

CITY OF LAREDO CITY COUNCIL MEETING

A-2014-R-08

CITY COUNCIL CHAMBERS

1110 HOUSTON STREET

LAREDO, TEXAS 78040

MAY 19, 2014

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 May 5, 2014.

V. COMMUNICATIONS AND RECOGNITIONS

Recognitions

- a. Recognizing the Texas Legacy Cheer (TLC) Teams for their 4-Time National and Grand Level Mini 1 Championships.
- b. Recognizing the Cigarroa High School Boys Soccer Team on their Regional Quarterfinals Tournament.
- c. Recognizing the Nixon High School Boys Soccer Team on their Regional Quarterfinals Tournament.

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. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

- a. City Manager's appointment to the Civil Service Commission.
- b. City Council Member nominations with confirmation by the City Council to the Regional Mobility Authority (RMA) Board of Directors.

VII. PUBLIC HEARINGS

- 1. **Public hearing and introductory ordinance** amending the City of Laredo Code of Ordinances Chapter 33, Environmental Protection, Article VIII, Plastic Checkout Bag Reduction, by changing name to checkout bag reduction, adding single-use paper bag to definitions, reducing reusable bag thickness from 4 mils to 2 mils, changing the effective date to April 30, 2015, amending Sec. 33-457 by providing a surcharge of \$1.00 per transaction for checkout bags, creating an environmental improvement fund, and providing exemptions to further clarify exemptions that are listed under definitions.
- 2. **First public hearing** for the voluntary annexation of one (1) tract of land; and motion to amend the annexation schedule by rescheduling the second public hearing of the annexation to a Special Meeting.

Voluntary annexation:

Tract 1: N. D. Hachar Tract – 3,500.07 acres, more or less. Petitioner: N.D. Hachar Trusts, et al; for a total of 3,500.07 acres, more or less, as described

in the attached tract summary, as required by Section 43.063 of the Texas Local Government Code.

3. **Public hearing and introductory ordinance** amending sections of the City of Laredo Land Development Code pertaining to manufactured housing, specifically Chapter 24, Section 24.62.2 Zoning District Purpose; Chapter 24, Section 24.65.7, R-3 Mixed Residential District; and Chapter 24, Section 24.63 Permitted Uses Residential; to remove manufactured homes from R-3 districts except as provided for under Chapter 24, Section 24.63.3 Non-Conforming Uses or Buildings; providing for publication and effective date. **(Tabled by Operations Committee; Approved by Finance Committee)**
4. **Public hearing and introductory ordinance** amending Chapter 24 Section 24.78 of the City of Laredo Land Development Code, entitled Off-Street Parking and Loading Requirements, specifically Chapter 24, Section 24-78.3 Parking Space Formulas by the addition of types of uses and revised formulas; providing for publication and effective date. **(Approved by Operations & Finance Committees)**
5. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 1A and 1B, Block 1, North Star Square Subdivision, located at 6910 and 6950 McPherson Road, from B-1 (Limited Commercial District) to B-3 (Community Business 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 V
6. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 11, Block 4, San Isidro Northeast Subdivision, Phase 7, located at 119 Simon Bolivar Boulevard, from R-1 (Single Family Residential District) to B-1 (Limited Business District); providing for publication and effective date.

Staff supports the application and Planning and Zoning Commission recommends approval of the zone change. District VI
7. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 48, Block 2, San Isidro Northeast Subdivision, Phase 11, located at 11101 International Boulevard, from R-1 (Single Family Residential District) to B-1 (Limited Business District); providing for publication and effective date.

Staff supports the application and Planning and Zoning Commission recommends approval of the zone change. District VI

8. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for an amusement redemption machine establishment on all of Block 4, Rancho Viejo Subdivision, Unit 1, located at 605 Rancho Viejo Drive; providing for publication and effective date.

Staff supports the application and Planning and Zoning Commission recommends approval of the Conditional Use Permit.
District VII

9. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by rezoning all Lots of Blocks 1024, 1024A and 1025, Western Division, located at 4100 San Bernardo Avenue, from B-3 (Community Business District) to B-4 (Highway Commercial District); providing for publication and effective date.

