

**CITY OF LAREDO
CITY COUNCIL MEETING**

A-2017-R-06

CITY COUNCIL CHAMBERS

1110 HOUSTON STREET

LAREDO, TEXAS 78040

April 17, 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 April 3, 2017 and April 11, 2017

VI. COMMUNICATIONS AND RECOGNITIONS

Communiqués

Recognitions

1. Recognizing Dr. Tom Vaughn for his work on the Laredo Environmental Movement.
2. Recognizing the AmeriCorps members serving with the TAMIU-LBV Literacy Partnership for making a difference in our community by providing intensive individual literacy tutoring to local elementary aged children struggling to read.

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 Alberto Torres, Jr. of Hector J. "Tito" Garcia to the Facility Naming and Recognition Commission.
2. Appointment by Council Member Roberto Balli of Enrique Lobo to the Facility Naming and Recognition Commission.
3. Appointment by Council Member Rudy Gonzalez, Jr. of Alfredo Agredano to the Facility Naming and Recognition Commission.
4. Appointment by Council Member Rudy Gonzalez, Jr. of Fabelina Villarreal to the Para Transit Advisory Committee.

VIII. PUBLIC HEARINGS

1. **Public Hearing** providing community residents an opportunity to comment on their housing and community needs and the projects that they wish to see funded. Comments received will be made part of the City's 2017 One Year Action Plan that will outline how funding from the programs listed below, made available through the U.S. Department of Housing and Urban Development (HUD), will be utilized. Allocation for the 43rd Action Year is pending Congressional approval. The City's Community Development Department is planning its 2017 projects/activities based on the past 2016 allocation, as estimated below:

43rd Action Year Community Development Block Grant (CDBG)
\$3,436,805.00

2017 HOME Investment Partnership Grant (HOME) \$854,378.00

2017 Emergency Solutions Grant (ESG) \$311,462.00

Activities/Projects planned for the 43rd Action Year are contingent to the approved allocation amount. Any changes to the activities/projects due to changes in allocation will be reflected in the City's 2017 One Year Action Plan.

Also for discussion and comment is the Fiscal Year (FY) 2015-2016 Consolidated Annual Performance and Evaluation Report (CAPER) regarding the City's administration of HUD Programs.

2. **Public Hearing and Introductory Ordinance** amending Chapter 19, Article VIII, Section 19-355 (administrative adjudication of stopping, standing, parking), subsections (c) and (d), of the municipal code of ordinances granting the administrative hearing officer discretionary authority to dismiss certain disabled parking offenses for a \$25.00 administrative fee for the first offense, \$50 for the second offense, and \$100 for the third offense; providing a repealing clause; providing for severability; providing for publication, and declaring an effective date.
3. **Public Hearing and Introductory Ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 8, 9 and Pt. of 10, Block 350, Western Division, located at 11 Iturbide St., from B-1 (Limited Business District) to B-3 (Community Business District).
ZC-28-2017

Staff supports the application and the Planning and Zoning Commission recommends approval of the Zone Change.
District VIII

4. **Public Hearing and Introductory Ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by rezoning approximately .87 acres, as further described by metes and bounds in attached Exhibit "A", located south of State Highway 359 and west of Veterans Blvd., from R-2 (Multifamily Residential District) to B-3 (Community Business District).
ZC-26-2017

Staff supports the application and the Planning and Zoning Commission recommends approval of the Zone Change.
District II

5. **Public Hearing and Introductory Ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 1 through 6, Blk 1000 and Lots 2 through 9, Block 1001, Western Division, as further described by metes and bounds in attached Exhibit "A", located north of Philadelphia St. and west of Lee Ave., from M-1 (Light Manufacturing District) to R-3 (Mixed Residential District).
ZC-25-2017

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

(Recess)
(Press Availability)

IX. INTRODUCTORY ORDINANCES

6. Authorizing the City Manager to execute a lease with City of Laredo, Community Development, Municipal Housing Division, for the approximately 22,500 sq. ft. warehouse located at 5511 Thomas Avenue at the Laredo International Airport. Lease term is for ten (10) years commencing on April 1, 2017, and ending on March 31, 2027, which may be extended for one (1) five (5) year term ending on March 31, 2032. Initial rent shall be \$9,278.00 per month and shall be adjusted annually according to changes in the consumer price index and further adjusted by fair market value appraisal on the 5th and 10th anniversaries.

