

# **CITY OF LAREDO CITY COUNCIL MEETING**

**A-2013-R-20**

**CITY COUNCIL CHAMBERS**

**1110 HOUSTON STREET**

**LAREDO, TEXAS 78040**

**DECEMBER 2, 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 November 18, 2013.**

### **V. COMMUNICATIONS AND RECOGNITIONS**

#### **Communiqués**

a. Presentation by Ms. Diana Rodriguez, President of the Laredo Commission for Women.

b. Presentation by members of the Couples for Christ (CFC) and Laredo Filipino Community regarding the "Drops of Love" charity event Philippine disaster relief concert to be held on December 14, 2013.

### **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.

## **VI. PUBLIC HEARINGS**

1. **Public hearing** on the adoption of proposed Civil Service Rules with discussion and possible action on the adoption of the Municipal Civil Service Rules and Regulations of the City of Laredo, attached as Exhibit "A".
2. **Public hearing and introductory ordinance** authorizing the City Manager to accept a dedication of 7.82 acres for park land and a payment of \$144,550.00 from Laredo Four Winds in lieu of dedication of 4.13 acres of park land for a total of 11.95 acres in the Cuatro Vientos Norte and Sur Subdivisions as required by the City of Laredo Capital Improvements Services Plan; any additional single family lots will need to be paid for as they are added to the master plan; and amending the 2013-2014 Capital Improvements Fund to appropriate revenues and expenditures, provided by Laredo Four Winds, in the amount of \$144,550.00 for park improvements at Cuatro Vientos Norte and Sur Subdivisions. **(Approved by Operations Committee)**

**(Recess)**

**(Press Availability)**

## **VII. INTRODUCTORY ORDINANCES**

3. Re-adopting guidelines and criteria governing tax abatements by the City of Laredo; providing for severability; providing for an effective date of January 21, 2014 through January 20, 2016; and publication. **(Approved by Operations Committee)**

4. Closing rights of way located within the Union Pacific Railroad rail line right-of-way (which said railroad rights-of-way generally parallel Santa Rita) at Garza, Bruni, Gonzalez, Shea, Frankfort, Lafayette, Pierce, Ugarte and Pace streets, situated in the Western Division, City of Laredo and reserving all of the above mentioned properties as utility easements.

5. Amending Article II, Chapter 28, Sign Regulations of the Code of Ordinances by amending the following:

Section 28-20 adding new definitions;

Section 28-21 creating exceptions for advertising vehicle signs and animated signs;

Section 28-22 providing for an advertising vehicle sign fee and an animated sign fee;

Section 28-24 removing portable & vehicle signs;

Section 28-25 adding and modifying provisions that allow for the use and regulation of advertising vehicle signs and animated signs;

Section 28-27.2 adding installation requirements for electronic, message displays and animated signs;

renumbering all sections accordingly; providing a repealing clause, severability clause, a penalty clause; and providing for publication effective date.

6. Authorizing the City Manager to sell "the surface only" of surplus Lots 48, 49, 50, 51, 52 and 53, Block 5, Highland Park III to the sole bidder, KRK Limited of Laredo, Texas for the amount of \$250,501.00 and further authorizing the City Manager to execute all necessary documents for the rightful conveyance of said lots. **(Approved by Operations Committee)**

## VIII. FINAL READING OF ORDINANCES

7.

**2013-O-126** Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 1 and 2, Block 1, Killam Ponderosa Commercial Subdivision, Unit 2, and a 52.44 acre tract, as further described by metes and bounds in attached Exhibit "A", located southwest of the intersection of U.S. Highway 59 and Bob Bullock Loop, from B-3 (Community Business District) to B-4 (Highway Commercial District); providing for publication and effective date. District IV

**2013-O-160** Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning the Replat of Lot 11, Block 1372, Eastern Division, located at 2301 E. Saunders Street, from B-3 (Community Business District) to B-4 (Highway Commercial District); providing for publication and effective date. District IV