Staff supports the application and Planning and Zoning Commission recommends approval of the zone change. District VIII

(Recess)
(Press Availability)

VIII. INTRODUCTORY ORDINANCES

10. Amending Ordinance No. 2014-O-017 dated February 03, 2014 to modify lease agreement between the City of Laredo, as LESSOR and Harmony Public Schools, as LESSEE to (1) clarify that the Rent Abatement Term is for up to thirty-one (31) years if LESSEE exercises the first and second consecutive ten (10) year renewal options by giving LESSOR written notice ninety (90) days prior to June 30, 2025 and June 30, 2035 of its intent to exercise the renewal options and (2) to amend the amount of monthly Rent Abatement from \$6,000.00 to \$8,000.00 for the first five (5) years of the lease term, all other terms of the lease agreement remain in effect. **(AS AMENDED)**

11. Authorizing the City Manager to approve a sublease of the leased premises approved by Ordinance No. 2001-O-278 dated November 26, 2001 between the City of Laredo as LESSOR and ASA Group, LTD., as amended by Ordinance No. 2010-O-0081 dated June 21, 2010, assign L.A. Ventures Terminal, LTD., as LESSEE, for the premises described as Warehouse Suite C2, which consists of approximately 12,850 sq. ft. located at 5802 Bob Bullock Loop, Suite C2 to Conn Appliances, Inc., a Texas Corporation SUB-LESSEE, said lease provides for right to sublease subject to city approval, which approval shall not be unreasonably withheld. **(Approved by Operations Committee)**
12. Authorizing the City Manager to approve a sublease of the leased premises approved by Ordinance No. 2001-O-278 dated November 26, 2001 between the City of Laredo as LESSOR and ASA Group, LTD., as amended by Ordinance No. 2010-O-081 dated June 21, 2010, assign L.A. Ventures Terminal, LTD., as LESSEE, for the premises described as Warehouse Suite C3, which consists of approximately 12,850 sq. ft., (consisting of 950 sq. ft. of offices and 11,900 sq. ft. of warehouse) located at 5802 Bob Bullock Loop, Suite C3 to PGW Auto Glass, L.L.C., a Delaware limited liability company as SUB-LESSEE, said lease provides for right to sublease subject to city approval, which approval shall not be unreasonably withheld. **(Approved by Operations Committee)**
13. Authorizing the City Manager to execute all necessary documents to convey the “surface only”, of a property described as a 7,716.73 sq. ft. tract of land, more or less, out of the south one half section of the former Jarvis Ave. between Santa Barbara and Napoleon Streets situated in the Eastern Division, City of Laredo, Webb County, Texas to Daniel Garcia, at its established market value of \$39,000.00. Said property being described on attached Exhibit “A”; and providing for an effective date. **(Approved by Operations & Finance Committees)**
14. Amending Chapter 32, Vehicle For Hire, Article II, Taxicabs, Division 1. Generally, Section 32-18, Definitions, and Division 2, Operating Authority, Section 32-20, Transfer of Operating Authority and Section 32-22, Initial Application for Annual Permit, of the Code of Ordinances of the City of Laredo, to prohibit the transferring, assigning, and selling of Taxicab permits providing for severability, publication and effective date. **(Approved by Operations Committee)**

15. Amending ordinance 89-0-96, paragraph 1(c) to modify the City of Laredo's reversionary interest in 70.53 acres located between Laredo International Airport and Lake Casa Blanca requiring the acreage to revert to the city if not used as a Webb county park so as to allow Webb county to construct and operate a central fire station there. **(Approved by Operations & Finance Committees)**

IX. FINAL READING OF ORDINANCES

16.

2014-O-061 Authorizing the City Manager to accept the contract amendment with the Texas Health and Human Services Commission (HHSC) and amending the City of Laredo Health Department FY 2013-2014 Full Time Equivalent (FTE) Position Listing by creating one (1) Registered Nurse II, R38 position for the Nurse-Family Partnership (NFP) program to provide evidence-based nurse home visitation for first-time mothers and their children.

2014-O-062 Authorizing the City Manager to execute a lease renewal with Duty Free Americas Inc., for the approximately 22,500 sq. ft. warehouse located at 5511 Thomas Avenue at the Laredo International Airport. Lease term is for six (6) months commencing on April 9, 2014, and ending on October 8, 2014. Initial rent shall be \$9,000.00 per month; providing for an effective date.

