

CITY OF LAREDO
SPECIAL CITY COUNCIL MEETING
A-2022-sc-03
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
January 31, 2022
2:15 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 Section 30.06 Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun.

Pursuant to Section 30.07 Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. MOMENT OF SILENCE

IV. ROLL CALL

Citizen comments

Citizens can participate through in-person and written comments submitted through an online form. Citizens wishing to provide in-person comments are required to fill out a witness card and submit it to the City Secretary no later than 2:30 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. Citizens wishing to submit a written public comment must submit [here](https://www.cityoflaredo.com/council-agendas.html) or visit <https://www.cityoflaredo.com/council-agendas.html> by 2:30 p.m. the day of the meeting. All comments should be relevant to City business and delivered in a professional manner. No derogatory remarks will be permitted.

V. COMMUNICATIONS

1. Mayor's welcome and introduction of Interim City Manager Samuel Keith Selman.

VI. 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.

HEALTH: STAFF SOURCE RICHARD A. CHAMBERLAIN, HEALTH DIRECTOR

1. Healthy and Safe



Ratifying the purchase of testing materials and supplies from Life Technologies Corporation in the amount of \$221,933.00 for COVID-19 testing for the City of Laredo Health Department. Funding is available in the IDCU/COVID Lab Expansion Grant. The purchase was made pursuant to Section 252.022(a)(2) of the Texas Local Government Code and is necessary to preserve or protect the public health of residents due to the surge of demand for COVID-19 testing.

END OF CONSENT AGENDA

VII. 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.

GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

2. Request by Mayor Pete Saenz

(Co-Sponsored by Council Member Mercurio Martinez, III, Council Member Vanessa Perez, and Council Member Alyssa Cigarroa)

1. Discussion with possible action to repeal, replace, revise, and/or amend by ordinance, City of Laredo Code of Ordinance No. 2019 - O – 051, and /or Section(s) there in, in whole or partially; and /or to repeal, replace and/or amend

by ordinance, as necessary, any other ordinance(s), or section (s) there in, found and contained in the City of Laredo Code of Ordinances, which specifically, or generally, or in any way prohibits or limits the City Manager, Interim City Manager, or anyone else acting and/or holding the same authority and power of a City Manager, to hire, appoint, suspend, reassign and/or terminate anyone within his or her upper level management team or department, be it a Deputy City Manager, Acting City Manager, Assistant City Manager, or otherwise. Such authority and or powers shall lie and be held solely and strictly by the City Manager, or Interim City Manager, or anyone else holding such powers and authority at the time, at his or her sole discretion. City Council shall not have any power and/or authority whatsoever to interfere with the exercise of such powers and/or authority by the City Manager, or Interim City Manager, or anyone else holding such powers and authority at the time; and any other matters relating or pertinent thereto.

2. Discussion with possible action to amend, by ordinance, Chapter 2, Article II, Division 2, Section 2-19(a)(b) so that it will not be in violation of our City Charter, particularly, Section 2.03 Prohibitions, sub-section:

(B) Appointments and Approvals.

Unless it is otherwise specifically provided in this Charter, City Council shall not in any manner dictate the appointment or removal of any City administrative officer or employee whom the City Manager or any of his subordinates are empowered to appoint or remove, but the City Council may express its views and fully and freely discuss with the City Manager anything pertaining to appointment and removal of such officers and employees.

Amended and/or revised Sections:

Sec. 2-19. - Deputy City Manager and Assistant City Manager.

(a) Deputy City Manager. There is hereby created the office of Deputy City Manager. The office shall include one (1) Deputy City Manager who shall be appointed and removed at the sole discretion of the City Manager, Interim or Acting City Manager. The office of Deputy City Manager shall be subject to budgetary funding by the City Council as may occur prior to or subsequent to this section. There may be more than one (1) budgeted position of Deputy City Manager as may be necessary to further city business and interests. The position of the Deputy City Manager shall be held by qualified persons, appointed as provided by the Laredo City Charter and personnel policies. Qualifications, duties, and responsibilities of the Deputy City Manager shall be subject to the sole approval of the City Manager, Interim or Acting City Manager.

(b) Assistant City Manager. There is hereby created the office of Assistant City Manager. The office shall include at least two (2) Assistant City Managers who shall be appointed and removed at the sole discretion of the City Manager, Interim or Acting City Manager. The position of Assistant City Manager shall be subject to budgetary funding by the City Council as may occur prior to or subsequent to this section. There

may be more than two (2) budgeted positions of Assistant City Manager as may be necessary to further city business and interests. The position of the Assistant City Manager shall be held by qualified persons, appointed as provided by the Laredo City Charter and personnel policies. Qualifications, duties, and responsibilities of the Assistant City Manager shall be subject to the sole approval of the City Manager, Interim or Acting City Manager.

Below is proposed Ordinance reflecting the above changes and revisions.

ORDINANCE NO. 2022-

AN ORDINANCE OF THE CITY OF LAREDO, TEXAS, AMENDING AND REVISING CHAPTER 2, ARTICLE II, DIVISION 2, SECTION 2-19(a)(b) OF THE CODE OF ORDINANCES CONCERNING APPOINTMENT AND REMOVAL OF THE OFFICES OF DEPUTY CITY MANAGER AND ASSISTANT CITY MANAGER; PROVIDING FOR A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of Laredo is a Home Rule City acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, Section 4.01 of the Laredo City Charter provides the City Council may by ordinance establish City departments, offices or agencies in addition to those created by the Charter and may prescribe the functions of all departments, offices and agencies; and

WHEREAS, the City Council desires to clarify the appointment and removal of the offices of deputy city manager and assistant city manager.

