

CITY OF LAREDO CITY COUNCIL MEETING

**A-2014-R-10
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
JUNE 16, 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 December 6, 2013, January 27, 2014, May 27, 2014 & June 2, 2014.

V. COMMUNICATIONS AND RECOGNITIONS

Communiqués

a. Report on the Laredo Birding Festival presented by the Rio Grande International Study Center, Monte Mucho Audubon Society and the Laredo Convention and Visitors Bureau.

b. Brief video presentation on Operation Crackdown held on May 19-30, 2014; in partnership with the City of Laredo, U.S. Border Patrol and the Texas National Guard.

Recognitions

a. Recognizing Mr. Hector Jasso and Mr. Gerardo Ayala, employees from the Parks and Leisure Department, for saving a woman's life at Father McNaboe Park.

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

1. Appointment by Mayor Pro-Tempore Esteban Rangel of Brenda Medina to the Convention & Visitors Bureau Advisory Committee.
2. City Manager's appointment to the Civil Service Commission.
3. 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 Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 1-A, Block 4, Towne East Subdivision Phase II, located at 5101 US Highway 59, from B-3 (Community Business District) to B-4 (Highway Commercial 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

2. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 2.97 acres, as further described by metes and bounds in attached Exhibit "A", and located at 1320 W. Mann Road, from B-3 (Community Business District) to B-4 (Highway Commercial 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 VII

3. **Public hearing and introductory ordinance** altering and extending the boundary limits of the City of Laredo, annexing additional territory of 3,500.07 acres, more or less, located northwest of the city, west of Travel Centers and Flying J Truck Stops and east of Millennium Park, along FM 1472 (Mines Road) as further described by metes and bounds in Attachment "A", specifically N.D. Hachar Tract, providing for the effective date of the ordinance, adopting a service plan for the annexed territory, and establishing the initial zoning of AG (Agricultural District).

Staff supports the annexation and initial zoning, and the Planning and Zoning Commission recommends approval of the annexation and initial zoning. District VII.

(Recess)
(Press Availability)

VIII. FINAL READING OF ORDINANCES

- 4.

2014-O-076 Amending Article VI [Investment Policy] of Chapter 2 [Administration] of the Code of Ordinance in order to:

1. Clarify Authorized Investment language;
2. Augment the Broker/Dealer list;
3. Provide for an effective date.

2014-O-077 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.

2014-O-078 Authorizing the City Manager to accept FY 2014 Federal Highway Administration (FHWA) Planning (PL112) funds in the amount of \$617,087.00 and amending the City of Laredo's 2013-2014 General Fund Budget to reflect the PL112 funding allocation for the Laredo Urban Transportation Study, the designated Metropolitan Planning Organization (MPO), by increasing revenues and expenditures by \$617,087.00 from \$500,000.00 to \$1,117,087.00.

2014-O-079 Authorizing the City Manager to approve a sublease of 9,056 square feet of air cargo warehouse space constructed by Air Trade Laredo, L.L.C., on the leased premises approved by Ordinance No. 2011-O-148 dated November 07, 2011 between the City of Laredo as LESSOR and Air Trade Laredo, L.L.C., as LESSEE, for the premises consisting of 1.973 acres, located at 4603 Maher at the Laredo International Airport, said lease provides for the right to sublease subject to City approval, which approval shall not be unreasonably withheld. This proposed sublease is to Vent Airlines, Inc. as SUB-LESSEE.

IX. RESOLUTIONS

5. **2014-R-60** Accepting the conveyance of the following 25' Utility Facilities Corridor for the Utility Improvements along Bob Bullock Loop 20 - Spur 400 (Clark Blvd.) Overpass Project out of Lots 1 & 2, Block 1, TxDot Intermodal Subdivision from: The Texas Department of Transportation - Utility Facilities Corridor as follows: 0.5288 acres (23,034 sq.ft.) more or less, a copy of which conveyance is attached as Exhibit A: and directing that the said Utility Facilities Corridor be filed of record in official property records of Webb County, Texas. **(Approved by Operations Committee)**
6. **2014-R-62** To ratify the conveyance of the following Utility and Access Easement, to access an existing 8" diameter sanitary sewer line and 6" force main within the proposed easement out of Lot 46, Block 8, Lakeside Subdivision Phase 14 from: Paisano Home Builders (Manuel Garcia) - Utility easement as follows: 596 Square Feet more or less, a copy of which conveyance is attached as Exhibit A: and directing that the said Easement be filed of record in official property records of Webb County, Texas. **(Approved by Operations Committee)**

X. MOTIONS

7. Approving monthly adjustments to the tax roll. The amounts to be adjusted for the month of May 2014, represent an increase of \$10,879.92. These adjustments are determined by the Webb County Appraisal District and by court orders.
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XI. 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.