**2013-O-161** Altering and extending the boundary limits of the City of Laredo, annexing additional territory of 0.448 acres, more or less, located immediately south of Henry Cuellar Elementary School and immediately west of San Jose Subdivision Phase XI, as further described by metes and bounds in Attachment "A", specifically Rancho San Jose Tract, providing for the effective date of the ordinance, adopting a service plan for the annexed territory, and establishing the initial zoning of R-1-MH (Single Family Manufactured Housing District). District V

**2013-O-162** Amending the Zoning Ordinance (Map) of the City of Laredo by amending Ordinance No. 2012-O-016 authorizing a Special Use Permit for townhouses on Lot 1, Block 3, Escondido Subdivision Unit 5, located at 5002 Lost Hills Trail by changing site plan; providing for publication and effective date. District V

**2013-O-163** Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 2 and S23.4' of Lot 4, Block 1056, Western Division, located at 4201 Flores Avenue, from R-3 (Mixed Residential District) to B-1 (Limited Commercial District); providing for publication and effective date. District VII

**2013-O-164** Altering and extending the boundary limits of the City of Laredo, annexing additional territory of 21.540 acres, more or less, located west of Pan American Business Park and northwest of La Bota Ranch, as further described by metes and bounds in Attachment "A", specifically Sombreretillo Wastewater Treatment Plant Tract, providing for the effective date of the ordinance, adopting a service plan for the annexed territory, and establishing the initial zoning of M-1 (Light Manufacturing District). District VII

**2013-O-165** 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 20, 2003 ("Lease") located at 8711 McPherson Rd, Laredo, TX, as authorized by Ordinance 2003-O-121 and accept transfer of certain assets to Landlord, effective March 31, 2014.

**2013-O-166** Authorizing the City Manager to approve a sublease of the leased premises approved by Ordinance No. 95-O-156 dated July 01, 1995 between the City of Laredo as LESSOR and Laredo Aero Center, Inc., as LESSEE, as amended, for the premises described as Hangar #182, to the U.S. Department of Homeland Security, U. S. Customs and Border Protection, Office of Air & Marine ("CBP"), as SUB-LESSEE, said lease provides for right to sublease subject to city approval, which approval shall not be unreasonably withheld.

## **IX. RESOLUTIONS**

8. **2013-R-101** Accepting the conveyance of the following Utility Easement, for an 8" effluent drainage line at Unitec Wastewater Treatment Plant, at Porcion 12, Abstract 278 (Santiago Sanchez - Original Grantee), from:

Auto Testing Properties, L.L.C. – Utility Easement as follows:  
One 0.4073 Acre Tract, Vol. 622, Page 590; a copy of which conveyance is attached as Exhibit 1;

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

9. **2013-R-102** Authorizing City Manager to submit a grant application in the amount of \$300,000.00 to the Texas Department of Public Safety, Texas Ranger Division for the purpose of funding 2014 Local Border Security Program (LBSP). Funding will be used to pay for overtime to increase patrol security along the Texas-Mexican border. **(Approved by Operations Committee)**
10. **2013-R-103** Authorizing the City Manager to enter into three (3) year lease agreement with Emilio Davila, Jr. for use of 1120 San Agustin as City Parking lot in exchange for the City of Laredo improving the property in an amount not to exceed \$30,000.00 by paving, fencing and stripping the property. **(Approved by Operations Committee)**

11. **2013-R-105** Authorizing and approving a Tax Abatement Agreement between the City of Laredo and PASCO Enterprises Inc., in accordance with authorized guidelines and criteria and established reinvestment zone. This Agreement will be for a five (5) year period and will abate taxes on new improvements for the purpose of economic development and the creation of jobs. The amount of taxes abated depends on the number of jobs created and the amount of investment. PASCO Enterprises Inc., is representing that they will create a total of 177 new jobs and an investment of \$7,200,000.00 at their new facility to be located at 13520 Mercury Drive. Based on these representations, the total five (5) year abatement is expected to be \$137,592.00. The guidelines and criteria for the agreement are set forth in the attached agreement and attachments. **(Approved by Operations Committee)**
12. **2013-R-106** A Resolution by the City Council expressing its strong opposition to the City of San Antonio's proposed pipe line from San Antonio to Del Rio, Texas area (Val Verde County), and its plan to draw up to 80,000 acre feet of water (26 billion gallons) per year for the benefit of San Antonio; this is twice as much as the City of Laredo uses in one (1) year. This is a critical water source that receives water from Amistad Dam, Laredo and the border region (Region M) sole source of water.