7. Amending Chapter 19, Motor Vehicle and Traffic, Article VIII, Stopping, Standing, or Parking, of the Code of Ordinances, City of Laredo, specifically adding Sub section 19-364 (21) which establishes the south side of the 800 block of NAFTA Boulevard, from 850 feet east of McPherson Rd. to 400 feet west of Delta Drive, as a “No Parking Anytime/Tow Away” zone, providing for severability and for an effective date and publication.
8. Amending Article III, Section 24.59.3.1 through 24.59.3.3 of the City of Laredo Land Development Code; by revising the drainage standards for: finished floor requirements; open channels; floatable controls; fee in lieu of detention; lakes and dams; and freeboard and emergency spillway; amending appendix a to add the definition of special drainage easement; providing for related matters; providing for a repealing clause; providing for severability; providing for publication; and providing for an effective date.
9. Authorizing the City Manager to execute a lease and restaurant concession agreement with Carlos Bella D/B/A Villa Laredo restaurant for approximately 1,116 square feet constituting suite number 101 on the first (1st) floor of the airport passenger terminal to include the approximate 550 Sq. Ft. located at the second floor level of the passenger terminal building located at 5210 Bob Bullock Loop at the Laredo International Airport. Lease term is for five (5) years commencing on June 1, 2017, and ending on May 31, 2022. Monthly rent shall be \$3,990.00, and will be adjusted annually according to changes in enplaned revenue passengers.
10. Amending the City of Laredo's Code of Ordinance Chapter 2 (Administration), Article II (Departments, Officers, and Employees), Division 6 (Pay Administration) by revising the days a vacant position must be advertised prior to it being filled and closed from at least 5 (five) working days to at least 5 (five) calendar days.
11. Introductory Ordinance setting the new speed limit on sections of SH359, within the city limits of Laredo, Webb County, Texas, to 45 MPH, between US83 and 153 feet east of Floral Blvd., with a 30 MPH school zone, when flashing beacons activated, in the vicinity of the intersection of Concord Hills Blvd.; 55 MPH from 153 feet east of Floral Blvd. to 500 feet east of Willcox Rd. and 65 MPH from 500' East of Willcox Rd. to approximately 1,832 feet east of Botello Rd., as defined in the Texas Department of Transportation control section map CS 0086-01 providing for the installation of appropriate signs to indicate new speed changes in the designated areas and providing for publication and effective date.

X. THIRD AND FINAL READING

12. **2017-O-048** 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

13. **2017-O-047** Amending Ordinance No 2016-O-192 to provide for appointment of two additional directors, expanding the Board of Directors of Reinvestment Zone number one, City of Laredo, Texas; Containing findings and provisions related to the foregoing subject; and providing a severability clause.
14. **2017-O-051** 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.
15. **2017-O-052** 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.
16. **2017-O-054** 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.

17. **2017-O-055** 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.

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

18. **2017-R-48** Authorizing City Manager to accept a grant in the amount of \$10,000.00 from 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 overtime and fringe benefit expenses used for Stonegarden Operations by Airport Police Department. No local match is required. Funds are appropriated in the Airport Fund.
19. **2017-R-49** Authorizing the City Manager to submit grant applications in the estimated amount of \$1,300,000.00 to the Department of Health and Human Services (HHS) and to the Substance Abuse and Mental Health Services Administration (SAMHSA) to provide chronic disease self-management and for public health services for homeless individuals at risk of behavioral health, HIV substance use and chronic disease management through the City of Laredo Health Department and further authorizing the City Manager to execute any and all documents resulting from the award of these grants.
20. **2017-R-50** Resolution correcting the address listed for property 5 noted in Resolution 2016-R-69, which authorized the delinquent tax attorney to sell City of Laredo Trustee Property pursuant to Section 34.05 of the Tax Code, from 4002 Santa Maria to 4002 Santa Rita Avenue.