XI (a) RESOLUTIONS

8. **2014-R-59** Authorizing the City Manager to submit a loan application to the Texas Water Development Board (TWDB) in the amount of \$5,500,000.00 to fund the construction of a 3 MG Elevated Storage Tank at San Isidro NE. By securing this loan through TWDB, the City of Laredo will save approximately \$64,596.93 per year over 30 years, for a total savings of \$1,937,907.76.
9. **2014-R-63** Authorizing the City Manager to submit a grant application in the estimated amount of \$1,386,960.00 which will require a minimum 25% cash match from the U.S. Department of Justice, Office of Community Oriented Policing Service (COPS) Program. Funding is available under the COPS Hiring Recovery Program created under the American Recovery and Reinvestment Act 2009. The City of Laredo will utilize this funding to hire six (6) new police officers for a period of three (3) years.
10. **2014-R-64** Authorizing the City Manager to submit a grant application in the estimated amount of \$300,000.00 per year for three (3) years to the Centers for Disease Control (CDC) to build on current partnerships of the City of Laredo Health Department's Chronic Disease Self Management Programs such as Buena Vida and Healthy Living/Viviendo Mejor to improve health and reduce the burden of chronic disease through these evidence based or practice based strategies that create or strengthen healthy environments and make it easier for people to make healthier choices and take charge of their health.

11. **2014-R-65** Authorizing and approving a Tax Abatement Agreement between the City of Laredo and Bach Development - San Isidro, L.L.C., and an Economic Development Agreement between the City of Laredo and Reel Dinner Partners - Laredo, L.L.C., both subsidiaries of Bach Holdings, L.L.C. Both agreements are for five (5) years. The entities will invest \$9,000,000.00 in land and real property improvements, and \$1,000,000.00 in tangible personal property, including eighty (80) full-time jobs within the first year with five (5) additional jobs each year for four additional years for a total of 100 employees by the fifth year. Annual sales are projected at \$8,000,000.00. Total tax abatement at 25% is estimated to be \$10,590.00 each year for five years; one time building permit fees to be waived are in the amount of \$6,812.81; and a sales tax rebate at 50% of City's 1% sales tax is estimated to be \$40,000.00 each year for five years. The proposed Alamo Drafthouse will be located at 11210 East Point Drive.
12. **2014-R-66** Authorizing the City Manager to enter into an Agreement to Contribute Right of Way Funds (ROW CSJ#0086-14-046) to contribute \$266,488.50 for the acquisition of right-of-way for the widening and above grade crossing of State Loop 20 at Spur 400 (Clark Blvd.). Funding is available in the Capital Grants Fund.

XI (b) MOTIONS

13. Authorizing the City Manager to approve and execute a five (5) year contract with SMG for the management services for the operations of the Laredo Energy Arena (LEA) with the following terms:
1. Two additional five (5) year renewal options;
 2. The City will pay an annual management fee of \$123,240.00 to be adjusted annually by the CPI;
 3. Food Services category: if SMG achieves a positive 30% annual operating margin, then SMG will get 4% of the gross sales;
 4. Incentive pay clause: if a profit is achieved for each fiscal year during the term of the contract, SMG will receive 30% of the net operating profits and the City will receive 70%;
 5. SMG has offered to contribute \$300,000.00; \$50,000.00 for the food and beverage operations and \$250,000.00 for facility improvements or for any needs as the City may deem necessary.

The initial term of this five (5) year period will commence December 1, 2014 and ending November 30, 2019 on terms mutually agreed upon.

14. Authorizing the City Manager to enter into contract and award Community Development Block Grant funds made available by the U.S. Department of Housing and Urban Development in the amount of Two Hundred Eighty-Two Thousand and Eighty Four Dollars (\$282,084.00) to Villa San Luis Charitable Trust to facilitate necessary rehabilitation improvements to the Villa San Luis Housing Project which is located at 201 E. Plum. Funding is available in the 38th Action Year Community Development Block Grant Funds.
15. Authorizing and advancing additional funding to the Laredo Urban Transportation Study - Metropolitan Planning Organization (LUTS - MPO) for contract Amendment No. 2, with Kimley-Horn and Associates, Inc., in the amount of \$8,100.00, which increases the contract fee from \$48,600.00 to \$56,700.00, for additional services related to the development of the Railroad Quiet Zone Study Update. Funding is available in the General Fund - Planning MPO Grant.
16. Authorizing and advancing additional funding to the Laredo Urban Transportation Study - Metropolitan Planning Organization (LUTS-MPO) for contract Amendment No. 1, with CoPLAN, L.L.C., in the amount of \$16,429.47, which increases the contract fee from \$126,135.29 to \$142,564.76, for additional services related to the development of the Congestion Management Plan. Funding is available in the General Fund - Planning MPO Grant.
17. Consideration for approval of the Bartlett Avenue Sidewalks (Hillside Road to Gale Street) as complete, release of retainage and approval of final payment in the amount of \$6,393.00 to ALC Construction, Inc. Final construction contract amount is \$63,930.00. Funding is available in the Airport Construction Fund.
18. Consideration to award a construction contract to the lowest bidder, Construction Rent-A-Fence, Inc., Thrall, Texas, in the base bid amount of \$786,364.00 for the Laredo International Airport Perimeter Fence and Gate Replacement with a construction contract time of one hundred eighty (180) calendar days; and authorizing the City Manager to execute all related contract documents contingent upon receipt and approval of insurance and bond documents. Completion date for the project is scheduled for December 2014. Funding is available in the Airport Construction Fund.

