

CITY OF LAREDO CITY COUNCIL MEETING

A-2016-R-09

CITY COUNCIL CHAMBERS

1110 HOUSTON STREET

LAREDO, TEXAS 78040

May 16, 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 Heberto 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. ROLL CALL

IV. MINUTES

Approval of the minutes of May 2, 2016

V. COMMUNICATIONS AND RECOGNITIONS

Communiqués

1. Presentation and invitation by LULAC local chapter and state officials to the 87th State Convention set for June 9-12, 2016 in Laredo, Texas.
2. Presentation of the Ride of Silence to honor those who have been injured or killed while cycling. The event is to raise awareness that we all need to share the road and everyone is cordially invited to attend on Wednesday, May 18, 2016 at the Laredo ISD Performing Arts Center (Civic Center Grounds) at 7 p.m.

Recognitions

1. Recognition of Mr. Gerardo L. Piña, Jr., Environmental Enforcement Investigator, on being named President of the Code Enforcement Association of Texas (CEAT).
2. Recognizing Claudia's Performing Arts Hip Hop Dance Team for competing and representing Laredo in Nationals in Orlando, Florida against 4 other teams from Washington, Ohio, and South Carolina and winning 1st place.
3. Recognizing 8 Laredo racers for competing in the 2016 Middle & High School Mountain Bike with the Laredo Cycling Association and finishing in the top three for their age and gender.

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 Roque Vela Jr. of a commissioner to the Ethics Commission.

VII. PUBLIC HEARINGS

1. Public hearing and introductory ordinance amending the City of Laredo Municipal Housing Fund FY 2016 Annual Budget by increasing revenues and expenditures in the amount of \$220,000.00 and authorizing the City Manager to execute all necessary documents related to the Weatherization Grant Program. This grant is being provided to the city by AEP and AEP's consulting firm, Frontier Associates. There is no match requirement - it is based on a reimbursement basis. The program will provide for the replacement of complete central air conditioning and heating units, insulation and other weatherization items at the Tomas Flores Apartments located at 2301 & 2302 Lafayette St. The grant will provide up to \$6,500.00 per unit based on an assessment to determine the applicability and Savings -to-Investment (SIR) ratio and to include an eight percent (8%) administrative fee paid to Laredo Municipal Housing.

2. Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit for a Restaurant Serving Alcohol, on Lot 1, Block 1, Winfield Commercial Subdivision, located at 3402 Del Mar Blvd., Suite 220; providing for publication and effective date.

Staff does not support the application and the Planning and Zoning Commission recommends approval of the Special Use Permit.
District VI

3. Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit for a Restaurant Serving Alcohol, on Lot 1, Block 1, Winfield Commercial Subdivision, located at 3402 Del Mar Blvd., Suite 100; providing for publication and effective date.

Staff does not support the application and the Planning and Zoning Commission recommends approval of the Special Use Permit.
District VI

4. Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit for a restaurant selling alcohol on Lot 1, Block 1, Winfield Commercial Subdivision, Phase 13 located at 3402 Del Mar Boulevard, Suite 300; providing for publication and effective date.

Staff is not in support of the application and the Planning and Zoning Commission recommends approval of the Special Use Permit. District VI

5. Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 7.62 acres as further described by metes and bounds in attached Exhibit "A", located at NE Bob Bullock Loop North of Crepusculo Drive, from B-3 (Community Business 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 III

6. Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for a pool hall/snack bar on Lots 9 and 10 less the North six feet of Lot 9, Block 86, Western Division, located at 318 and 320 Iturbide Street; providing for publication and effective date.

Staff is not in support of the application and the Planning and Zoning Commission recommends approval of the Conditional Use Permit. District VIII

7. Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for a welding shop on Lot 7, Block 1330, Eastern Division, located at 906 S. Zapata Highway; 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 III

8. Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for a bus terminal on Lots 6 and 7, Block 120, Western Division, located at 801, 803 and 805 Victoria Street; 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

9. Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for an auto body and paint shop on the middle 1/3 of Lots 7 and 8, Block 1029, Western Division, located at 4103 Santa Maria Avenue; providing for publication and effective date.

Staff is not in support of the application and the Planning and Zoning Commission recommends denial of the Conditional Use Permit. District VIII

10. Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 10, 11 and 12; the South 10 feet of Lots 1, 2 and 3, Block 793, Eastern Division, located at 1402 Market Street, from R-O (Residential/Office District) to B-1 (Limited Business District); providing for publication and effective date.

