

CITY OF LAREDO CITY COUNCIL MEETING

**A-2016-R-02
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
FEBRUARY 1, 2016
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 Doanh "Zone" T. Nguyen, 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. ROLL CALL

IV. MINUTES

Approval of the minutes of January 19, 2016 and January 26, 2016.

V. COMMUNICATIONS AND RECOGNITIONS

Communiqués

1. Presentation by City Staff on the Cell Phone Ban Ordinance Media Campaign.

Recognitions

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.

VI. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

- a. Appointment by Council Member Alejandro "Alex" Perez of ____ to the Planning & Zoning Commission.
- b. Appointment by Council Member Alejandro "Alex" Perez of ____ to the Historical/Landmark Board.
- c. Appointment by Council Member Roque Vela Jr. of Richard Norton to the Planning and Zoning Commission.

VII. PUBLIC HEARINGS

1. Authorizing the City Manager to accept and enter into contract with the Texas Department of State Health Services (DSHS), amending the FY 2015-2016 Budget by appropriating additional revenues and expenditures in the amount of \$200,000.00, and amending the FY 2015-2016 Full Time Equivalent (FTE) Listing by adding one (1) Health Educator Supervisor, R38 position and one (1) Caseworker, R34 position to implement the Texas Healthy Adolescent Initiative (THAI) clinic-based program for the period beginning December 21, 2015 through August 31, 2016. This program will assist youth to get preventive health care, behavioral health services and counseling that maybe needed to address social-psycho issues. **(Approved by Operations and Finance Committees)**

2. Authorizing the City Manager to accept a voucher payment reimbursement of additional funds in the amount of \$350,000.00 (for remodeling and roof repairs of the Santo Nino Community Center) from the Texas Department of State Health Services (TDSHS) and amending the FY 2015-2016 Health Department Budget by appropriating additional revenues and expenditures for a total of \$5,964,826.00 for the Women, Infants and Children (WIC) Program of the City of Laredo Health Department (CLHD) for the period of October 1, 2015 through September 30, 2016.
3. Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 2, Block 624, Western Division, located at 2416 Ventura Street, from R-2 (Multi-Family Residential District) to R-3 (Mixed Residential District); providing for publication and effective date.

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

(Recess)
(Press Availability)

VIII. INTRODUCTORY ORDINANCES

4. Authorizing the City Manager to execute a lease agreement with Washington's Birthday Celebration Association, Inc. (W.B.C.A.) for approximately 3.9 acres and more formally known as the "Park and Ride", and the approximate 7.35 acres consisting of all Lot No's. 1 and 2 of the Laredo International Airport Manufacturing Facilities Subdivision Plat, and the portion area north of the Animal Care Shelter on Maher/Hillside/Thomas Street for the W.B.C.A. Jalapeno Festival and other W.B.C.A. sponsored events. The lease term is for five (5) consecutive years for the month of February commencing on February 2016 and ending on February 2020 and providing for termination. Initial annual rental rate of \$1,000.00; providing for an effective date. **(Approved by Operations and Finance Committees)**
5. Closing and vacating as a public easement that section of Center Road, as dedicated by the R. M.R. Industrial Park Plat Unit 2, Volume 3, page 23, of the Webb County Plat Records and providing for the reversion of all public interest in said dedicated road to the current abutting landowners in equal shares provided that the City retain the east one half section of the road as a utility easement. The road section is further depicted on attached exhibit A and providing for an effective date. **(Approved by Operations Committee)**

6. Public hearing and introductory ordinance amending the City of Laredo's FY 2015-2016 Laredo Convention and Visitors Bureau Fund budget by increasing revenues and expenditures in the amount of \$195,000.00 for funding a documentary film in conjunction with TAMIU and KLRN. The funding will be transferred from the City of Laredo FY 2015-2016 Hotel Motel Fund budget. **(Approved by Operations and Finance Committees as amended)**

IX. FIRST AND FINAL READINGS

7. **2016-O-020** An ordinance by the City Council of the City of Laredo, Texas authorizing the issuance, sale and delivery of City of Laredo, Texas General Obligation Refunding Bonds, Series 2016; approving and authorizing a purchase contract, an escrow agreement, and a paying agent/registrar agreement; approving and authorizing all other instruments and procedures related thereto; delegating authority to the Mayor and/or the City Manager to select outstanding bonds to be refunded and approve all final terms of the bonds; and authorizing amendment to the city's budget to appropriate such proceeds for purposes authorized herein; and ordaining other matters relating to the subject.
8. **2016-O-021** Ordinance authorizing the issuance of City of Laredo, Texas Waterworks and Sewer System Revenue Refunding Bonds, New Series 2016, for the purpose of refunding Waterworks and Sewer System Revenue Bonds, approving an official statement, authorizing the execution of a purchase contract and the execution of an escrow agreement, and making provisions for the security thereof, delegating authority to the Mayor and/or the City Manager to select outstanding bonds to be refunded and approve all final terms of the bonds, and authorizing amendment to the city's budget to appropriate such proceeds for purposes authorized herein; and ordaining other matters relating to the subject.