19. Consideration to award a construction contract to the sole bidder, Wunderlich-Malec Systems, Inc., Minnetonka, Minnesota, in the amount of \$1,726,343.94 for the Laredo International Airport Security System Improvements with a construction contract time of one hundred eighty (180) calendar days; and authorizing the City Manager to execute all related contract documents contingent upon receipt and approval of insurance and bond documents. Completion date for the project is scheduled for December 2014. Funding is available in the Airport Construction Fund.
20. Consideration for approval to award a contract to JBT Aerotech for repairs to the Laredo International Airport Passenger Boarding Bridges No. 1, No. 2, and No. 4 in the amount of \$165,626.00. FMC- Jetway Systems of Ogden, Utah USA, Now JBT AeroTech is the original jet bridge manufacturer. Funding is available in Airport Fund.
21. Consideration to authorize the purchase of four (4) vehicles from Silsbee Ford, Silsbee, Texas in the amount of \$133,984.88. The purchase of these vehicles shall be made utilizing the BuyBoard Cooperative Purchasing Program. Funding is available in the 2013 Operation Stonegarden Grant Fund.
22. Consideration to authorize a purchase contract for the acquisition of Mobile Computer Terminals (MCT'S) and radio equipment for four (4) new Police Department vehicles, from Motorola Inc., through the Houston-Galveston Area Council of Governments (H-GAC) Cooperative Purchasing Program in the amount of \$50,237.80. Funding is available in the Special Police Fund 2013 Operation Stonegarden Grant.
23. Consideration to award contract FY14-065 to the sole bidder, CLS Equipment Company, Richardson, Texas in the amount of \$61,802.13 for the purchase of one (1) self propelled camera and accessories package for a sewer line television inspection truck for the Utilities Department. Funding for this purchase is available in the Wastewater Fund.
24. Authorizing the approval of Amendment No. 1, to Terracon Consultants, Inc., in the amount of \$66,660.00 for additional testing services required for the South Laredo Wastewater Treatment Plant 6 MGD Expansion Project. The revised contract amount is \$274,495.00. Funding is available in the Sewer System 2008 B Combination Tax/Rev Certificate.

25. Authorizing the approval of change order No. 3, in the amount of \$123,804.00 to the construction contract with Mountain Cascade of Texas L.L.C., Mansfield, Texas for the 60 inch Transmission Main Project. This change order consists of three (3) items, which includes installing Test Station No. 33 for the gas line crossing, additional costs associated with installing an additional 60" Butterfly Valve to isolate the Surge Control Facility piping, and approving revised bedding detail. The contract time will be increased by thirty five (35) working days, with a new contract time of three hundred sixty five (365) working days. The new contract amount is \$15,643,022.40. Funding is available in the 2012 Water Revenue Bond.
26. Authorizing the approval of Amendment No. 3 to Black & Veatch Corporation associated with Civil Engineering Consultants Corporation dba Jeff Puig Engineering in the amount of \$121,700.00 for additional services for construction engineering for the 60-Inch Water Transmission Main Project from El Pico Ranch on Mines Road to IH 35. The revised contract amount is \$1,504,050.00. Funding is available in the 2011 Utility Bond.
27. Requesting authorization to waive \$482.55 of penalty and interest on the property tax account listed below, in accordance with Section 33.011(a) of the Property Tax Code. The City of Laredo committed the act or omission which caused or resulted in the taxpayer's failure to pay the tax before delinquency. The account is as follows: Diaz Juan Manuel & Wf Letycia G (Tax Account 979-10002-050).

END OF CONSENT AGENDA

XII. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

28.

A. Request by Council Member Alejandro "Alex" Perez

1. Amending interlocal agreement with Laredo Independent School District (LISD) for Ryan Elementary to encompass additional playground equipment for use by the general public. **(Approved by Operations & Finance Committees)**
2. Discussion with possible action to enter into an Interlocal Agreement with Texas Department of Transportation (TXDOT) to install post and cable and zeroscaping at a triangular property bordered by U.S. Hwy 83, Guadalupe Street and Milmo Street that is owned by TxDOT.

XIII. STAFF REPORTS

29. Report by Ramon Chavez, P.E., Acting Building Director, on the total number of residential and commercial building permits, projects under plan review and structures being built throughout the City.

XIV. 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.

XV. 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 Wednesday, June 11, 2014 at 5:30 p.m.

Gustavo Guevara, Jr.
City Secretary