

CITY OF LAREDO CITY COUNCIL MEETING

**A-2013-R-18
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
NOVEMBER 4, 2013
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 Gustavo Guevara, 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.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. MINUTES

Approval of the minutes of October 21, 2013.

V. COMMUNICATIONS AND RECOGNITIONS

Recognitions

- a. Recognizing the Washington's Birthday Celebration Association (WBCA) for garnering 25 first-place awards at the Texas Festivals and Events Association (TFEA), held in San Marcos, TX. The organization also brought home the number one (1), over all award - "The Zenith Award". In addition, WBCA also won 11 awards at the Haas & Wilkerson Pinnacle Awards competition for excellence in event marketing and management presented by the International Festivals & Events Association (IFEA) during the 58th Annual Convention & Expo in Pittsburgh, PA. They received two Gold awards, two silver awards and seven bronze awards.

VI. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

Citizen comments

Citizens are required to fill out a witness card and identify themselves at the microphone. Comments should be relevant to City business and delivered in a professional manner. No derogatory remarks will be permitted. There is a time limit of three minutes per speaker. Speakers may not pass their minutes to any other speaker.

VII. PUBLIC HEARINGS

1. **Public hearing and introductory ordinance** authorizing the City Manager to accept and execute an Advanced Funding Agreement (AFA) with the Texas Department of Transportation terminating AFA dated October 7, 2011, and replacing the AFA with a revised agreement in the amount of \$405,740.00 including a local match of \$11,867.00 for a Feasibility Study to determine the preferred location for a grade separation over Union Pacific and/or Kansas City Southern rail lines. Local match has been identified in the 2008 C.O. issue. The grant will be accounted for in the capital grants fund. **(Approved by Operations & Finance Committees)**
2. **Public hearing and introductory ordinance** authorizing City Manager to amend the 2014 Home Investment Partnership Program Budget by appropriating funds in the amount of \$155,378.04. Funds are made available after a repayment of HOME Investment Partnership, Community Housing Development Organization (CHDO) grant funds from Neighbor Works Laredo. The following grant years will be increased:

2009 HOME Program (CHDO) account

\$105,378.04

2011 HOME Program (CHDO) account	\$ 50,000.00
Total	\$155,378.04

(Approved by Finance Committee)

3. **Public hearing and introductory ordinance** to discuss and approve 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 2013 in the estimated amount of \$16,870,000.00; approving and authorizing a purchase contract, an escrow agreement, and paying agent/registrar agreement; approving and authorizing all other instruments and procedures related thereto; delegating authority to 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 purposed authorized herein; and ordaining other matters relating to the subject. **(Approved by Finance Committee)**
(Action needed on item #23 prior to this item)

4. **Public hearing and introductory ordinance** amending the City of Laredo Code of Ordinances Chapter 15 Health and Sanitation to reflect a revision of fees, allowing for the addition of new fees associated with new and expanded services and to ratify fees associated with tuberculosis testing and certification copy services to become effective sixty (60) days from Public Hearing and Introduction; and providing for effective date and publication. Changes to fees are as follows:

Chapter 15	Current Fee	Revised Fee
Sec. 15-5		
<i>Immunization Fee (TVFC <18 years of age)</i>	\$8	\$10 per vaccine (dose) \$20 Maximum
<i>Immunization Fee (Texas Safety Net - Adults)</i>	\$8	\$10 per vaccine (dose) \$20 Maximum
<i>Other (Private) Immunizations</i>	N/A	At Cost + \$20
Sec. 15-7		
<i>Copy of Immunization Record</i>	\$2	\$5
Sec. 15-8		
<i>Translation of Immunization Record</i>	\$15	\$20
Sec. 15-10		
<i>Phlebotomy Service (persons residing within city limits)</i>	\$20	\$20
<i>Phlebotomy Service (persons residing</i>	N/A	\$35