X. FINAL READING OF ORDINANCES

2016-O-010 Amending the City of Laredo FY 2016 Airport Operating and Airport Construction Budget to appropriate revenues in the amount of \$2.4 million for Airport Runway Protection Zone, appropriating said revenue to the appropriate expenditure accounts and authorizing the City Manager to implement said budget amendment. As amended to increase amount from \$2.0 million to \$2.4 million.

2016-O-011 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 1 and 2, and parts of Lots 7 and 8, Block 1774, Eastern Division, located at 819 S New York Avenue, 2901 Blaine Street, from B-1 (Limited Commercial District) to B-3 (Community Business District); providing for publication and effective date. District II

2016-O-012 Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit for a Restaurant Serving Alcohol, on Lot 2, Block 1, Walmart at San Isidro Ranch Subdivision, located at 10719 International Boulevard; providing for publication and effective date. District VI

2016-O-013 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning four (4) acres out of Tracts 8-A, 8-B, 8-C and 8-D, Casa Verde Acres Subdivision, as further described by metes and bounds in attached Exhibit "A", located at 8404 Casa Verde Road, from R-1 (Single-family residential District) to R-2 (Multi-Family Residential District); providing for publication and effective date. District V

2016-O-014 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 3, Block 1, Webb County Road and Bridge Plat Subdivision, located at 7210 U.S. Highway 59, from AG (Agricultural District) to B-1 (Limited Commercial District); providing for publication and effective date. District V

2016-O-015 Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for an impound lot on Lots 3 and 4, Block 807, Eastern Division, located at 306 and 316 South Meadow Avenue; providing for publication and effective date. District III

2016-O-016 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 2B, Block 3, McPherson Acres, Unit 1, located at 5812 McPherson Road, from B-3 (Community Business District) to B-4 (Highway Commercial District); providing for publication and effective date. District V

2016-O-017 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 10, Block 86, Western Division, located at 320 Iturbide Street from B-1 (Limited Commercial District) to B-3 (Community Business District); providing for publication and effective date. District VIII

2016-O-018 Authorizing the City Manager to execute a lease assignment from Adriana Martinez, as LESSEE, to Mel-Mac Deck Investments, LLC., as ASSIGNEE, of that original lease agreement approved by Ordinance No. 95-O-177 dated August 7, 1995 and as amended by Ordinance No. 2015-O-020 for approximately 16,291.44 square feet of land located at 1719 E. Hillside St., located at the Laredo International Airport. The monthly rental effective September 1, 2015 is increased from \$1,410.46 to \$1,660.46 and shall be adjusted by changes in CPI. All other terms and conditions remain the same and in effect; providing for an effective date.

2016-O-019 Authorizing the ratification of the contract amendment with the Texas Health and Human Services Commission (HHSC) and amending the FY 2015-2016 budget by appropriating additional revenues and expenditures in the amount of \$106,158.60 with a cash match of \$10,616.00 for a total of \$573,274.60 for continuation of the Nurse Family Partnership (NFP) for the City of Laredo Health Department (CLHD) to provide evidence-based nurse home visitation for first-time mothers and development and preventive care to their children to ensure a healthy birth outcome for mom and baby for the period beginning September 1, 2015 through August 31, 2016.

XI. MOTIONS

9. Confirming the recommendation by Judge Cuellar to appoint Elizabeth Martinez as Associate Municipal Court Judge.
 10. Consideration to reject all bids for contract FY16-018 for the purchase and installation of Solar Lighting for Pathway for Bartlett Soccer Complex. These bids received were evaluated and rejected by staff as most were found to be incomplete and others far exceeded the estimated costs. Funding is available in the 2008 C.O.
 11. Consideration to award purchase contract to Hunter Knepshield, Plano, Texas in the amount not to exceed \$67,122.00. This contract is through BuyBoard Cooperative Purchase Contract and is for the purchase of LED Light Fixtures and Poles to be installed at Bartlett Soccer Complex. Funding is available in the 2008 C.O.
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XII. CONSENT AGENDA

Resolutions and Motions previously brought before Operations and Finance Committees may be approved by City Council categorically *EN BLOC*. At Council's request, specific items may be withheld from the consent agenda for individual treatment.

