

CITY OF LAREDO CITY COUNCIL MEETING

**A-2014-R-20
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
DECEMBER 1, 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 November 17, 2014.

V. COMMUNICATIONS AND RECOGNITIONS

Communiqués

- a. Invitation to the celebration and grand opening of the McKendrick Ochoa Salinas Branch Library, which will officially open its doors to the public on Thursday, December 4, 2014 at 10:30 a.m. **(Council Member Mike Garza)**
- b. Extending an invitation to Mayor and Members of the Laredo City Council and the general public for Navidadfest 2014, Laredo's official tree lighting event and holiday kickoff celebration, to be held at the Laredo Energy Arena on Wednesday, December 3, 2014 from 6:00 p.m. – 9:00 p.m.

Recognitions

- a. Recognizing the Lyndon B. Johnson High School Football Team for obtaining the 29 6A Co - District Championship.
- b. Recognizing the Grip n Rip Tennis Team players for obtaining the 2014 USTA State Championship in Abilene, Texas on November 15, 2014.

Citizen comments

Citizens are required to fill out a witness card and identify themselves at the microphone. Comments are limited to three (3) minutes per speaker. No more than three (3) persons will be allowed to speak on any side of an issue. Should there be more than three (3) people who wish to speak on a particular issue, they need to select not more than three (3) representatives to speak for them and the presiding officer may limit the public comments further in the interest of an orderly meeting. Speakers may not pass their minutes to any other speaker. Comments should be relevant to City business and delivered in a professional manner. No derogatory remarks will be permitted.

VI. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

- a. Appointment by Council Member Roque Vela, Jr. of Richard Perales to the Board of Adjustments.
- b. Appointment by Council Member Mike Garza to the City Charter Review Ad Hoc Committee.

VII. PUBLIC HEARINGS

1. **Public hearing and introductory ordinance** authorizing the issuance of City of Laredo, Texas Sports Venue Sales Tax Revenue Refunding Bonds, Series 2014 in the estimated amount of \$21,160,000.00 and ordaining other matters relating to the subject including authorizing a bond purchase agreement, a paying agent/registrar agreement and an official statement, and providing for the security of the bonds and the pledging of a sales tax and authorizing amendment to City's budget to appropriate such proceeds for purposes authorized herein and delegating to the Mayor and /or the City Manager the authority to approve all final terms of the bonds.

(Recess)
(Press Availability)

VIII. INTRODUCTORY ORDINANCES

2. 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 (14) which establishes the North side of the 600 Block of Amistad Drive, to include the entire Cul-De-Sac at the west end of this section of street, located just west of McPherson Road, as a No Parking/Tow Away Zone; providing severability, effective date and publication.

IX. FINAL READING OF ORDINANCES

- 3.

2014-O-156 Designating the City Limits and ETJ (five miles outside city limits) as the Tax Abatement Reinvestment Zone for commercial/industrial tax abatement; establishing the boundaries thereof and other matters relating thereto; declaring findings of fact; providing for severability; and providing for an effective date.

2014-O-157 Altering and extending the boundary limits of the City of Laredo, annexing additional territory of 80.395 acres, more or less, located north of US Highway 359 and east of the City of Laredo Landfill, as further described by metes and bounds in Attachment "A", specifically the Hurd 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).

2014-O-158 Altering and extending the boundary limits of the City of Laredo, annexing additional territory of 1.07 acres, more or less, as further described by metes and bounds in Attachment "A", specifically the J. M. Aguilar 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 (Single Family Residential District).

2014-O-159 Amending Ordinance No. 2012-O-005 authorizing the issuance of a Conditional Use Permit for two (2) mobile homes on Lots 1 through 7, Block 1, Del Mar Hills Subdivision, Section 1, Area B; located at 10 East Del Mar Boulevard, by extending the expiration date for an additional ten (10) years; providing for publication and effective date.

2014-O-160 Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit for a Restaurant Serving Alcohol, on Lot 3, Block 1, Del Mar North Filing No. 1, Building 1A of Falcon Centre at McPherson, located at 7718 McPherson, Suite 102; providing for publication and effective date.

2014-O-161 Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit for the storage of flammable and explosive products on All of Block 523, Western Division, located at 2220 Sanchez Street.

X. RESOLUTIONS

4. **2014-R-108** Authorizing the City Manager to update the loan application submitted to Texas Water Development Board (TWDB) from \$10,000,000.00 to \$18,000,000.00. The additional funds are needed to fund the construction of the Sombreretillo Creek Wastewater Treatment Plant. Resolution 2014-R-051 was approved by City Council in the amount of \$10,000,000.00. Bids for this project were higher than anticipated thus the project will be re-advertised and new bids received. Additional funds will be needed to fund the project based on the prior bids received. TWDB has agreed to provide an additional \$8,000,000.00 for this project for a total of \$18,000,000.00 upon approval from their Board. By securing these additional funds through TWDB, the City of Laredo will save approximately \$95,932.00 per year over thirty (30) years, for a total savings of \$2,877,972.00.

