

**CITY OF LAREDO
CITY COUNCIL MEETING**

A-2017-R-05

**CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040**

April 3, 2017

5:30 P.M.



DISABILITY ACCESS STATEMENT



Persons with disabilities who plan to attend this meeting and who may need auxiliary aid or services are requested to contact Heberto "Beto" L. Ramirez, Acting City Secretary, at (956) 791-7308 at least two working days prior to the meeting so that appropriate arrangements can be made. The accessible entrance and accessible parking spaces are located at City Hall, 1100 Victoria Ave.

Out of consideration for all attendees of the City Council meetings, please turn off all cellular phones and pagers, or place on inaudible signal. Thank you for your consideration.

Pursuant to the Texas Penal Code (trespass by holder of license to carry a handgun), a person licensed under Subchapter H, Chapter 411, Government Code (Concealed Handgun Law or Handgun Licensing Law), may not enter into the City Council Chamber while City Council is in session with a concealed or openly-carried handgun.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. MOMENT OF SILENCE

IV. ROLL CALL

V. MINUTES

Approval of the minutes of March 20, 2017 and March 28, 2017

VI. COMMUNICATIONS AND RECOGNITIONS

Communiqués

Recognitions

1. Recognizing the J.W. Nixon Golden Spurs on their National 2017 Awards.
2. Recognizing the VITA program for all their volunteer work in our community and the benefit it serves our public.
3. Recognizing the month of April 2017 as Autism Awareness Month.

Citizen comments

Citizens are required to fill out a witness card and submit it to the City Secretary no later than 5:45 p.m. and identify themselves at the microphone. Comments are limited to three (3) minutes per speaker. No more than three (3) persons will be allowed to speak on any side of an issue. Should there be more than three (3) people who wish to speak on a particular issue, they need to select not more than three (3) representatives to speak for them and the presiding officer may limit the public comments further in the interest of an orderly meeting. Speakers may not pass their minutes to any other speaker. Comments should be relevant to City business and delivered in a professional manner. No derogatory remarks will be permitted.

VII. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

1. Appointment by Council Member George Altgelt of Madalina De Leon to the Citizens Environmental Advisory Committee.
2. Appointment by Council Member Charlie San Miguel of David Americo Moncada to the Drug and Alcohol Commission.
3. Appointment by Council Member Roberto Balli of Mike Kazen to the Para Transit Advisory Committee.
4. Appointment by Council Member Charlie San Miguel of David Montes to the Para Transit Advisory Committee.
5. Appointment by Council Member Nelly Vielma of Elizabeth Alonzo to the Airport Advisory Board.
6. Appointment by Council Member Nelly Vielma of Jesus Martinez to the Citizens Environmental Advisory Committee.
7. Appointment by Council Member Nelly Vielma of Albert Perez to the Municipal Civil Service Commission.
8. Appointment by Council Member Nelly Vielma of Bethany Luna to the Convention

and Visitor Bureau Advisory Committee.

9. Appointment by Council Member Nelly Vielma of Harmon Tally to the Drug and Alcohol Commission.
10. Appointment by Council Member Nelly Vielma of Lupita Ramirez to the Economic Development Advisory Committee.
11. Appointment by Council Member Nelly Vielma of Randy Blair to the Ethics Commission.
12. Appointment by Council Member Nelly Vielma of Jose Ovando to the Library Advisory Committee.
13. Appointment by Council Member Nelly Vielma of Jessica Ontiveros to the Para Transit Advisory Committee.
14. Appointment by Council Member Nelly Vielma of Monica Molano to the Parks & Recreation Board.
15. Appointment by Council Member Nelly Vielma of Raul Ugalde to the Planning & Zoning Commission.
16. Appointment by Council Member Nelly Vielma of Cesar Cantu to the Technical Review Board Ad Hoc Committee.
17. Appointment by Council Member Nelly Vielma of Roberta "Bobbie" Ceballos to the Third Party Funding Advisory Committee.
18. Appointment by Council Member Nelly Vielma of Sandra Rocha Taylor to the Laredo Commission for Women.
19. Appointment by Council Member Nelly Vielma of Berenice Silva to the Laredo Commission for Women.