XII (b) MOTIONS

21. Authorizing the City Manager to amend the City of Laredo's 2016 One Year Action Plan for the purpose of reprogramming Community Development Block Grant (CDBG) funds totaling \$761,910.00. It is proposed that the reprogrammed funds be utilized to fund the following projects: District IV Sidewalks and school approaches (\$115,408.00), District II Sidewalks (\$100,000.00), Las Flores Park (\$96,502.00), Freddy Benavides Park Amenities (\$100,000.00), South Laredo Nature Center (\$150,000.00) and El Eden Basketball Court Shade Structure (\$200,000.00). It is further proposed that the newly created projects be funded through the use of fund balances and canceled activities.
22. Consideration for approval to award a construction contract to the lowest bidder ALC Construction, Inc., Laredo, Texas, in the base bid amount of \$684,829.00 (which includes the base bid and additive alternates no. 1, 2, 3 and 4) for the Roof Replacement for the City of Laredo Health Department Located at 2600 Cedar Avenue Project with a construction contract time of one hundred ninety-five (195) 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 November 2017. Funding is available in the 2015 and 2016 CO Issues.
23. Authorizing the City Manager to enter into a continuation lease agreement with Laredo Texas Hospital Company, L.P. d/b/a Laredo Medical Center to allow the City of Laredo to continue to operate on the property located on 1710 East Saunders Street in Laredo, Texas 78041 for the City of Laredo Health Department Women, Infants and Children (WIC) and Health Promotion programs. The term of the agreement shall be for five (5) years beginning May 1, 2017 through April 30, 2022, contingent on funding availability.
24. Authorizing the City Manager to enter into continuation contracts with the following providers for medical services for the City of Laredo Health Department HIV Ryan White and Health & Social Services in the amounts stipulated below for the term from April 1, 2017 through March 31, 2018 and renewable for an additional two (2) years through March 31, 2020, contingent on funding availability.

Provider	Amount per Year	Total Amount
Laredo Premier Healthcare, PLLC Luis M. Benavides, M.D.	\$20,000	\$60,000
Celso Rodriguez, M.D.	\$30,000	\$90,000
Fernando Sanchez, M.D.	\$45,000	\$135,000

Luis A. Zaffirini, M.D.	\$30,000	\$90,000
Dental Odyssey	\$30,000	\$90,000
UT Dental	\$15,000	\$45,000

Funding is available through the Health Department budget.

25. Consideration to award service contract FY17-020 to Quest Diagnostics, San Antonio, Texas, in the estimated annual amount of \$480,000.00 for providing clinical laboratory testing services for the Health Department and Employee Health and Wellness. The term of this contract shall be for three years beginning as of the date of execution and is subject to future appropriations. Contract can be extended for three (3) additional one (1) year periods, upon mutual agreement of the parties; services will be secured on an as needed basis. Funding is available in the Health Department and Employee Health and Wellness Funds.

26. Consideration to award contract FY17-010 to Best Best & Krieger LLP for consulting services on any related Telecommunication Services in the amount up to \$40,000.00. The term of this contract shall be for one (1) year with four (4) additional one year periods upon mutual agreement of the parties. Funding is available in the Information Services and Telecommunication Department.

27. Approving monthly adjustments to the tax roll. The amounts to be adjusted for the month of March 2017, represent a decrease of \$52,019.48. These adjustments are determined by the Webb County Appraisal District and by court orders.

28. Consideration for acceptance of the 24" Sanitary Sewer Interceptor located on the West side of IH-35 from Manadas Creek to Mines Road to Insituform Technologies, LLC., Chesterfield, Missouri through the Buy Board Cooperative Purchasing Program's Contract Pricing and approval of Final Change Order No. 1, a decrease in the amount of \$140,341.00 to adjust items and quantities of work actually done in place with 233 additional working days. Also, release of retainage in the amount of \$24,803.69 . Final construction contract amount is \$496,074.00 and total construction time was 278 working days. Funding is available in the 2014 Water and Sewer Revenue Bond.

29. Authorizing City Manager to award and execute a construction contract to the lowest bidder, SAL Construction Management, LLC., Weslaco, Texas in the amount of \$638,086.80 for the Sombreretillo Creek Force Main Project. Construction time is one hundred and fifteen (115) working days for final completion. Funding is available in the 2011 Sewer Revenue Bond.

30. Authorizing the City Manager to approve Change Order No. 1, with an increase of one hundred seventeen (117) working days and no increase in contract amount to the construction contract with Qro Mex Construction Co. Inc., Granite Shoals, Texas, for the 24-inch Water Transmission Main on Casa Verde Road Project, pending the approval of Texas Water Development Board. This change order is due to conflict with existing utilities, delay in delivery of materials and addition of Alternate to the base bid. The total contract sum remained at \$3,346,323.00 and the new total completion period is two hundred thirty seven (237) working days. There is no financial impact to this change order.