Staff is not in support of the application and the Planning and Zoning Commission recommends denial of the zone change. District III

11. Amending 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); providing for publication and effective date.

Staff is not in support of the application and the Planning and Zoning Commission recommends denial of the zone change. District III

(Recess)
(Press Availability)

VIII. INTRODUCTORY ORDINANCES

12. An ordinance of the City of Laredo Texas, amending Article III of Chapter 6 "Animals and Fowl," of the code of ordinances, specifically Section 6-42 (Keeping Practices) in order to allow for the approval of a trap, neuter, and return program by any qualified individual designated by the City Manager; providing a severability clause; providing a savings clause; and providing an effective date.

13. An ordinance granting a Non-Exclusive Electric Franchise to AEP Texas Central Company for the transmission and distribution of electricity; and providing for publication and effective date.

14. Authorizing the public sale for the "Surface Only" of a 5.23 acre tract of surplus land to A&S Holdings', owner Mr. Antonio Ayala, sole bidder in the amount of \$1,000,000.00. Tract is located adjacent to Borchers Elementary and is legally described as an unimproved 5.23 acre tract of land more or less, situated in Porcion 22, Abstract 277, Dona Maria Jesus Sanchez, original grantee, same being out of a called 8.55 acre tract conveyed to the City of Laredo as recorded in Volume 2952, Pages 134-139, Webb County Official Public Records and more particularly described on attached, Exhibit "A". Funds will be deposited into 2008 C.O. and Waterworks System Fund. Waterworks System funds will be used to purchase needed equipment.
(Approved by the Operations and Finance Committees)

IX. FINAL READING OF ORDINANCES

15. **2016-O-049** Amending the City of Laredo Bridge System Refrigerated Facilities FY 2015-2016 Annual Budget by appropriating \$86,875.00 from the Bridge System Refrigerated Facilities opening balance. Funds are to be used for capital improvements and repairs to the refrigeration system, plumbing system, lighting, electrical and security surveillance system of the refrigerated facilities.

16. **2016-O-050** Amending the City of Laredo Bridge System FY 2015-2016 Bridge Annual Budget by appropriating \$180,863.00 from the Bridge System Construction Fund opening balance to be used for Bridge related projects such as replacement of the pedestrian turnstiles at Bridge I and other Bridge related improvements.

17. **2016-O-051** Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit for a Restaurant Serving Alcohol, on Lot 3, Block 1, Del Mar North Filing No. 1 Subdivision, located at 7718 McPherson Road, Building C, Suites 7 & 8; providing for publication and effective date.
District VI

18. **2016-O-052** Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 7.9 acres as further described by metes and bounds in attached Exhibit "A", located on the East side of Ejido Avenue and North of Bianka Lane, from R-1A (Single-Family Reduced Area District) to R-1B (Single-Family High Density District); providing for publication and effective date. District I

19. **2016-O-053** Amending the Zoning Ordinance (Map) of the City of Laredo by amending Ordinance No. 2011-O-069 authorizing a Conditional Use Permit for an amusement redemption machine establishment on Lot 1, Block 1, Anil and Associates Subdivision Phase 1, located at 9110 McPherson Road by extending date of expiration; providing for publication and effective date. **(As Amended)** District VI

20. **2016-O-054** Amending the Zoning Ordinance (Map) of the City of Laredo by amending Ordinance No. 2011-O-157 authorizing a Conditional Use Permit for an amusement redemption machine establishment on Lot 1, Block 2, Cuatro Vientos Norte Subdivision, located at 3301 Chacota Street, Suites 21B and 22B by changing permit holder and extending date of expiration; providing for publication and effective date. **(As Amended)** District I

21. **2016-O-055** Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for Children's Amusement Services (Outdoors) on Lots 7 and 8, Block 2, San Jose Subdivision, located at 6321 and 6323 Casa Del Sol Boulevard; providing for publication and effective date. **(AS AMENDED)** District V

X. RESOLUTIONS

22. **2016-R-61** Accepting conveyance of a revised fifteen (15) foot Public Utility and Utility Access Easement, for the right to install, construct, reconstruct, repair and perpetually maintain a fire protection water line loop from:

Old Dominion Freight Line, Inc., By: Terry L. Hutchins, Vice President, Field Services & Real Estate - Utility easement previously recorded as follows:

Easement document # 1249202, recorded on November 19, 2015, Volume 3881, pages 162-167. A copy of revised conveyance is attached as Exhibits A & B:

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

23. **2016-R-64** Amending Resolution #2016-R-35 by adding one (1) additional memorandum of understanding to the list of 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.

24. **2016-R-67** Certifying the verification of 7,818 signatures from a petition brought forward by "Moving Laredo Forward" for proposed Charter amendments.