VIII. PUBLIC HEARINGS

1. **Public Hearing and Introductory Ordinance** authorizing the City Manager to accept and enter into contract with the Department of State Health Services (DSHS), amending the FY 2016-2017 budget by appropriating additional revenues and expenditures in the amount of \$562,159.00, and amending the FY 2016-2017 Full Time Equivalent (FTE) Listing by adding four (4) positions to further support the City of Laredo Health Department (CLHD) to provide Public Health Preparedness and Response, specifically against the Zika virus, for the term period from March 1, 2017 through July 31, 2018.

2. **Public Hearing and Introductory Ordinance** amending the City of Laredo's FY 2016-17 Capital Improvement Fund annual budget by appropriating additional revenues and expenditures in the amount of \$156,327.16. These funds are a reimbursement from Texas Municipal League insurance for damages caused by the storm in February 2017 at several City of Laredo buildings.

(Recess)
(Press Availability)

IX. INTRODUCTORY ORDINANCES

3. An ordinance of the City of Laredo repealing in its entirety Article II of Chapter 32 (vehicles for hire) of the municipal code related to the permitting requirements for taxicabs; providing for publication clause; and declaring an effective date.
4. An Ordinance Repealing Ordinance 2016-O-171 authorizing City Manager to execute all necessary documents for the sale of the "surface only" of a 6.9441 acre tract to AEP Texas Central Company; authorizing City Manager to advertise the public sale of said tract which is legally described as an unimproved 6.9441 acre tract, recorded in volume 3905, pages 442-454, Official Public Records of Webb County, Texas situated in Porcion 23 (A-283), Leonardo Sanchez, Original Grantee, in the County of Webb, Laredo, Texas and more particularly described in attached, Exhibit "A"; providing a severability clause; providing for publication; and declaring an effective date.
5. Closing and vacating a public easement being a 4,239 sq. ft. tract of land out of New York Avenue right-of-way in the Eastern Division and further authorizing the sale of said tract to South Laredo Holding, L.P., current abutting landowner, for the fair market value of \$11,100.00. The purpose being to incorporate the street portion into their lot through a warranty deed. The road section is further depicted on attached Exhibit A and site map Exhibit B.

X. SECOND READING

6. Authorizing the City Manager to grant a non-exclusive franchise to Rubio's Development Inc., DBA R-Waste to use the present and future streets, avenues, alleys, roads, highways, sidewalks, easements and other public rights-of-way of the City of Laredo, Texas for container refuse gathering and disposing service, setting forth terms and conditions to govern the franchise; providing a severability clause, a savings clause and providing for publication and effective date.

XI. FINAL READING OF ORDINANCES

7. **2017-O-036** Amending the City of Laredo's FY2017 annual budget by appropriating additional revenues and expenditures in the amount of \$123,008.00 from the 2015 CO Bond-Fire Station Repair account. These funds are from the Texas Municipal League insurance reimbursement, Fire Station #3 roof leak claim.

8. **2017-O-037** Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 1, Block 1, Ejido Subdivision, located at 3301 Santa Barbara St., from R-1 (Single Family Residential District) to B-1 (Limited Business District); providing for publication and effective date.
ZC-20-2017

District I

9. **2017-O-038** Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 2, Block 1, The Reserve Commercial Plat Phase II, located at 2610 E Del Mar Blvd., from B-1 (Limited Commercial District) to B-3 (Community Business District); providing for publication and effective date.
ZC-21-2017

District VI

10. **2017-O-039** Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning approximately 70.73 acres, as further described by metes and bounds in attached Exhibit "A", located at south of Ranch Road 6086 B, from M-1 (Light Manufacturing District) to R-1A (Single Family Reduced Area District); providing for publication and effective date.
ZC-22-2017

District II

11. **2017-O-040** Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning approximately 5.23 Acres out of DM Sanchez Tract 1, Abstract 277, as further described by metes and bounds in attached Exhibit "A", located east of Backwoods Trail and north of Shiloh Drive., from R-1 (Single Family Residential District) to R-1A (Single Family Reduced Area District).