<i>Phlebotomy Service (persons residing outside of city limits)</i>	N/A	\$35
<i>Laboratory Tests</i>	At Cost + \$1	At Cost + \$8
Sec 15-12*		
<i>Tuberculosis PPD Testing (student)</i>	\$4	\$10
<i>Tuberculosis PPD Testing (other)</i>	\$10	\$15
<i>Laboratory Testing (serum)</i>	N/A	At Cost + \$28
<i>X-ray Services (student)</i>	N/A	\$25
<i>X-ray Services (other)</i>	N/A	\$50
<i>Clearance</i>	\$20	\$20
<i>Copies of TB test record</i>	N/A	\$2
Sec 15-13		
<i>Bacteriological Testing Services (potable water)</i>	\$18	\$25
<i>Bacteriological Testing Services (non-potable water)</i>	\$18	\$30
<i>Microorganism Type Testing</i>	\$25	\$50

(Approved by Operations & Finance Committees)

(Recess)

(Press Availability)

VIII. INTRODUCTORY ORDINANCES

5. Authorizing the City Manager to execute an amendment to the current multi-year lease agreement between the City of Laredo and UETA of Texas, Inc., by extending the term in Article 1, Term and by adjusting the minimum annual rent in Article 2, Rent and adding a clause to Article 8, Trade Fixtures and Signs. **(Approved by Operations & Finance Committees)**

6. Authorizing the City Manager to execute a lease with the State of Texas Military Department, for the approximately 1,520 sq. ft. hangar known as Building 1328 at the Laredo International Airport. Lease term is for one (1) year commencing on November 1, 2013, and ending on October 31, 2014 and is automatically renewed every twelve (12) months without further notice and until the department shall give notice of termination and in no event shall extend beyond October 31, 2015. The subject is leased "AS IS" condition. Initial rent shall be \$456.00 per month; providing for an effective date. **(Approved by Operations & Finance Committees)**

7. Authorizing the City Manager to execute a lease with the State of Texas Military Department, for the approximately 6,350 sq. ft. warehouse known as Building 1050 at the Laredo International Airport. Lease term is for one (1) year commencing on November 1, 2013, and ending on October 31, 2014 and is automatically renewed every twelve (12) months without further notice and until the department shall give notice of termination and in no event shall extend beyond October 31, 2016. Initial rent shall be \$9,207.50 per month; providing for an effective date. **(Approved by Operations & Finance Committees)**
8. Authorizing the City Manager to execute a lease with Hernandez-Lopez and Sons Funeral Chapels, for the approximately 7,913 sq. ft. building known as Building 900, located at 4502 Thomas Street, Laredo, Texas, or better described as part of Block 9 at the Laredo International Airport. Lease term is for five (5) years commencing on December 1, 2013, and ending on November 30, 2018 with two (2) consecutive five (5) year renewal options. The subject is leased "AS IS" condition. Initial rent shall be \$4,677.00 per month and will be adjusted annually according to changes in the Consumer Price Index; providing for an effective date. **(Approved by Operations & Finance Committees)**
9. Authorizing the City Manager to execute easements documents for the conveyance to Southwestern Bell Telephone Company, a Delaware Company, five (5) tracts of land collectively 0.72 of an acre out of Tract "A" (9.276 acres), Tract "B" (3.834 acres), Tract "C" (64.617 acres), as shown on the ALTA survey of 3 tracts at World Trade International Bridge being out of Lot 1, Block 1, Laredo Northwest International Bridge, as recorded in Volume 22, Page 86, of the Plat Records, Webb County, Texas. Said easement tracts are further described by boundary surveys and metes bounds in attached Exhibits "A - H". These easements are needed to properly define the current service lines providing for the operations of the World Trade Bridge; and providing for an effective date. **(Approved by Operations & Finance Committees)**

IX. FINAL READING OF ORDINANCES

10.