END OF CONSENT AGENDA

XIII. STAFF REPORTS

31. Consideration and possible action to clarify amendments to Chapter 28 of the City Code regarding sign regulations that were approved by Council on April 3, 2017.

32. Discussion with possible action to consider a second request for an extension of Injury Leave with pay in accordance with 143.073 (b) of the Texas Local Government Code for Patrol Officer Jorge Leven.

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.

33. Request for Executive Session pursuant to Texas Government Code Section 551.071(1)(a) to consult with attorney on pending/contemplated and motioned for litigation in the Case 2016CVF002049-D4; Arianna Torres vs. Marcus Holliman, et al; 406th District Court, District Clerk, Webb County, Texas and return to open session for possible action.

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

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

GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

34.

A. Request by Mayor Pete Saenz

1. Discussion with possible action on accessible parking violation fees by the Mayors Blue Ribbon Committee for People with Disabilities.

B. Request by Council Member Vidal Rodriguez

1. Discussion with possible action to install one (1) speed hump each on San Salvador St., and Santa Clara St., between US 83 and S. New York Ave., Pecan St., between S. Martin Ave. and S. Texas Ave., Emory Loop., between Fairfield Dr. and Brewster Dr. , Burnet Dr. , between Emory Loop. and Killen Dr., and Boulanger St. , between US 83 and S. Louisiana Ave., under the Special Provision of the Speed Hump Installation policy, adopted by city ordinance, using District II Funding. **(Fire, Health and Traffic Department are not in support to install speed humps at these locations.)**

C. Request by Mayor Pro-Tempore Alejandro "Alex" Perez

1. Discussion with possible action on the establishment of Ad Hoc committee to identify the potential best uses for the old Mercy Hospital in consideration with the immediate and future needs of the community, and all matters related thereto.
2. Discussion with possible action on the passage of a resolution formalizing the City of Laredo's objections to acquisition by the federal government, or any other public entity, of the old Mercy Hospital for use as a federal, state or local detention center, and all matters related thereto.
3. Consideration to rescind denial of request to amend the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 12 and the West ½ of Lot 11, Block 1207, Eastern Division, located at 2102 Green Street, from R-1 (Single-family residential District) to R-2 (Multi-Family Residential District).

D. Request by Council Member Alberto Torres, Jr.

1. Discussion with possible action to consider adopting guidelines for the naming of City Facilities, parks, buildings, and other city improvements.

E. Request by Council Member Nelly Vielma

1. Discussion with possible action to terminate the Sports Venue Project Sales Tax, setting aside a trust account to pay the obligations and develop a plan to transition into a 4A-4B Economic Development Tax calling for election in November or May.
2. Discussion with possible action authorizing the Internal Auditor to create an Open Data Portal on the City's webpage to report to the taxpayers on the audits scheduled, since when, status, priority, reason for delays, final results and recommendations.
3. Discussion with possible action, authorizing the City Attorney to conduct a conflicts of interest verification of the members appointed to boards and committees and provide recommendations.

4. Discussion with possible action to adopt an Evaluation Tool for the City Manager's review process.

F. Request by Council Member George Altgelt

1. Discussion with possible action on placing an iconic sign/artwork at the Historic Hamilton Hotel building that would inspire a feeling of downtown renaissance.
2. Discussion with possible action to install one (1) speed hump each on Bedford Dr. , between Candlewood Rd. and Del Mar Blvd., and Inwood Rd., between Bennington Dr. and Bedford Dr. , under the Special Provision of the Speed Hump Installation Policy, adopted by city ordinance, using District VII Funding. **(Fire, Health and Traffic Department are not in support to install speed humps at these locations.)**
3. Discussion with possible action to direct El Metro staff to install free wifi in all busses and to make all busses trackable via google's navigation application.
4. Discussion with possible action to direct staff and City of Laredo Utilities Department to assist the City of Nuevo Laredo to connect all of its raw sewage outfalls to it's sewage treatment plant.

G. Request by Council Member Roberto Balli

1. Discussion with possible action to send the following possible renaming of parks and building to the Facility Naming Recognition Committee; and any other matters incident thereto.
 - a. Los Tres Laredos Park
 - b. Seven Flags Park
 - c. Northwest Boys & Girls Club

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, April 12, 2017 at 6:00 p.m.



Heberto "Beto" L. Ramirez
Acting City Secretary