ZC-19-2017

12. **2017-O-041** Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit for a restaurant serving alcohol on Lots 64 and 65, Block 2, North Creek Subdivision, located at 1010 E. Hillside Rd.

ZC-18-2017

13. **2017-O-042** Amending the Laredo Land Development Code, Article IV, Section 24.63.2, Permitted Land Uses by removing "Jail (Criminal Detention)" from Permitted Uses in a B-4 Zoning District; providing for publication and effective date.

14. **2017-O-043** Authorizing the City Manager to execute a lease agreement renewal with Securitas Security Services USA, Inc., for approximately 120 square feet of office space and an exclusive office entry lane for approximately 1,020 square feet at Juarez-Lincoln International Bridge (Bridge II).

1. Lease term is for one (1) year commencing April 1, 2017 and ending on March 31, 2018.
2. Monthly rent will be \$3,500.00 for approximately 120 square feet of office space and an exclusive office entry lane of approximately 1,020 square feet at Juarez-Lincoln International Bridge (Bridge II).
3. The lease may be terminated by either party with a thirty (30) day written notice.

15. **2017-O-044** Amending Chapter 28 of the City of Laredo Code of Ordinances by repealing and replacing Article II to be entitled, "sign regulations" establishing comprehensive rules and regulations governing all signs within the City; providing a severability, savings, repealing, and penalty clause; establishing an effective date; and providing for publication.

16. **2017-O-045** An ordinance amending the Code of Ordinances Chapter 13 Food and Food Products; creating Article V Urban Agriculture; allowing for home gardens, community gardens, and district gardens; providing a severability clause; providing a penalty clause; providing for publication; and declaring an effective date.
17. **2017-O-046** An ordinance amending the Code of Ordinances, Chapter 28, Streets, Sidewalks and Public Places, Article V, Commercial Use of Streets, Sidewalks and other Public Places, by amending section 28-101 to provide an exception for street performers in the central business district; amending section 28-102 to include two new definitions: "street performance" and "street performer"; providing that this ordinance shall be cumulative; providing a severability clause; providing a penalty clause; providing for publication; and declaring an effective date.
18. **2017-O-049** Authorizing the City Manager to convey an easement and right of way to AEP Texas INC., located at, and to serve the Sophia Industrial Park Lift Station on N. Unitec, one (1) conveyance over a tract of land containing 0.13 acres of land, more or less, out of a 20.00 acre tract owned by the City of Laredo Sewer Treatment Plant, situated in Santiago Sanchez, Original Grantee, Abstract 278 as described in easement conveyance attached as Exhibit "A"; and providing for an effective date.
19. **2017-O-050** Authorizing the City Manager to convey an easement and right of way to AEP Texas INC., located at, and to serve the South Laredo WWTP, one (1) conveyance over a tract of land containing 0.04 acres (1,830 s.q. ft) of land, more or less, out of a 84.794 acre tract owned by the City of Laredo Sewer Treatment Plant, situated in Porcion 36, Laureano Salinas, Original Grantee, Abstract 473 as described in easement conveyance attached as Exhibit "A"; and providing for an effective date.

XII. CONSENT AGENDA

All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member.

XII (a) RESOLUTIONS

20. **2017-R-45** Authorizing City Manager to accept a grant in the amount of \$1,031,232.00 to the Office of the Governor's Homeland Security Grants Division (HSGD) for the purpose of funding the 2016 Operation Stonegarden Grant (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. No local match is required.