2013-O-140 Amending Chapter 12, Fire Prevention and Protection of the Code of Ordinances by amending Section 12-2 to repeal the exception of the adopted International Fire Code 2012 Edition, Section 903.2.8. Section 903.2.8 Group R, An Automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R

fire area, providing for severability, publication and effective date.

2013-O-141 Amending the City of Laredo FY 2013-2014 annual budget by creating five (5) additional positions for the Economic Development Department and to provide funding by appropriating revenues and expenditures to the General Fund in the amount of \$156,283.00 from the Bridge and Airport Funds. The total funding for this department will include salaries, materials, and other operational expenses for an estimated cost of \$323,037.00, \$166,754.00 of which are already appropriated in General Fund.

2013-O-142 Amending the Subdivision Ordinance of the City of Laredo by: Creating Chapter IV, Section 4-2 by revising Subsection (H) which will authorize the Building Official to issue permits to Political Subdivisions on land which has received final plat approval from the Planning & Zoning Commission but the plat has not been recorded; providing for publication and effective date.

2013-O-143 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 2.12 acres as further described by metes and bounds in attached Exhibit "A", located at the southwest corner of State Highway 359 and EG Business Parkway, from R-1 (Single-Family Residential District) to M-1 (Light Manufacturing District); providing for publication and effective date. District II

2013-O-144 Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for a Beauty Salon and Spa selling alcohol, on Lot 3, Block 1, Del Mar North Filing No. 1, Unit 1-B of Falcon Centre at McPherson, located at 7718 McPherson Road; providing for publication and effective date. District VI

2013-O-145 Amending the Zoning Ordinance (Map) of the City of Laredo by amending Ordinance No. 2013-O-082 authorizing a Special Use Permit for the storage of flammable and explosive products on Lots 11 and 12, Block 11, El Portal Industrial Park, Unit 7, located at 11918 Hayter Road by changing permit holder; providing for publication and effective date. District VII

2013-O-146 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 10.78 acres, as further described by metes and bounds in attached Exhibit "A", located on the north side of Muller Memorial Boulevard and west of Muller Elementary School, from M-1 (Light Manufacturing District) to R-2 (Multi-Family Residential District); providing for publication and effective date. District VII

2013-O-147 Authorizing the City Manager to execute a Lease Termination Agreement and General Release by and between the City of Laredo, a municipal corporation ("Landlord"), and Nextel WIP Lease Corp., a Delaware Corporation, d/b/a Nextel Partners ("Tenant"), to terminate Ground Lease, dated June 6, 2006 ("Lease") located at 305 Coke Street, Laredo, Texas, as authorized by Ordinance 2006-O-127 and accept transfer of certain assets to Landlord, effective April 30, 2014.

2013-O-148 Authorizing the City Manager to execute a lease with Duty Free Americas Inc., for the approximately 22,500 sq. ft. warehouse known as Block No. 1 , Lot 4 at the Laredo International Airport. Lease term is for six (6) months commencing on October 9, 2013 and ending on April 8, 2014. Initial rent shall be \$9,000.00 per month; providing for an effective date.

2013-O-149 Ratifying the execution of easement documents for the conveyance to AEP Texas Central Company the following tract; a 25,063.50 sq. ft. (0.5754 of an acre) tract of land out of Lot 1, Block 1, Laredo International Airport Passenger Terminal Subdivision Plat, as recorded in Volume 16, Pages 45-47 of Plat Records, Webb County, Texas. Said tract of land is more particularly described by metes and bounds and boundary survey in attached Exhibit "A". The easement tract is needed to serve the operations of the Airport Fire Rescue Facility; and providing for effective date.

2013-O-150 Amending Chapter 19, Motor Vehicle and Traffic, Article VIII, Stopping, Standing or Parking, of the Code of Ordinances, City of Laredo: specifically adding Section 19-364 (10) which establishes the East and West Side of N. Texas Ave., between U.S. 59 and E. Travis St., and on the North Side of E. Travis St., between N. Texas Ave. and N. Milmo Ave., as a No Parking/Tow Away Zone within City Limits of Laredo; providing for severability, effective date and publication.