XII (a) RESOLUTIONS

12. **2016-R-09** Consideration to grant fee waivers and a Tax Abatement Agreement between the City of Laredo and B & G's, LLC for the residential property located at 801 Fremont St., being Lot 1 Block 268 Eastern Division. The proposed residential property eligible for property tax abatement includes the new construction of a 1,279 sq. ft. structure in the total amount of \$54,783.63 which is equal to or in excess of 20% of the Base Value of the property 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 consist of an estimated annual tax abatement total of \$281.95 and estimated total fee waiver of \$681.00 based on capital investment for the purpose of economic development. Guidelines and criteria for the agreement are set forth in the attached agreement and information.

13. **2016-R-10** Authorizing the City Manager to execute this Memorandum of Agreement (MOA) into by and between the Coastal Bend Regional Advisory Council (CBRAC) and the City of Laredo Fire Department to participate as a member of Texas Emergency Medical Task Force (hereinafter EMTF). This MOA is to establish a mechanism for the utilization and coordination of emergency medical resources and assets in the event of an emergency or disaster.

14. **2016-R-12** Authorizing the City Manager to enter into and execute 77 cooperative working agreements/mutual assistance agreements/memorandums of understanding between the City of Laredo Police Department and various federal, state and local agencies, including but not limited to: Drug Enforcement Administration (DEA), Federal Bureau of Investigations (FBI), SCAN, *et al.*, a comprehensive list is attached hereto as "Exhibit A". The Police Department's participation is part of the community service provided to our citizens, with no cost to the City of Laredo.

15. **2016-R-14** Authorizing the City Manager to execute this Memorandum of Agreement (MOA) between South Texas Development Council (hereinafter STDC) and the City of Laredo Fire Department in the amount of \$20,000.00 to form a management and administration structure to oversee, implement, and maintain the WebEOC for the South Texas Region 19. WebEOC is a web based crisis information management system improving the ability to share awareness of resources throughout the state and provide access to regional medical operation centers. local health departments, hospitals, emergency medical services, fire departments, and other emergency centers across the state. Funds are appropriated in General Fund.

XII (b) MOTIONS

16. Authorizing the City Manager to award an Architectural and Engineering Services contract in the amount of \$ 163,560.00 to Sepulveda Associates Architects, Inc., Laredo, Texas for the design, technical drawings, bidding documents, specifications, construction administration services with production printing, and as-built for the Utilities Department Administration Building. Funding is available in 2013 Sewer Revenue Bond and 14 WW/SW Revenue Bond.
17. Authorizing the City Manager to award an Engineering Services contract in the amount of \$ 110,000.00 to Porrás Nance Engineering, Laredo, Texas for the topographic survey & preliminary schematics, plans, specs, bidding documents, estimates, TxDot Permit & Utility Coordination, easement plat & description, construction staking, coordination & administration, as-built plans & close out documents for the 24" Waterline along Cuatro Vientos Road. Funding is available in the 2015 Water Revenue Bond.
18. Consideration to ratify the emergency contract issued to Bradley Motors, Gregory, Texas, in the total amount of \$51,805.00 for the repair of a 600 HP Vertical Motor at Jefferson WTP East High Service Pump #1. These repairs are needed due to high service pump usage during the upcoming summer months. Funding is available in the Utilities Department fund.
19. Authorizing the City Manager to enter into and execute a Toshiba Governmental Copier Lease Program Contract with Toshiba Business Solutions (USA) Inc., San Antonio, TX, for the use of ninety nine (99) new copiers; and authorizing that the equipment lease finance agent be Lage Landen Public Finance, L.L.C. This lease is through a TEXAS DIR Contract, Toshiba Public Finance Contract and lease agreement shall be for a forty eight (48) month period with an estimated lease contract total of \$416,640.96. This contract is contingent on continued appropriations in

future fiscal years and funding for the lease purchase payments shall be available in user departmental budgets.