21. **2017-R-47** Authorizing the City Manager to enter into a memorandum of agreement in the amount of \$31,432.00 between the City of Laredo Health Department and the Consulate General of Mexico in Laredo for the "Ventanilla de Salud" (VDS) Program to continue to provide through contractual services bicultural health care education, advocacy and assistance in enrollment to U.S. Federal, State, and local public health services and programs that may be available for migrants for the period beginning January 1, 2017 through December 31, 2017.

XII (b) MOTIONS

22. Consideration to reject sole bid submitted due to not meeting the minimum required amount for the sale of a surplus tract of land identified as Lot 8 Block 10, Belmont Plaza subdivision commonly known as 109 Sage Drive; and authorizing staff to re-advertise the sale of the property.

23. Consideration for approval of award of construction contract to the lowest bidder, Romo Contractors, LLC., Laredo, Texas, in the base bid amount of \$134,500.00 for the Meadow Avenue and Saunders Street –Northbound Right-Turn Lane Project 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 July, 2017. Funding is available in the 2015 Certificate of Obligation.

24. Consideration for approval of the Community Development K. Tarver Park Playground Shade Structure as complete, release of retainage and approval of final payment in the amount of \$3,190.00 to ABBA Construction, LLC., Laredo, Texas. Final construction contract amount is \$27,400.00. Funding is available in the CDBG 40th Action Year.

25. Authorizing the City Manager to enter into and execute a contract between CenturyLink and the City of Laredo for the purchase of Front Room Customer Premise Equipment (CPE) through the Houston Galveston Area Council of Governments (HGAC) Cooperative Purchasing Contract EC07-16 in the total amount of \$208,114.80. The Front Room CPE will be provided at all eight (8) Public Safety Answering Points (PSAPs) located throughout the South Texas Region, which consists of Telecommunicators workstation equipment, including monitors, keyboards, headsets, computer Central Processing Units (CPU), printers, etc.. Funding is available in the Regional 9-1-1 Fund.
26. Authorizing the City Manager to enter into and execute a contract between Pictometry International, an Eagleview Technologies company, and the City of Laredo to provide digital aerial imagery for the South Texas Region in the amount of \$311,368.00. The aerial imagery will be used by 9-1-1 Regional Administration GIS and Database personnel, as well as by 9-1-1 Public Safety Answering Points (PSAPs) or call centers to update the existing level of service. Pictometry International is a Sole Source vendor. Funding is available in the Regional 9-1-1 Fund.
27. Authorizing the City Manager to enter into and execute a contract between CenturyLink and the City of Laredo for the purchase of Software Subscription Support and Software Protection and Remote Technical Services Support through the Houston Galveston Area Council of Governments (HGAC) Cooperative Purchasing Contract EC07-16 in the total amount of \$170,919.24. This software and technical support will be provided for the eight (8) Public Safety Answering Points (PSAPs) located throughout the South Texas Region. Funding is available in the Regional 9-1-1 Fund.
28. Authorizing the City Manager to enter into and execute a contract between West Safety Services and the City of Laredo for the purchase of Text to 9-1-1 deployment, configuration, and services through the Houston Galveston Area Council of Governments (HGAC) Cooperative Purchasing Contract EC07-16 in the total amount of \$97,400.00. The Text to 9-1-1 services will be provided for the (8) Public Safety Answering Points (PSAPs) located throughout the South Texas Region. Funding is available in the Regional 9-1-1 Fund.
29. Consideration to renew the existing annual software maintenance agreement to Tyler Technologies, Inc. in the amount of \$52,605.48. The annual software maintenance agreement begins October 1, 2016 and ends September 30, 2017 and includes the following programs, Court Case Management, Central Cash Collection, Data Dictionary, HTEI Interface,

Police Interface, AcuCorp AcuServer and Court Interface. Funding is available in the FY 2016-2017 Municipal Court budget.

30. Motion to authorize the acquisition of real property located at 1120 San Agustin Ave., more particularly described as Lot 7, Block 195 in the Western Division, City of Laredo and further authorizing the City Manager to sign all documents relevant to said acquisition. Funding is available in the 2015 C.O. Bond with an estimated cost of \$180,000.