2013-O-151 Amending the classification of a vacant Police Officer Cadet position to a temporary captain position for Gabriel E. Martinez Jr. in accordance with Article 22 of the Collective Bargaining Agreement between the City of Laredo and the Laredo Police Officer's Association and Chapter 143 of the Texas Local Government Code. **(AS AMENDED)**

X. 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.

X (a) RESOLUTIONS

11. **2013-R-094** Authorizing the City Manager to accept a contract with the South Texas Development Council (STDC) through funding from the Department of State Health Services (DSHS) as follows:

- 1) Ryan White Service Delivery \$398,233.00
- 2) HIV State Services \$132,444.00

These contracts in the amount of \$530,677.00 allow the continuation of City of Laredo Health Department Ryan White Program and HIV/Health & Social Services which provide medical care and treatment, case management, and supportive care for the term period from September 1, 2013 through August 31, 2014.

X (b) MOTIONS

12. Authorizing the City Manager to place work orders with several creative services providers during Fiscal Year 2013-2014 for the design and production of advertisements and marketing images to promote Laredo as a destination. The total amount is not to exceed \$70,277.00. Funding is available in the CVB FY 2013-2014 Budget.
13. Authorizing the City Manager to negotiate and execute contracts with U.S. and Mexico print, billboard, and electronic media vendors listed in the enclosed attachments. Media plan advertisements for the Laredo Convention & Visitors Bureau will be placed beginning November 2013. The total amount is not to exceed \$932,875.00. Funding is available in the CVB FY 2013-2014 Budget.

14. Consideration to authorize a purchase contract for the acquisition of one (1) airport runway sweeper utilizing BuyBoard Cooperative contract No. 420-13 from TYMCO Inc., in the total amount of \$197,964.00. Funding is available in the Airport Ground Maintenance budget.
15. Authorizing the City Manager to enter into a one (1) year service agreement with Antares Development Corporation, San Antonio, Texas in the estimated amount of \$97,478.35 utilizing BuyBoard Cooperative Program No. 409-12 contract pricing. The service agreement is for software enhancements and maintenance on the Health Department's software applications for the period of October 1, 2013 through September 30, 2014. Funding is available in the Health Department budget.
16. Consideration to award annual supply contract number FY14-006 to the low bidder, Stanbio Laboratory, San Antonio, Texas in an estimated amount up to \$102,200.00, for the purchase of HemoPoint H2 Microcuvettes for the City of Laredo Health Department. This is an annual supply contract that allows for the purchase of microcuvettes on an as needed basis. Funding is available in the Health Department Fund.
17. Consideration to award contract FY14-008 for the purchase of Original Equipment Manufacturer (OEM) parts for the City's fleet vehicle repairs to the following bidders:
 1. Paul Young Auto, Laredo, Texas in an amount up to \$50,000.00, and
 2. Laredo Dodge Chrysler Jeep, Laredo, Texas in an amount up to \$35,500.00, and
 3. Freedom Chevrolet & Dodge, Dallas, Texas in an amount up to \$20,000.00

All parts will be secured on an as needed basis. Funding is available in the Fleet Maintenance budget.
18. Consideration to award contract FY14-007 to the sole bidder, Holt CAT, Laredo, Texas in an amount up to \$325,000.00 for the purchase of Caterpillar Original Equipment Manufacturer (OEM) equipment repair parts and service for the City's Caterpillar heavy equipment. This contract establishes discount percentage pricing for the purchase of needed repairs and replacement parts and services. All parts and services will be secured on an as needed basis. Funding is available in the Fleet Maintenance

budget.