## **X. MOTIONS**

13. Consideration to award contract FY14-020 to the low bidder, Nick Benavides, Laredo, Texas in the estimated total amount of \$210,487.00 to provide mowing and maintenance of the Chacon Creek Hike and Bike Trail. The contract area is approximately 32 acres of land and this includes all areas where trails exist whether it's concrete or asphalt and areas in or next to Chacon Creek. Maintenance is from Eastwoods Park just north of Clark Blvd. and South to Haynes Recreation Center and from Highway 359 South to the Rio Grande River all along the Chacon Creek Hike and Bike Trail. Funding is available in the Environmental Services Department budget.
14. Authorizing the City Manager to enter into multiple contracts and award 2013 Emergency Solutions Grant Program Funds (ESG) made available by the U.S. Department of Housing and Urban Development in the total amounts of:
  1. \$116,566.00 to Bethany House of Laredo, Inc., for operation of the Bethany House Shelter Complex, to provide Essential Services at the

shelter, Outreach Services to those living on the street, and operate a Homeless Management Information System (HMIS).

2. \$27,900.00 to Casa De Misericordia (CASA) for operation of their shelter; and
  3. \$84,890.00 to Catholic Social Services of Laredo to provide Homeless Prevention assistance, Rapid Re-Housing assistance, and manage a Homeless Management Information System (HMIS). **(Approved by Operations Committee)**
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15. Consideration to adopt the 2014 Federal Legislative Agenda for the 114th Congressional Session.
  16. Consideration for approval of the Laredo International Airport Taxiway Construction and General Aviation Apron Reconstruction Phase 7 as complete, approval of change order no. 2, a decrease of \$257,963.00 for the balance of quantities actually constructed in place, release of retainage, and approval of final payment in the amount of \$451,774.13 to Anderson Columbia Co., Inc., Weslaco, Texas. Final construction contract amount is \$7,882,954.00. Funding is available in the Airport Construction Fund FAA Grant No. 70. **(Approved by Operations Committee)**
  17. Consideration for approval to ratify change order no. 1, an increase of \$114,276.44 to the construction contract with American Construction Consulting, L.L.C., Laredo, Texas for the South Laredo Library Facility (Site Work Package) to provide metal stud framed columns with stainless steel column covers in lieu of the concrete masonry columns, provide an additional entrance from Palo Blanco Street including additional parking spaces, and lower the present height of a junction box closer to the existing finish grade. Current construction contract amount with this change order is \$1,521,649.05. Completion of project is scheduled for March 2014. Funding is available in the Capital Improvements Fund. **(Approved by Operations Committee)**
  18. Consideration to award annual contract FY14-019 to the low bidder, Andy's Auto Air & Supplies, Inc. (DBA: Andy's Auto & Bus Air, Inc.), Laredo, Texas in an estimated amount up to \$60,000.00 for air conditioning system repairs for the medium and heavy duty trucks, and construction equipment for the Fleet Division. The term of the contract shall be for period of one (1) year with an opportunity to renew the existing contract for two (2) additional one (1) year periods. Funding is available in the Fleet Maintenance budget. **(Approved by Operations Committee)**

19. Consideration to award contract FY14-018 for the purchase of motor vehicles requested by City departments to the following low bidders:
1. Silbee Ford, Silbee, Texas in the amount of \$718,068.29 for the purchase of thirty three (33) vehicles; and
  2. Caldwell Country Ford, Caldwell, Texas in the amount of \$454,387.00 for the purchase of eleven (11) vehicles; and
  3. Sames Motor Company, Laredo, Texas in the amount of \$156,553.85 for the purchase of six (6) vehicles; and
  4. Grapevine DCJ, L.L.C., Grapevine, Texas in the amount of \$53,535.00 for the purchase of three (3) vehicles.
  5. Meador Dodge Chrysler Jeep Ram, Fort Worth, Texas in the amount of \$43,313.00 for the purchase of two (2) vehicles; and
  6. Powell Watson Toyota of Laredo, Laredo, Texas in the amount of \$74,000.00 for the purchase of four (4) vehicles.

