: 0

XV. 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. Vera

Second: Cm. Liendo

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 25 and they are true, complete, and correct proceedings of the City Council meeting held on September 16, 2013.

Gustavo Guevara, Jr.
City Secretary