19. Consideration to award annual supply contract number FY14-015 to the sole bidder, Vulcan Construction Materials L.P., San Antonio, Texas in an estimated amount up to \$287,600.00 for the purchase of crushed limestone rock asphalt, type I, grade AA. The term of this contract shall be for a one (1) year period. All materials are purchased on an as needed basis utilizing the Public Works Department and construction project budgets.
 20. Authorizing the City Manager to approve Amendment No. 1 to the contract with Crane Engineering Corp., Laredo, Texas in the amount of \$52,090.00 for a total amount of \$197,130.00 to perform additional services for the design of the 24" Water Main at Lomas del Sur Extension, the 16" Water Main at Cielito Lindo Extension, the 12" Water Main at Backwoods Trail from Shiloh to the AEP easement and the 8" Water Extension along SH 359 at Fiesta Subdivision. Funds are available under the 2012 Water Revenue Bond.
-

XI. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

21.

A. Request by Mayor Raul G. Salinas

1. Recognizing the Laredo Center for the Arts on their 20th Anniversary.
2. Presentation by Laredo Chief of Police Ray Garner on Project ChildSafe, a nationwide program that promotes safe firearms handling and storage practices through the distribution of gun safety educational materials and free Firearm Safety Kits.

B. Request by Council Member Alejandro "Alex" Perez

1. Discussion with possible action to build sidewalks on the 1500 Block of N. Tapeyste Ave.; 1500 Block of N. Texas Ave.; 1900 Block of McClelland Ave.; 1100 Block of Fremont St.; and, West and North of Old Mercy Hospital pending an engineering study.
2. Discussion with possible action to install speed cushions on the 700

Block of Oleander St.; 2100 Block of Chacon St.; 2400 Block of Mier St.; 1300 Block of Galveston St.; 1700 Block of Loring Ave.; 1700 Block of McPherson Ave.; and, 1200 & 1800 Blocks of Lane St. under the Special Provision of the Speed Hump Installation Policy using District III Discretionary funds.

3. Status report on the Kansas City Southern (KCS) train crossings, with possible action.
4. Discussion with possible action to amend the Neighborhood Empowerment Zone (NEZ) boundary including the Southside boundary line on Market Street.

C. Request by Mayor Pro-Tempore Juan Narvaez

1. Discussion with possible action on providing the City Manager with parameters for negotiations with Webb County on a possible health services contract. **(Co-Sponsored by Council Member Roque Vela, Jr. and Council Member Jorge A. Vera)**

D. Request by Council Member Roque Vela, Jr.

1. Presentation by Michael Blake from Texas A&M International University (TAMIU) to raise awareness of the Dust Devil Club and to personally invite Council Members to athletic events.
2. Discussion with possible action to designate the Laredo Energy Arena (LEA) as the new venue for the City of Laredo's Annual Tree Lighting Ceremony. **(Co-Sponsored by Council Member Jorge A. Vera)**

E. Request by Council Member Jorge A. Vera

1. Discussion with possible action on instituting a new policy requiring that all City Council proposed City events be brought before City Council in advance for approval. **(Co-Sponsored by Council Member Roque Vela, Jr.)**

XII. STAFF REPORTS

22. Presentation of the Plan of Finance by Noe Hinojosa of Estrada-Hinojosa as it relates to a potential refunding for the City.

XIII. 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.

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

23. Motion to waive bus fare collection on November 24, 2013, as participation by the City of Laredo co-sponsoring the HEB Feast of Sharing. El Metro will provide transportation to the event through Route 11, and having a "Free Fare Day" will allow individuals to connect to this route and attend the event. Route 11 will operate from the Transit Center at 1301 Farragut Street to the Laredo Energy Arena and return.
24. Consideration for approval of the El Metro ADA Sidewalks and Ramps Project No. 59 (6 Blocks - District VII) as complete, release of retainage and approval of final payment in the amount of \$4,531.02 to ALC Construction, Inc., Laredo, Texas. Final construction contract amount is \$45,301.18. Funding is available in the Transit New Freedom Grant XF7094. **(Approved by Operations & Finance Committees)**

XV. 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, October 30, 2013 at 6:40 p.m.

Gustavo Guevara, Jr.
City Secretary