XI. MOTIONS

25. Authorizing the City Manager to execute a license agreement between the City of Laredo and the General Services Administration for authorized access to develop a road through the import lot and extend it east past Bridge No. 2 within GSA property, for the purpose of improving traffic circulation in the downtown area. The license agreement will allow for the construction and the non-exclusive access of the road for an initial 5 years, renewable upon expiration in May 2021.

26. Authorizing the City Manager to grant a public fireworks display permit to the Laredo Country Club for the following dates, July 4, 2016 and December 31, 2016. The technicians for the display will be Illumination Fireworks.
(Approved by the Operations Committee)

27. Consideration to award contract FY16-044 to Test America Laboratories, North Canton, Ohio in the estimated annual amount of \$150,000.00 to provide laboratory analytical services for water and wastewater samples in accordance to Environmental Protection Agency (EPA) approved standard methods. Sample testing is done on a daily, monthly, and quarterly 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 three (3) extension periods-upon mutual agreement of parties. Funding is available in the Utilities Department Budget, Water and Wastewater Treatment Divisions. **(Approved by the Operations Committee)**

28. Discussion with possible action to discontinue the contracting process with Honeywell Building Solutions located at 3823 Stahl Road, San Antonio, TX 78021 for the city-wide Energy Efficiency Project for the Utilities Department due to funding issues.
 29. Approving monthly adjustments to the tax roll. The amounts to be adjusted for the month of April 2016, represent a decrease of \$10,414.78. These adjustments are determined by the Webb County Appraisal District and by court orders.
 30. Authorizing the City Manager to approve change order No. 5, with an increase of fifty-seven (57) working days and no increase in contract amount to the construction contract with Vision Construction Company, Inc., San Antonio, Texas, for the Jefferson Water Treatment Plant Administration Building and Learning Center Project. This change order was due to rain days and delays caused by conflict of proposed storm drain with the existing raw water lines that impacted the work. The contract sum remains at \$4,700,047.51 and the new total completion period is five hundred forty (540) working days. There is no financial impact to the contract. **(Approved by the Operations Committee)**
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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

31. **2016-R-60** Ratifying the recorded dedication of a 20' wide right-of-way located on the 2600 block of East Del Mar Boulevard by Mr. Jose Luis Viejo de los Santos. Said tract of land containing 9,246.80 sq. ft. (0.2123 of an Acre), out of the 16.00 Acre Tract, conveyed to Ferman Inc., a Texas Corporation, as recorded in Volume 2796, page 508-523, of the Official Public Records of Webb County, Texas; said 9,246.80 sq. ft. Tract is more particularly described on attached, Exhibit "A".

32. **2016-R-62** Authorizing the City Manager to apply for a grant in the estimated amount of \$1,425,525.00 from the U.S. Department of Justice, Office of Community Oriented Policing Service (COPS) Program. The City of Laredo will utilize this funding to hire six (6) new police officers for a period of three years. The 2016 COPS grants provide up to 75 percent funding of the approved entry level salaries and fringe benefits of each newly hired and/or rehired full-time sworn career law enforcement officer over the three-year (36-month) grant period with a minimum 25 percent local cash match requirement and a maximum federal share of \$125,000.00 per officer position. Funding is available under the COPS Hiring Program.
33. **2016-R-63** Authorizing the City Manager to enter into and execute a Memorandum of Agreement between Texas A&M International University and the Laredo Fire Department for the purpose of providing students an opportunity to apply knowledge and skills gained in the classroom in a clinical setting.
34. **2016-R-66** Authorizing the City Manager to accept the contract with the Women's Health and Family Planning Association of Texas (WHFPT) in the amount of \$103,003.00 for the continuation of the City of Laredo Health Department Title X Family Planning Women's Preventive Health Program for the term period from April 1, 2016 through March 31, 2017.

XII (b) MOTIONS

35. Consideration to authorize the City Manager to approve change order No. 2, Phase NO. X to W.D. Schock Company of Nashville, Tennessee for a net increase of \$45,776.31 for additional work to be accomplished by the Consultant, for a total contract amount of \$740,629.23. The net increase will be added to the total contract amount of residential sound insulation noise mitigation program improvements in support of the City of Laredo International Airport FAR Part 150 Airport Residential Sound Reduction Program. Funding is available under Federal Aviation (FAA) Administration Airport Improvement Projects (AIP), Grants Nos. 72 & 78.
36. Authorizing the City Manager to execute the contract renewal option with Dr. Arturo Garza-Gongora, M.D, to serve as Medical Director/Supervisor of pre-hospital care for the City of Laredo Fire Department as required by EMS National Registry. The initial three (3) year term will expire on June 2016, and the option is for a two (2) year extension at a cost of \$60,000.00 per year. The contract shall be effective from June 2016 to June 2018.