31. Consideration to renew an existing annual contract FY14-046 to McNeilus Truck & Manufacturing, Dodge Center, Minnesota in an amount not to exceed \$160,000.00, for the purchase of McNeilus Original Equipment Manufacturer (OEM) equipment repair parts and service for the City's refuse trucks. There will be no price increase during this extension period. The term of this contract shall be for a period of one (1) year beginning as of the date of its execution. This is the third of four extension periods. All parts and services will be secured on an as needed basis. Funding is available in the Fleet Maintenance Budget.

32. Consideration to renew annual service contracts FY14-051, to include and allow for a 25% increase in utilization, to the following vendors:

1. LED Electric and Lighting Contractor (Primary Vendor), Laredo, Texas in an amount up to \$187,500.00; and

2. Castillo Electric & Facility Services (Secondary Vendor), Laredo, Texas in an amount up to \$62,500.00.

The 25% increase in utilization is due to the City's increase demand for electrical projects and operational needs for various city departments. This contract is for electrical repair services, but not limited to: minor repairs, maintenance of various systems, subsystems, and/or equipment devices for various City Departments. There will be no price increase on services during this extension period. The term of these contracts shall be for a period of one (1) year beginning as of the date of its execution. This is the third of four extension periods. All services will be purchased on an as needed basis. Funding is available in respective departmental budget.

33. Consideration to renew the existing annual service contract FY14-052 to Delta House Electric & Motor, Freer, Texas in an amount up to \$350,000.00 to provide electric motor repair services 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. There will be no price increase during

this extension period. The term of this contract shall be for a period of one (1) year beginning as of the date of its execution. This is the third of five extension periods. All services will be purchased on an as needed basis. Funding is available in the Water and Sewer Operating Funds.

34. Consideration to award contract FY17-015 to Laredo Vending Company, Laredo, TX in order to provide drink and snack vending machine services for various City of Laredo Departments. The term of this contract shall be for a period of five (5) years beginning the date of its execution. Laredo Vending will offer a percentage of revenues collected and has agreed to follow City of Laredo Healthy Choices Vending Machine Policy by offering healthy/fit products. This contract can be extended for two (2) additional five year periods, upon mutual agreement of the parties. All services will be secured on an as needed basis.
35. Refund of property tax in the amount of \$714.46 payable to BBVA Compass Bank due to an erroneous payment. Tax Account # 928-00001-190.
36. Consideration to affirm of the selection of the top three ranked engineering consultant firms based on Request for Qualifications (RFQ) received, following TXDOT's procurement process as per Resolution 2017-R-09 approved by City Council on January 17, 2017, and authorizing the City Manager to request proposals from these selected firms, interview and negotiate a contract with the best option/firm for a City wide Traffic Synchronization project.
37. Consideration for approval of the selection of consultant based on Request For Qualifications (RFQ) received and authorizing the City Manager to negotiate a contract for a Comprehensive Wastewater Rate Study.
38. Consideration for approval of the selection of architectural consultants based on Request For Qualifications (RFQ) received and authorizing the City Manager to negotiate a contract for the design, bidding and construction management of the Office Building for the North Laredo Wastewater Treatment Plant.

END OF CONSENT AGENDA

XIII. STAFF REPORTS

39. Staff Report on the Outlet Shoppes at Laredo Marketing in Monterrey.
40. Presentation with possible action regarding 2017 Operation Crackdown, an initiative of the Texas Army National Guard, that will provide the demolition of abandoned and neglected structures that serve as a nuisance and drug haven within the community. Currently, there are 20 properties with 38 structures identified for this year's operation.
41. Presentation by JBS Water, Inc. on summary findings of their 2016 report, Comprehensive Water Distribution and Meter Management Audit.
42. Presentation regarding the late fees exemption for Veterans, with possible action.