Funding is available from 2013 Public Property Finance Contractual Obligation bond proceeds and department operational budgets. **(Approved by Operations Committee)**

20. Consideration to award contract FY14-017 for the general diesel engine repairs and parts/service for the City's Fleet Division to the following bidders:
1. Cervantes Truck Center, Laredo, Texas in an amount up to \$100,000.00, and
  2. Rotex Truck Center, Laredo, Texas in an amount up to \$20,000.00

All parts and services will be secured on an as needed basis. Funding is available in the Fleet Maintenance budget.  
**(Approved by Operations Committee)**

21. Consideration to award contracts for the purchase of heavy equipment for the Solid Waste Services Division and Utilities Department utilizing the BuyBoard, H-GAC and TXMAS Cooperative Contract Pricing to the following vendors:



1. Nueces Power Equipment, Fargo, North Dakota in the amount of \$430,061.70 for the purchase of one (1) wheel loader and one front end loader;
2. Holt Caterpillar, San Antonio, Texas in the amount of \$401,364.00 for the purchase of one (1) excavator;
3. Briggs Equipment, Dallas, Texas in the amount of \$80,390.00 for the purchase of two (2) trench rollers.

Funding is available in the Solid Waste and Utilities Department budgets.  
**(Approved by Operations Committee)**

22. Consideration to award contracts for the purchase of eight (8) refuse trucks and two (2) dump trucks for the Solid Waste Services Division and the Utilities Department utilizing the BuyBoard and H-GAC Cooperative Contract Pricing to the following vendors:

1. Rush Truck Center, Laredo, Texas in the total amount of \$849,256.20 for the purchase of six (6), cab and chassis trucks (garbage trucks) (BuyBoard contract 358-10);
2. McNeilus Truck and Manufacturing, Hutchins, Texas in the total amount of \$691,584.00 for the purchase of six (6) automated side loader refuse bodies (BuyBoard 425-13);
3. Santex Truck Centers, San Antonio, Texas in the total amount \$406,470.00 for the purchase of two (2), 14 CYD dump trucks (BuyBoard 358-10) and two (2), cab and chassis trucks (H-GAC HT11-12).

Funding is available in the Solid Waste and Utilities Department budgets.  
**(Approved by Operations Committee)**

23. Consideration to award a contract for the purchase of three (3) SUV vehicles for the Fire Department's EMS Division in the total amount of \$150,908.05 utilizing the BuyBoard Cooperative Contract Pricing from Caldwell Country Chevrolet, Caldwell, Texas. Funding is available from 2013 Public Property Finance Contractual Obligation bond proceeds. **(Approved by Operations Committee)**

24. Consideration to award contract number FY14-003 - Police Department Uniform Laundry Services and FY14-004 - Police Department Dry Cleaning Services to Holguin Cleaners, Laredo, Texas in the estimated annual amount of \$82,500.00. The contract vendor will provide services for both the uniform and non uniform police officers. The term of this contract is for two (2) years. Funding is available in the Police Department budget.
- The City received a lower bid from AC Cleaners, L.L.C., however this vendor has submitted a letter requesting that their bid not be considered due to a pricing error. **(Approved by Operations Committee)**
25. Consideration to award contract number FY14-021 to the sole bidder, Bay Area General Crane Service, Cibolo, Texas in an amount up to \$157,063.00 for providing a turn key project for the removal of the existing bridge cranes and the installation of two (2) new bridge cranes at the Jefferson Street Water Treatment Plant. Funding is available in the Utilities Department -Water Operations Construction budget. **(Approved by Operations Committee)**
26. Consideration to renew existing annual contract FY11-059 currently awarded to Gutierrez Machine Shop, Laredo, Texas in an amount up to \$500,000.00 for professional welding services for the Utilities Department. The services requested include site repairs to various water and wastewater treatment plants, lift stations and other municipal utility facilities. Funding is available in the Utilities Department budget. **(Approved by Operations Committee)**
27. Authorizing the City Manager to approve amendment No. 1 to the professional engineering services contract in the amount of \$81,000.00 to Gilpin Engineering, Laredo, Texas and Lockwood, Andrews & Newnam, Inc. (LAN), Houston, Texas for engineering and surveying to split the Zacate Creek Wastewater Treatment Plant Lift Station and Force Main project in two (2) phases and develop, plans, specifications, bid documents, construction management, as-built drawings for the construction of Phase 1. Phase 1 will be the Wastewater Gravity Main Reroute from Slaughter Park to South Meadow Ave. which will eliminate sanitary sewer flows to the existing 21" wastewater gravity line discharging into Zacate Wastewater Treatment Plant. Phase 2 will be the construction of the Lift Station, converting the 21" wastewater gravity line into a Force Main and the installation of a 24" Force Main. This will increase the contract to \$781,000.00. Funding is available in the 2010 Utility Bond-Zacate Creek WWTP account. **(Approved by Operations Committee)**