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

Section I. The City of Laredo Code of Ordinances, Chapter 2, Article II, Division 2, Section 2-19(a)(b) "Deputy City Manager and Assistant City Manager" be amended and revised to read as follows:

Sec. 2-19. - Deputy City Manager and Assistant City Manager.

(a) Deputy City Manager. There is hereby created the office of Deputy City Manager. The office shall include one (1) Deputy City Manager who shall be appointed and removed at the sole discretion of the City Manager or Interim or Acting City Manager. The office of Deputy City Manager shall be subject to budgetary funding by the city council as may occur prior to or subsequent to this section. There may be more than one (1) budgeted position of deputy city manager as may be necessary to further city business and interests. The position of the Deputy City Manager shall be held by qualified persons, appointed as provided by the Laredo City Charter and personnel policies. Qualifications, duties, and responsibilities of the Deputy City Manager shall be subject to the sole approval of the City Manager or Interim or Acting City Manager.

(b) Assistant City Manager. There is hereby created the office of Assistant City Manager. The office shall include at least two (2) Assistant City Manager who shall be

appointed and removed at the sole discretion of the City Manager, or Interim or Acting City Manager. The position of Assistant City Manager shall be subject to budgetary funding by the city council as may occur prior to or subsequent to this section. There may be more than two (2) budgeted positions of Assistant City Manager as may be necessary to further city business and interests. The position of the Assistant City Manager shall be held by qualified persons, appointed as provided by the Laredo City Charter and personnel policies. Qualifications, duties, and responsibilities of the Assistant City Manager shall be subject to the sole approval of the City Manager or Interim or Acting City Manager.

Section 2. This ordinance shall be cumulative of all provisions of ordinances of the City of Laredo, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 3. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 4. The publishers of the City Code of Laredo, Texas are authorized to amend said code to reflect the changes adopted herein and to correct typographical errors and to index, format and number paragraphs to conform to the existing code.

Section 5. This Ordinance shall take effect immediately upon passage.

**PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS DAY
OF _____ 2022.**

**PETE SAENZ
MAYOR**

ATTESTED:

**JOSE A. VALDEZ, JR.
CITY SECRETARY**

APPROVED AS TO FORM

BY: _____
CITY ATTORNEY

3. **Request by Council Member Mercurio Martinez, III**

1. Discussion with possible action to rescind portions of Ordinance 2019-O-051 Section 2-19 that mention “subject to approval of the city council” under Section (a) and Section (b) As it conflicts with City Charter Section 2.03 under Prohibitions paragraph (B) and Section 3.05 under Powers and Duties of the City Manager paragraph (1), and any other matters incident thereto. **(Co-Sponsored by Council Member Alyssa Cigarroa)**

4. **Request by Council Member Vanessa J. Perez**

1. Discussion with possible action to submit a letter of support to the County of Webb for the Rio Grande International Study Center’s application for an American Rescue Plan Act grant, in its full amount, to conduct critical initial engineering and economy analysis studies to pilot a waste-to-energy project known as a Community Water and Energy Resource Center (CWERC) in the Laredo region, and any other matters incident thereto. **(Co-Sponsored by Council Member Alyssa Cigarroa and Council Member Mercurio Martinez, III)**
2. Discussion with possible action on naming the new Farias Dog Park “K9 Kimmie’s Corner Dog Park” after a Laredo Police Department hardworking and dedicated K9, and any other matters incident thereto. **(Co-Sponsored by Council Member Mercurio Martinez, III)**

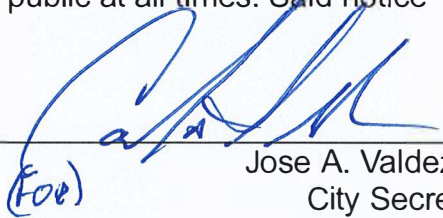
5. **Request by Council Member Alyssa Cigarroa**

1. Discussion and possible action to review in open session any and all threats and representations by any Assistant City Manager/Acting City Attorney to and/or against the client(s)/City of Laredo Council members (and City employee) to either sue or have them criminally prosecuted for having received information from a former city attorney about alleged misconduct in the workplace, and the alleged nature of the misconduct, if any; and whether there exists a fiduciary duty and/or duty of loyalty that is owed to the City of Laredo Council members and City employee, whom are the clients; and whether a grievance was filed in the name of the City of Laredo against its former City Attorney to the State Bar of Texas and the reasons for the filing of the grievance included but not limited to recent communications and any other matters incident thereto.
2. Request for executive session pursuant to Texas Government Code Section 551.074 to deliberate the City's drug and alcohol policy and its potential impact on the appointment, employment, evaluation, reassignment, duties, discipline, or

dismissal of an assistant city manager, public officer, or employee and any other matters incident thereto, including, but not limited to recent communications from a city employee regarding same and any other matters incident thereto.

VIII. 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 Friday, January 28, 2022 by 2:15 p.m.



(For) Jose A. Valdez, Jr.
City Secretary

REC'D CITY SEC OFF
JAN 28 '22 PM2:06