20. Consideration to award contract FY16-027 to the sole bidder, Galls, LLC., Lexington, KY, in the estimated annual amount of \$215,400.00, for the purchase of uniforms, boots and accessories for the Fire Department. These items are included in the Collective Bargaining Agreement between the City and the Firefighters Union. Each firefighter has a \$600.00 clothing allowance that may be used to purchase any of the listed items in the agreement. The term of the contract is for three (3) years, subject to future budget appropriations. Contract has renewal options for two (2) additional one year periods. Funding is available in General Fund - Fire Department's operational budget.
21. Consideration to award annual supply contract FY16-022 to Neuhaus & Company, Weslaco, Texas in an amount up to \$50,000.00, for the purchase of John Deere original equipment manufacturer (OEM) repair parts for the City's lawn maintenance equipment. All parts will be purchased on an as needed basis. The term of this contract shall be for a period of one (1) year beginning as of the date of its execution. This contract has five extension renewal option periods, upon mutual agreement. Funding is available in the Fleet Maintenance Budget.
22. Consideration to award a construction contract to the lowest bidder, ABBA Construction, L.L.C., Laredo, Texas, in the base bid amount of \$99,280.00 for the Laredo Colombia International Bridge Expansion Joint Rehabilitation 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 May 2016. Funding is available in the Bridge 2008 Bond.
23. Authorizing the City Manager to renew contract FY15-027 for the Laredo Lemurs Baseball 2016 season visiting team and special events lodging expenses with TownePlace Suites. The contract amount is not to exceed \$102,000.00. Funding is available in the Laredo Convention and Visitors Bureau FY 2015-2016 budget.

END OF CONSENT AGENDA

XIII. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

24.

A. Request by Mayor Pete Saenz

- a. Exercise of Mayor's Veto of contract awarded to Altus Construction, at the regular City Council Meeting on January 19, 2016; reference Agenda item #24 of the January 19, 2016 published Agenda: award of construction contract for the Galveston Street Waterline Replacement Project.
- b. Discussion with possible action on status of ongoing independent audit of First Recycling LLC, at landfill.
- c. Discussion with possible action entering into an Memorandum of Understanding (MOU) with the Port of Corpus Christi, I-69 Freight Corridor.

B. Request by Council Member Esteban Rangel

- a. Discussion with possible action on the contract for the Chapter 380 agreement for the Wright Ranch Subdivision at Cuatro Vientos East. **(Co-Sponsored by Council Member Rudy Gonzalez)**

C. Request by Council Member Alejandro "Alex" Perez

- a. Discussion with possible action to update the existing Tree Ordinance to include the protection of trees in private property from being removed for development. This item is in collaboration with Keep Laredo Beautiful.
- b. Discussion with possible action on installing a memorial for a fallen Police Officer at Slaughter Park at the request of S.C.A.N.

D. Mayor Pro-Tempore Juan Narvaez

- a. Requesting assistance from each Council Member to help fund a media buy for an awareness campaign for the Cell Phone Ban Ordinance.

E. Request by Council Member Charlie San Miguel

- a. Discussion with possible action regarding the TIRZ for The Coves at Winfield.
- b. Discussion with possible action to recommend to the Charter Review Committee that they consider an item for the ballot that would require any and all City projects that are voted on by the public have an amount limit/up to, included in the wording for the referendum.
- c. Discussion with possible action to evaluate options to correct the drastic and sharp contrast in elevation that is presenting a safety hazard at the Shiloh and Loop 20 intersection.

F. Request by Council Member George Altgelt

- a. Discussion with possible action to allow public comments at all meetings including special called meetings.
- b. Request for Qualification (RFQ) for a consultant to do a design plan for a dedicated noncommercial route from the Max Mandel golf course to IH-35.
- c. Discussion with possible action to have the City of Laredo Traffic Department design and build a speed table at the intersection of Port Isabel and People's Blvd at the Green Ranch Subdivision that is consistent with the Institute of Transportation Engineers -- ITE - design plan."

G. Request by Council Member Roberto Balli

- a. Discussion with possible action to create one or more "Safe Zones" – places where online buyers and sellers can meet to safely exchange merchandise.

H. Request by Council Member Rudy Gonzalez, Jr.

- a. Discussion with possible action on installing surveillance equipment at all City parks and recreation facilities to deter crime and vandalism.

XV. 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.

25. Request for executive session pursuant to Texas Government Code Section 551.072 to deliberate on-going negotiations regarding the value of real property located at north end of the Laredo International Airport, legally described as an approximate 18.33-acre tract of land, Eastern Division, Laredo, Webb County, Texas. Acquisition of this tract would be for municipal purposes, Runway Protection Zone.

XVII. ADJOURN AS THE LAREDO MASS TRANSIT BOARD AND RECONVENE AS THE LAREDO CITY COUNCIL AND 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, January 27, 2016 at 6:10 p.m.

Doanh "Zone" T. Nguyen
Acting City Secretary