

CITY OF LAREDO SPECIAL CITY COUNCIL MEETING

A-2020-SC-07

LIVE WEB LINK: <http://laredotx.swagit.com/live>

CITY COUNCIL CHAMBERS

1110 HOUSTON STREET

LAREDO, TEXAS 78040

August 13, 2020

6:30 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 Jose A. Valdez Jr., 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

Citizen comments

Citizens are required to fill out a witness card and submit it to the City Secretary no later than 6:45 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. 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.

V. PUBLIC HEARING

- 1. An Ordinance of the City Council of the City of Laredo, Texas, ordering a special election for the submission of charter amendments to be held within the City on November 3, 2020; and providing for severability, publication, and an effective date.

SECTION 1. A Charter amendment election is ordered to be held in the various voting precincts of the City of Laredo on November 3, 2020 to submit the following propositions to amend the City Charter of the City of Laredo to the qualified voters of the City:

Proposition A

Shall the City Charter be amended to provide that upon the conviction of a criminal offense, excluding a felony, by the Mayor or a City Council Member, a declaratory judgment action shall be filed with a district court of competent jurisdiction to seek a determination on whether the crime committed is one involving moral turpitude, and if it is so determined, a recall process shall be automatically triggered?

YES ()
NO ()

Proposition B

Shall the City Charter be amended to require the Mayor to execute his/her veto power within the next two regularly scheduled Council Meetings?

YES ()
NO ()

Proposition C

Shall the City Charter be amended to require any candidate filing an application for place on the ballot to submit a filing fee, or signature petition in lieu of the filing fee, with the City Secretary as prescribed by City Ordinance in accordance with the Texas Election Code?

YES ()

NO ()

Proposition D

Shall the City Charter be amended to provide that the Mayor, in addition to City Council Members, are excluded from the prohibition against participating in political activity while on duty, in uniform, or using city resources?

YES ()

NO ()

Proposition E

Shall the City Charter be amended to provide that a City Council Member who was elected through a special election to finish an unexpired term may serve the unexpired term in addition to two four-year terms?

YES ()

NO ()

Proposition F

Shall the City Charter be amended to provide that any proposed issuance of a bond valued at over 10% of the comprehensive budget, excluding those issued through the Enterprise funds, for capital improvement projects must be approved through a ballot referendum?

YES ()

NO ()

Proposition G

Shall the City Charter be amended to provide that the minimum qualifications of the City Manager require a Master's Degree and no less than eight years experience in government, economic development, or related government fields?

YES ()

NO ()

Proposition H

Shall the City Charter be amended to provide that the City Tax Assessor and Collector *or his or her contracted designee* be responsible for the assessment and collection of taxes levied by the City of Laredo?

YES ()

NO ()

Proposition I

Shall the City Charter be amended to provide that all taxes due to the City of

Laredo shall be payable at the office of the City Tax Assessor and Collector, *or at one or more other designated locations*, and may be paid any time after assessments have been made final by the Council.”

YES ()

NO ()

SECTION 2.nThe City Manager and City Secretary, in consultation with the City Attorney, are hereby authorized and directed to take any additional action necessary to comply with provisions of the Texas Election Code or other state and federal statutes and constitutions in carrying out the conduct of the election, whether or not expressly authorized herein.

SECTION 3. Notice of the November 3, 2020 Charter amendment election shall be given by publishing a substantial copy of the proposed amendment, both in English and in Spanish, in a newspaper of general circulation on the same day in each of two successive weeks, with the first publication occurring before the 14th date of the election; and a substantial copy of this Ordinance, both in English and in Spanish, shall be posted at public places in the City of Laredo and also at City Hall, not less than 21 days prior to Election Day.

SECTION 4. All resident qualified voters of the City shall be permitted to vote at the November 3, 2020, election and on the day of the election, such electors shall vote at the designated polling places. The election shall be held and conducted in accordance with the provisions of the Texas Election Code, as amended, and the provisions of the Texas Government Code, and as may be required by any other law. All election materials and proceedings shall be printed in both English and Spanish. The official ballots for the November 3, 2020, Charter amendment election shall be prepared in accordance with the Texas Election Code.

SECTION 5. If any provision of this Ordinance or its application to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and this Council declares that this Ordinance would have been enacted without such invalid provision.

SECTION 6. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, Texas Government Code.

VI. EXECUTIVE SESSION

The Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any posted agenda item when authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and/or 551.086 (Economic Development). Following closed session, the open meeting will reconvene at which time action, if any, may be taken.

VII. ADJOURNMENT

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 Monday, August 10, 2020 at 6:45 p.m.

Jose A. Valdez, Jr.
City Secretary

Public Hearings (also Intro Ord) 1.

City Council-Special

Meeting Date: 08/13/2020

Initiated By: Robert A. Eads, City Manager

Staff Source: Jose A. Valdez, City Secretary

SUBJECT

An Ordinance of the City Council of the City of Laredo, Texas, ordering a special election for the submission of charter amendments to be held within the City on November 3, 2020; and providing for severability, publication, and an effective date.

SECTION 1. A Charter amendment election is ordered to be held in the various voting precincts of the City of Laredo on November 3, 2020 to submit the following propositions to amend the City Charter of the City of Laredo to the qualified voters of the City:

Proposition A

Shall the City Charter be amended to provide that upon the conviction of a criminal offense, excluding a felony, by the Mayor or a City Council Member, a declaratory judgment action shall be filed with a district court of competent jurisdiction to seek a determination on whether the crime committed is one involving moral turpitude, and if it is so determined, a recall process shall be automatically triggered?

YES ()

NO ()

Proposition B

Shall the City Charter be amended to require the Mayor to execute his/her veto power within the next two regularly scheduled Council Meetings?