2014-O-063 Authorizing the City Manager to execute a renewal term of five (5) years to the Ground Lease Agreement by and between the City of Laredo, a Municipal Corporation (Landlord), and New Cingular Texas/Illinois Cellular Limited Partnership, by its General Partner, Southwestern Bell Wireless, Inc., d/b/a New Cingular Wireless PCS, L.L.C., (Tenant), Ordinance No. 99-O-197, from July 19, 2014 through July 18, 2019, Site ID: 10007674, being a portion located at 1301 Farragut St., Laredo, Webb County, Texas. The current annual rental amount of \$19,296.16 will increase hereinafter, in accordance with the terms as defined by the Agreement and/or modified by subsequent amendments.

X. RESOLUTIONS

17. **2014-R-49** Authorizing the City Manager to accept a grant in the amount of \$19,975.00 from the Texas Department of Transportation to fund the STEP - Impaired Driving Mobilization Program. The grant period will begin June 24, 2014 through September 8, 2014. This grant is to pay overtime for officers in order to increase enforcement to arrest individuals driving under the influence of a controlled substance. **(Approved by Operations Committee)**
18. **2014-R-52** Accepting the conveyance of a 0.1194 acre tract of land more or less, out of the Farias Development, Ltd., property recorded in Volume 2165, Pages 719-722, Official Public Records of Webb County, Texas for the purpose of serving as a Utility and Access Easement for Sanitary Sewer line improvements. Said easement is further described by boundary survey and metes and bounds in the attached exhibit. **(Approved by Operations Committee)**

XI. MOTIONS

19. Consideration for approval to award a professional services contract to Sherfey Engineering Company, L.L.C., Laredo, Texas, for an amount of \$75,800.00 for design and preparation of plans and specifications for the McDonald Street Improvements and Assessments Project pursuant to Texas Transportation Code, Ch. 313. Design work is to be done on a fast track basis. Funding is available in the Water 2012 Revenue Bond and Sewer 2013 Revenue Bond.
20. Authorizing the City Manager to execute a contract with Sullivan Public Affairs, Austin, Texas, in the total amount of \$60,000.00 for the period beginning May 1, 2014 through April 30, 2015 for consulting and government relation services, specifically, transportation related programs, including but not limited to, State Loop 20, Interstate 69, Regional Mobility Authorities (RMAs), and Transportation Reinvestment Zones (TRZs). Funding is available in General Fund.
21. Authorizing the Laredo Convention and Visitors Bureau Department to place temporary promotional banners for the XII Laredo International Sister Cities Festival scheduled for July 18-20, 2014. The banners will be installed at the intersections of Springfield and Hillside Roads; Calton and Yeary Roads; Del Mar Blvd. and McPherson Ave. and other locations in South Laredo from June 23, 2014 or sooner if installation is feasible, through the end of the Festival on July 20, 2014. **(Approved by Operations Committee)**

22. Authorizing the City Manager to sign an interlocal agreement with the U.S. Section of the International Boundary and Water Commission (USIBWC) to install and maintain a stand-alone solar powered Flood Warning Station at the World Trade Bridge, Laredo, Texas for better flood warning and emergency response for the City of Laredo at no cost to the City. **(Approved by Operations Committee)**
 23. Consideration to reject all submittals received from Request For Proposal (RFP) FY14-050 for removal and installation of carpet and vinyl for the City of Laredo Main Public Library. Contract agreement could not be negotiated with the lowest bidders and other remaining bidders' pricing increased considerably. Approval is requested to re-solicit this RFP in an effort to obtain additional services as well as a larger pool of qualified vendors. **(Approved by Operations Committee)**
 24. Approving monthly adjustments to the tax roll. The amounts to be adjusted for the month of April 2014, represent a decrease of \$61,713.37. These adjustments are determined by the Webb County Appraisal District and by court orders.
-

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

25. **2014-R-50** Authorizing the City Manager to submit a grant application in an estimated amount of \$90,982.00 to the Office of Justice Programs, Bureau of Justice Assistance for funding the 2014 JAG or Justice Assistance Grant for the period of October 01, 2014 through September 30, 2018. This funding will be used for support staff, equipment and supplies for police operations. The Bureau of Justice Assistance mandates that this grant be divided equally between the City of Laredo and Webb County.