37. Consideration to authorize the purchase of holsters for the Police Department in the amount of \$63,326.80 from G.T. Distributors, Inc., Austin, Texas through the Buyboard Cooperative Purchasing program's contract pricing. Funding is available in the Police Department Trust Fund.
38. Consideration to authorize the City Manager to execute a contract with LexisNexis, to provide an online police report distribution system. This system allows police reports to be secured via the internet. The fee for service will be obtained through the fees collected during the distribution process and paid by the end users or purchasers of reports. The Police Department would receive \$5.00 for each police report secured from the online system. The term of this agreement is for thirty-six (36) months and thereafter, the Agreement shall automatically renew for subsequent twelve (12) month periods, unless earlier terminated by either party. All revenues generated from this service contract will be deposited in general fund.
39. Consideration to award a contract to Cantu Electric Co. Inc., Laredo, Texas in the amount of \$58,000.00 for the purchase, labor and installation of electrical panels and conduit for the World Trade Bridge and Colombia Bridge under bid FY16-002. Funding is available in the HIDTA Task Force Fund.
40. Consideration to award contract FY16-013 to M. Goodwin Museum Planning, Inc's (MGMP), Los Angeles, CA for the Laredo Museum Feasibility Study for an amount not to exceed \$159,570.00. Contract amount includes: \$136,000.00 for the Museum Feasibility Study plus out-of-pocket expenses not to exceed \$23,570.00 (travel, postage, reimbursables and related costs). Study to be done in five (5) phases to include: an updated market analysis, market condition, community/regional facilities, market potential, suggested building design/specifications, economic and fiscal impact analysis. Funding is available in the Hotel-Motel Occupancy Tax Fund.
41. Consideration to renew the existing annual contract FY13-036 to LSC Environmental Products, Appalachian, New York in an amount up to \$184,500.00 for the purchase of alternative daily cover material for the City Landfill. The materials are made of fiber and cement mortar used to replace the use of on-site soils for daily cover at the disposal area. The term of this contract shall be for a period of one (1) year beginning as of the date of its execution. All material will be ordered on an as needed basis. This contract may be extended three additional periods-upon mutual agreement of parties. Funding is available in the Solid Waste Services Department Fund.

42. Authorizing the City Manager to approve Amendment No. 3 to the professional engineering services contract in the amount of \$134,780.00 to LNV, INC., Laredo for revising designs and re-submittal for FAA clearance determination, revision on environmental information document, redesigning of drainage, piping, access road, tank and TCEQ plan review due to relocation of the storage tank to reduce construction cost. With this amendment the total new contract amount is \$513,807.00. Funding is available in the 2015 Water Revenue Bond.

43. Consideration for approval of the selection of engineering consultant, Parra & Co. based on Request For Qualifications (RFQ) received and authorizing the City Manager to negotiate a contract for the preparation of operation and maintenance manual and standard operation procedures for South Laredo Wastewater Treatment Plant. Funding is available in the 2010 Sewer Revenue Bond.

44. Consideration for approval of the selection of engineering consultant, JBS Water based on Request For Qualifications (RFQ) received and authorizing the City Manager to negotiate a contract for the Comprehensive Water Distribution & Meter Management Audit. Funding is available in the 2015 Water Revenue Bond and 2014 Sewer Revenue Bond.

END OF CONSENT AGENDA

XIII. STAFF REPORTS

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.

XV. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

- 45.

A. Request by Mayor Pete Saenz

- a. Status of activity by the Technical Review Committee, with possible action.

B. Request by Council Member George Altgelt

- a. Discussion with possible action to send and collect a survey and voting instrument to all persons and entities of interest regarding the formation of a Public Improvement District (PID) for the greater Mines Road industrial complex in order to determine whether said interested parties would consent to the same to allocate funds for a full time street repair crew, infrastructure investment, commercial vehicle enforcement, hazardous materials enforcement and response team and other such public benefits as the board of a PID might determine as necessary in compliance with all relevant statutes allowing for the same.
- b. Discussion with possible action to pass a resolution in opposition to the proposed regional landfill that is currently in the permitting process by the Texas Commission on Environmental Quality.

C. Request by Council Member Roque Vela, Jr.

- a. Discussion with possible action to direct staff to prepare an analysis on the feasibility of implementing a street maintenance assessment and to be discussed during the 2016-2017 Budget Workshop.

XVI. 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, May 11, 2016 at 5:40 p.m.



Heberto L. Ramirez
Acting City Secretary