YES ()

NO ()

Proposition C

Shall the City Charter be amended to require any candidate filing an application for place on the ballot to submit a filing fee, or signature petition in lieu of the filing fee, with the City Secretary as prescribed by City Ordinance in accordance with the Texas Election Code?

YES ()

NO ()

Proposition D

Shall the City Charter be amended to provide that the Mayor, in addition to City Council Members, are excluded from the prohibition against participating in political activity while on duty, in uniform, or using city resources?

YES ()

NO ()

Proposition E

Shall the City Charter be amended to provide that a City Council Member who was elected through a special election to finish an unexpired term may serve the unexpired term in addition to two four-year terms?

YES ()

NO ()

Proposition F

Shall the City Charter be amended to provide that any proposed issuance of a bond valued at over 10% of the comprehensive budget, excluding those issued through the Enterprise funds, for capital improvement projects must be approved through a ballot referendum?

YES ()

NO ()

Proposition G

Shall the City Charter be amended to provide that the minimum qualifications of the City Manager require a Master's Degree and no less than eight years experience in government, economic development, or related government fields?

YES ()

NO ()

Proposition H

Shall the City Charter be amended to provide that the City Tax Assessor and Collector *or his or her contracted designee* be responsible for the assessment and collection of taxes levied by the City of Laredo?

YES ()

NO ()

Proposition I

Shall the City Charter be amended to provide that all taxes due to the City of Laredo shall be payable at the office of the City Tax Assessor and Collector, *or at one or more*

other designated locations, and may be paid any time after assessments have been made final by the Council.”

YES ()

NO ()

SECTION 2.nThe City Manager and City Secretary, in consultation with the City Attorney, are hereby authorized and directed to take any additional action necessary to comply with provisions of the Texas Election Code or other state and federal statutes and constitutions in carrying out the conduct of the election, whether or not expressly authorized herein.

SECTION 3. Notice of the November 3, 2020 Charter amendment election shall be given by publishing a substantial copy of the proposed amendment, both in English and in Spanish, in a newspaper of general circulation on the same day in each of two successive weeks, with the first publication occurring before the 14th date of the election; and a substantial copy of this Ordinance, both in English and in Spanish, shall be posted at public places in the City of Laredo and also at City Hall, not less than 21 days prior to Election Day.

SECTION 4. All resident qualified voters of the City shall be permitted to vote at the November 3, 2020, election and on the day of the election, such electors shall vote at the designated polling places. The election shall be held and conducted in accordance with the provisions of the Texas Election Code, as amended, and the provisions of the Texas Government Code, and as may be required by any other law. All election materials and proceedings shall be printed in both English and Spanish. The official ballots for the November 3, 2020, Charter amendment election shall be prepared in accordance with the Texas Election Code.

SECTION 5. If any provision of this Ordinance or its application to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and this Council declares that this Ordinance would have been enacted without such invalid provision.

SECTION 6. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, Texas Government Code.

PREVIOUS COUNCIL ACTION

N/A

BACKGROUND

N/A

COMMITTEE RECOMMENDATION

N/A

STAFF RECOMMENDATION

N/A

Attachments

Charter Amendments

**PUBLIC HEARING AND
INTRODUCTORY ORDINANCE NO. 2020-O-**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAREDO, TEXAS, ORDERING A SPECIAL ELECTION FOR THE SUBMISSION OF CHARTER AMENDMENTS TO BE HELD WITHIN THE CITY ON NOVEMBER 3, 2020; AND PROVIDING FOR SEVERABILITY, PUBLICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Laredo, Texas has determined it appropriate to submit to the qualified voters of the City for their adoption or rejection thereof of proposed amendments to the existing City Charter of the City of Laredo, Texas, pursuant to Section 9.004(a) of the Texas Local Government Code; and

WHEREAS, Section 9.04(b) of the Texas Local Government Code requires that an ordinance be approved ordering said election to be held on the first authorized uniform election date prescribed by the Texas Election Code and establishing the procedure to be followed in said election; and

WHEREAS, Section 41.001 of the Texas Election Code establishes November 3, 2020, as a uniform election date for the purposes of conducting an election; and

WHEREAS, on August 3, 2020, the Laredo City Council adopted Ordinance 2020-0-096 calling for: a General City Election to be held on Tuesday, November 3, 2020 for the election of city officials; designating polling places; designating a runoff date; and authorizing the City Manager to enter into a contract with Webb County elections administrator for the purpose of conducting a joint election with the County of Webb, City of Rio Bravo, City of El Cenizo, Laredo College District, Laredo Independent School District, United Independent School District, and the Webb consolidated Independent School District; and

WHEREAS, during a public meeting held on August 13, 2020, the City Council considered and approved for public vote, in the form of ballot propositions, the following Charter amendments to be voted on during the November 3, 2020 General City Election; and

WHEREAS, the City Council of the City of Laredo, Texas, hereby directs City staff to publish notice of the special charter election in a newspaper of general circulation in the City on the same day in each of two (2) successive weeks, the date of the first publication to be not less than fourteen (14) days prior to the date of the November 3, 2020 election, in compliance with Section 9.004(c) of the Texas Local Government Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO, TEXAS THAT:

SECTION 1. A Charter amendment election is ordered to be held in the various voting precincts of the City of Laredo on November 3, 2020 to submit the following propositions to amend the City Charter of the City of Laredo to the qualified voters of the City:

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NO ()

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YES ()

NO ()

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PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS 13TH DAY OF AUGUST, 2020.

PETE SAENZ MAYOR

ATTEST:

JOSE A. VALDEZ, JR.
CITY SECRETARY

APPROVED AS TO FORM

KRISTINA K. LAUREL HALE
CITY ATTORNEY