26. **2014-R-51** Authorizing the City Manager to submit a loan application to the Texas Water Development Board (TWDB) in the amount of \$10,000,000.00 to fund the construction of the Sombreretillo Creek Wastewater Treatment Plant. By securing this loan through TWDB, the City of Laredo will save approximately \$119,915.00 per year over 30 years, for a total savings of \$3,597,450.00.
27. **2014-R-55** Authorizing the City Manager to submit a grant application in the estimated amount of \$400,000.00 per year for four (4) years to the Substance Abuse and Mental Health Services Administration (SAMHSA) Minority AIDS Initiative Continuum of Care Pilot. The project will integrate HIV Prevention and Medical Care into Mental Health and Substance Abuse Treatment services for Behavioral Health Disorders and HIV and will help improve comprehensive HIV services in the City of Laredo.

XII (b) MOTIONS

28. Consideration to authorize the purchase of twenty-four (24) tactical vests for the Police Department in the estimated amount of \$61,620.00 from G.T. Distributors, Inc., Austin, Texas through the Buyboard Cooperative Purchasing Program's contract pricing. Funding is available in the 2013 PPFCO.
29. Consideration to authorize the City Manager to execute a contract with PoliceReports.US, L.L.C., Mooresville, North Carolina 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. PoliceReports.US will retain \$3.00 (Yr 1) and \$4.00 (Yrs 2 & 3) for each report distributed through their system. The Police Department would receive \$5.00 for each police report secured from the online system.
30. Consideration to authorize a purchase contract to Exerplay, Inc., Cedar Crest, New Mexico for the purchase of a playscape and drinking fountain for Ponderosa Park in the amount of \$74,113.58. This purchase is through the Buy Board Cooperative Purchasing Program Pricing. Funding is available in the Community Development Block Grant 39th Action Year.

31. Consideration to authorize a purchase contract to Miracle Recreations Equipment Company-C/O Park Place Recreations Designs, San Antonio, Texas for the purchase of a playscape and spring riders for Maryland Toddler Park in the amount of \$87,731.00 and for the purchase of spring riders for Ponderosa Park in the amount of \$34,309.00 for a total of \$122,040.00. This purchase is through the Buy Board Cooperative Purchasing Program Pricing. Funding is available in the Community Development Block Grant 39th Action Year.
32. Authorizing the City Manager to amend the 2012 Emergency Solution Grant (ESG) contract with Catholic Social Services of Laredo, Inc., by increasing the contract time by an additional two (2) months, from June 1, 2014 to July 31, 2014, to provide Homeless Prevention & Rapid Re-Housing Assistance. The extension is necessary in order to expend all their allocated funds.
33. Consideration to award a contract to sole source provider, Transcore L.P., for the purchase of 5,000 Automatic Vehicle Identification (A.V.I.) sticker tags as part of the Laredo Bridge System Toll Collection System in an amount not to exceed \$62,500.00. Funding is available in the Bridge System Fund.
34. Consideration to award contract FY14-061 to the sole bidder, Rochester Armored Car Co. Inc., Omaha, Nebraska, in an amount up to \$178,721.28 for providing bank courier service for City operations. This is a two (2) year contract subject to continued appropriations in future fiscal years. The new contract pricing is approximately 2% higher than the previous two (2) year contract. Funding is available in the respective departmental budgets.
35. Consideration to authorize the purchase of one (1) striping machine from EZ-Liner Industries, Orange City, Iowa, in the total amount of \$78,906.00 through the Houston-Galveston Area Council of Governments (H-GAC) Cooperative Purchasing Program's contract pricing. The equipment will be assigned to Airport Department. Funding is available in the Airport Department Fund.
36. Consideration to award contract FY14-059 to the sole bidder, TYMCO Inc., Waco, Texas in the amount of \$198,594.00 for the purchase of one (1) airport runway sweeper for the Airport Department. Funding for this purchase is available in the Airport Department Fund.