28. Consideration to authorize the City Manager to approve payment for the water and wastewater permit fees assessed yearly by the Texas Commission of Environmental Quality (TCEQ). The City's Utilities Department is assessed a water quality fee based on a level in proportion for use of state water and/or for the treatment or discharge of wastewater. The fees assessed this year are \$199,528.13. It is requested that this authorization renew annually since it is a State of Texas mandated fee. Funding is available in the Utilities Department budget subject to future appropriations. **(Approved by Operations Committee)**
29. Authorizing the City Manager to award a professional engineering services contract in the amount of \$356,500.00 to Civil Engineering Consultants (CEC), Laredo, Texas for engineering and surveying to develop construction plans, specifications, bid documents, as-built, and Preliminary Engineering Report for the San Francisco Xavier-River Drive Mall Water and Sanitary Sewer Replacement Project. Funding is available in the 2013 Sewer Revenue Bond. **(Approved by Operations Committee)**
30. Consideration for approval of a professional engineering services contract in the amount of \$184,366.00, to LNV, Inc., Laredo, Texas for the preparation of the Operations and Maintenance (O&M) Manual for the Jefferson Street Water Treatment Plant. The Jefferson Street Water Treatment Plant had recently completed the \$36 million upgrade with new equipment, generators and changes in the treatment process. This contract is necessary to update the existing O&M Manual in view of the upgrades and to meet Texas Commission on Environment Quality (TCEQ) requirements. Funding is available in the 2012 Water Revenue Bond. **(Approved by Operations Committee)**
31. Consideration for approval of the professional engineering services contract in the amount of \$358,527.00 to LNV, Inc., Laredo, Texas for the design of the San Isidro 3 million gallon (MG) Elevated Water Storage Tank. Funding is available in the 2012 Water Revenue Bond. **(Approved by Operations Committee)**
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## **XI. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS**

- 32.

**A. Request by Mayor Raul G. Salinas**

1. Recognizing KJBZ (Z93) radio station for their 25th Anniversary.

**B. Request by Council Member Jorge A. Vera**

1. Discussion with possible action allowing the City of Laredo to petition the state to allow seniors in high school the ability to vote regardless of age.
2. Recognizing the Martin High School Football Team for their 2013 Bi-District Championship. **(Co-Sponsored by Council Member Cynthia Liendo)**

**C. Request by Council Member Cynthia Liendo**

1. Discussion with possible action to allocate the remaining sum of previously approved funds by District VIII and III to the Central Laredo Municipal Management District, a special district created by the State Legislature. The remaining sum of \$54,000.00 shall be used to finance specific economic development tools. **(Co-Sponsored by Council Member Alejandro "Alex" Perez)**

**XII. STAFF REPORTS**

33. Presentation of New Tip 411 Program.
34. Staff report by the City Attorney regarding political signs on private property, with possible action.

**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**

35. Consideration to renew contract FY12-096 awarded to Arguindegui Oil, Laredo, Texas in an estimated amount up to \$1,800,000.00 for the purchase of unleaded and diesel fuel for the Transit System's automotive fleet. Funding is available in the Transit Maintenance fund. **(Approved by Operations Committee)**

**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, November 27, 2013 at 4:40 p.m.

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Gustavo Guevara, Jr.  
City Secretary