XIV. EXECUTIVE SESSION

The City Council hereby reserves the right to go into executive session at any time during this public meeting, if such is requested by the City Attorney or other legal counsel for the City, pursuant to his or her duty under Section 551.071(2) of the Government Code, to consult privately with his or her client on an item on the agenda, or on a matter arising out of such item.

43. In accordance with Section 551.074 of the Texas Government Code, discussion of personnel matters regarding the City Manager's performance evaluation and compensation, as required by §3.01 of the Charter, and return to open session for possible action.

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

44. Consideration for approval of the El Metro Operations and Maintenance Building Roof Replacement and Building Improvements as complete, approval of change order no. 1, a decrease of \$1,446.78 and to add one hundred seven (107) calendar days to the construction contract time, release of retainage and approval of final payment in the amount of \$54,303.83 to ABBA Construction, LLC., Laredo, Texas. Final construction contract amount is \$948,343.22. Funding is available in the Transit Capital Grants Fund/FTA Grant.

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

GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

45.

A. Request by Mayor Pete Saenz

1. Reconsideration of monies to be spent on 8 - 10 units (affordable housing) in the Downtown Area.
2. Status on Community Calendar.
3. Report on What Works Cities 2017 Summit.

B. Request by Council Member Rudy Gonzalez, Jr.

1. Discussion with possible action to integrate special needs programs at the recreation centers.

C. Request by Council Member Alejandro "Alex" Perez

1. Update on utility repairs and resurfacing of Lane street in the Heights area.

D. Request by Council Member Alberto Torres, Jr.

1. Discussion with possible action to develop a City ordinance that prohibits mobile snack trucks from conducting business past a certain hour; and any other matters incident thereto.
2. Discussion with possible action to explore the possibility of establishing a Special Needs Recreation Center and Community Fine Arts & Culture Center in District 4; and any other matters incident thereto.

3. Discussion with possible action to install speed humps along the 3800 to 4400 block of E. San Francisco Ave. under the Special Provision of the Speed Hump Installation Policy, adopted by City ordinance, utilizing District IV funding.

E. Request by Council Member Nelly Vielma

1. Discussion with possible action to request a report by the Internal Auditor of the current contractor's insurance, bond, lapses and tax delinquencies with the City. **(Co-Sponsored by Council Member George Altgelt)**

F. Request by Council Member Charlie San Miguel

1. Discussion with possible action regarding the Public's Health and Safety specific to the issuing and enforcement of permits applying to building, electrical, mechanical HVAC, irrigation, right-of-way, swimming pool, manufactured home installation, sign contractors; and any other matters incident thereto.
2. Discussion with possible action to discuss the drainage ordinance as proposed by the Technical Review Board. **(Co-Sponsored by Council Member George Altgelt)**
3. Discussion with possible action to modify, amend, replace or vacate the City of Laredo Tax Increment Financing Policy and Procedures for Large Zones as approved by City Council on February 16, 2016.

G. Request by Council Member George Altgelt

1. Discussion with possible action to request a report by Internal Auditor of the current franchise agreements including but not limited to timely and complete quarterly and annual report filings, timely payment of franchise or other fees to the City, insurance requirements, lapses and tax delinquencies with the City. **(Co-Sponsored by Council Member Charlie San Miguel and Council Member Nelly Vielma)**
2. Discussion with possible action to allow amusement redemption machine establishments in the Central Business District (CBD) and the Arts and Entertainment District (A&E) by right. **(Co-Sponsored by Council**

Member Roberto Balli and Council Member Nelly Vielma)

H. Request by Council Member Roberto Balli

1. Discussion with possible action regarding a downtown street musician and street performance ordinance tailored to the Downtown Arts & Entertainment District.
2. Discussion with possible action regarding proposals on the Boulevard of the Americas Project.

XVII. ADJOURN

This notice was posted at the Municipal Government Offices, 1110 Houston Street, Laredo, Texas, at a place convenient and readily accessible to the public at all times. Said notice was posted on Wednesday, March 29, 2017 at 6:45 p.m.



Heberto "Beto" L. Ramirez
Acting City Secretary