37. Consideration to award a contract to Presidio Network Solutions, Greenbelt, Maryland, in the amount of \$84,897.89 for the purchase and installation of I-Net network equipment through the State of Texas, Department of Information Resources (DIR) Cooperative Purchase contracts. The City is a member of the State of Texas - Texas Procurement and Support Services (TPASS) Cooperative Purchasing Program which allows the City of Laredo to take advantage of approved State contracts. The network equipment will be centralized at the Utilities Department Administration Building and will provide connectivity to City Hall Annex, Jefferson Water Treatment Plant and the Wastewater Treatment Plants. Funding is available in the Utilities Department budget.
38. Consideration to renew the existing annual contract FY13-039 to ROMO Contractors, Laredo, Texas in an amount up to \$150,000.00 for concrete repairs of sidewalks, driveways, and curbs as a result of water line break repairs made by the Utilities Department. All work will be performed on an as needed basis required due to utility repairs. Funding is available in the Water and Sewer Fund.
39. Consideration for approval of change order No. 3, in the amount of \$129,185.57 to Pedal Valves, Inc., increasing the contract to \$15,039,323.34 for the installation of approximately 65,000 Automatic Water Meter Reading Devices (AMI/AMR System). This change order allows for additional work and services to install meters. Approximately 31,000 meters have been installed to date. Funding is available in the 2012 Water Revenue Bond.
40. Consideration for approval of Amendment No. 2, an increase of \$137,799.21 to the Construction Engineering Phase Services and Project Management contract with Dannenbaum Engineering Co. - Laredo, L.L.C., increasing the time of the contract from thirty (30) to thirty-four (34) months to match the El Pico Construction Contract for the new 20 MGD El Pico Water Treatment Plant in northwest Laredo. Current total contract amount with the amendment is \$2,842,126.51. Funding is available in the 2010 Utility Water Bond.
41. Authorizing the City Manager to enter into an agreement between the Webb County and the City of Laredo allowing Webb County to construct a central fire station on 7.5 acres of the approximate 70 acres located between the Laredo International Airport and Lake Casa Blanca deeded to the County by the City with the requirement that the property be used as a park. The agreement calls for a modification of the City's reversionary interest so as to allow for the construction of the fire station and to allow Webb County to construct and operate a central fire station there. Webb County has provided all appropriate indemnifications of the City in this or any related regard.

END OF CONSENT AGENDA

XIII. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

42.

A. Request by Council Member Charlie San Miguel

1. Status report on the traffic signal improvements of San Isidro Parkway and International Boulevard intersection.

B. Request by Council Member Jorge A. Vera

1. Discussion with possible action on the development and implementation of a strategic marketing plan as a manner of attracting manufacturing companies to establish business operations in the City of Laredo.

XIV. STAFF REPORTS

43. Discussion with possible action to release contract balances to the surety company, CONTINENTAL CASUALTY COMPANY in the amount of \$66,195.90 in Cause No. 2014CVF000021-D4; CONTINENTAL CASUALTY COMPANY v. THE CITY OF LAREDO; in the 341ST District Court, Webb County, Texas.
44. Discussion with possible action to accept Hanover Surety Company's offer to allow the City of Laredo to use remaining contract balances of \$201,978.00 for completion of Modern Construction's work on the Haynes Auxiliary Building in exchange for a release of Hanover's performance bond.
(Approved by Operations & Finance Committees)

XV. 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.

45. Request for Executive Session pursuant to Texas Government Code Section 551.071(1)(a) to consult with attorney regarding potential litigation, reference Cause No. 2012CVF000602-D1; LAREDO HOUSING AUTHORITY v. METRO AFFORDABLE HOUSING CORPORATION, and return to open session for possible action.

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

46. Consideration to award two (2) year contract FY 14-056 for miscellaneous auto parts to the following multiple vendors:

1. Andy's Auto & Bus Air, Inc., Laredo, Texas;
2. C.C. Battery Co. Inc., Corpus Christi, Texas;
3. Coastal Diesel Injection Service, Corpus Christi, Texas;
4. Full Service Auto Parts, San Antonio, Texas;
5. Gonzalez Auto Parts, Inc. Laredo, Texas;
6. NAPA Auto Parts, Laredo, Texas;
7. Rotex Truck Center, Laredo, Texas;
8. Rush Truck Center Laredo, Laredo, Texas;
9. Teg's Warehouse Supply, Corpus Christi, Texas;
10. Texas Fleet Supply, Laredo, Texas;
11. Vehicle Maintenance Program, Inc., Boca Raton, Florida and
12. Velco, Inc., Laredo, Texas.

This contract is for an estimated amount of \$480,000.00, approximately \$40,000.00 per vendor and is subject to future appropriations with established discount percentage pricing for those miscellaneous auto parts not covered in the general automotive parts contract FY12-032. All items will be purchased on an as needed basis and funding is available in Transit operations budget. **(Approved by Operations & Finance Committees)**

XVII. 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, May 14, 2014 at 6:20 p.m.

Gustavo Guevara, Jr.
City Secretary