5. **2014-R-110** Authorizing the City Manager to enter into and execute a Memorandum of Understanding (MOU), attached hereto as Exhibit A, between the Laredo Police Officers' Association (LPOA) and the City of Laredo for the purpose of implementing a pilot program for a compressed work week for the West Sector law enforcement employees.
6. **2014-R-112** Authorizing the City Manager to enter into and execute an Inter-local agreement, attached hereto as Exhibit A, between Webb County Appraisal District ("District") and the City of Laredo ("City"), to jointly contract with a qualified vendor to provide a digital Geo-referenced aerial imagery, GIS data, and associated tools and technology for the urban area located around the City of Laredo and Webb County. GIS Data will also be used by City Departments with GIS applications.
7. **2014-R-115** Authorizing the City Manager to accept the contract from the Texas Department of State Health Services (TDSHS) in the amount of \$5,215,401 for the Women, Infants and Children (WIC) Program of the City of Laredo Health Department (CLHD) to continue to provide nutrition education and food supplemental services to high risk women and children for the term period from October 1, 2014 through September 30, 2015.
8. **2014-R-116** Canvassing the recount results of the General Election held on November 4, 2014 for the position of Council Member District III pursuant to petition filed by Council Member Alejandro Perez, Jr., in District III in accordance with the provisions and procedures of the Texas Election Code; and approving the results of the recount.
9. **2014-R-117** Authorizing the City of Laredo to enter into an Intergovernmental Agreement with United Independent School District (UISD) to design, construct, maintain and operate a natatorium.

XI. MOTIONS

10. Amending the Memorandum of Understanding between the City of Laredo and Laredo Baseball Holding Company, Inc. ("LBH") regarding the operations and lease development agreement between the same as approved by City Council on September 30, 2014.

11. Authorizing the City Manager to grant U.S. International Boundary & Water Commission (USIBWC) permission to install and maintain a water level staff gauge underneath the three (3) International Bridges identified as the Juarez-Lincoln International Bridge (Bridge II), the Laredo-Colombia Solidarity Bridge (Bridge III) and the World Trade International Bridge (Bridge IV). These staff gauges will assist in determining river elevations. The USIBWC will be responsible for all expenses related to the installation and maintenance of the staff gauges.
12. Consideration for approval of award of construction contract to the lowest bidder, ALC Construction, Inc., Laredo, Texas, in the amount of \$489,975.00 (which includes the base bid and additive alternate No. 2) for the City of Laredo Municipal Housing Elderly Rental Housing Complex located at 620 Santa Rita Avenue with a construction contract time of two hundred ten (210) 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 July 2015. Funding is available in the Home Investment Partnership 38th Action Year/2012 Grant and Laredo Municipal Housing Corporation.
13. Consideration to award contract FY15-010 for the purchase of motor vehicles, requested by various city departments, to the following bidders:
 1. Silsbee Ford, Silsbee, Texas in the amount of \$550,004.81 for the purchase of seventeen (17) vehicles; and
 2. Caldwell Country Ford, Caldwell, Texas in the amount of \$81,340.00 for the purchase of four (4) vehicles;

Funding is available from 2015 Public Property Finance Contractual Obligation bond proceeds and department operational budgets.
14. Consideration to award contract FY15-010 for the purchase of motor vehicles requested by Police Department to the following bidders:
 1. Silbee Ford, Silbee, Texas in the amount of \$197,358.32 for the purchase of eight (8) vehicles; and
 2. Caldwell Country Ford, Caldwell, Texas in the amount of \$373,755.00 for the purchase of fifteen (15) vehicles; and
 3. Sames Motor Company, Laredo, Texas in the amount of \$144,760.00 for the purchase of seven (7) vehicles.

Funding is available from 2014 Public Property Finance Contractual Obligation Bond proceeds.

15. Consideration to renew the existing annual service contract FY14-019 with Andy's Auto Air & Supplies, Inc., Laredo, Texas in amount up to \$60,000.00 for air conditioning system repairs for the City's medium and heavy duty trucks and construction equipment for the Fleet Department. The term of this contract shall be for a period of one (1) year beginning as of the date of its execution. All services will be secured on an as needed basis. There will be no price increase during this extension period. Funding is available in the Fleet Maintenance Budget.
16. Consideration to renew and increase the annual contract amount for contracts FY13-021 for the purchase of tractor and heavy equipment tires currently awarded to:
 1. Southern Tire Mart, L.L.C., Dallas, Texas, in an amount up to \$106,250.00; and
 2. GCR Tire Centers, Nashville, Tennessee, in an amount up to \$50,000.00.

The contract increase is due to additional City utilization. Contracts are currently awarded to a primary and secondary vendor in order to provide the City of Laredo with a supply of tires. The proposed 25% increase would give the Fleet Department time to order needed tires before the end of the contract period. The term of this contract shall be for a period of one (1) year beginning as of the date of its execution. All tires will be secured on an as needed basis. There is no price increase during this extension period but a price decrease is being proposed by the primary vendor. Funding is available in the Fleet Maintenance Budget.

17. Consideration to award annual supply contract number FY15-008 to the sole bidder, Vulcan Construction Materials L.P., San Antonio, Texas in an amount up to \$298,050.00 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.

18. Consideration to award a two (2) year contract FY15-003 to Anrige Inc., DBA A Clean Portoco, Harlingen, Texas in the estimated annual amount of \$71,000.00 to provide portable restroom rental services. This contract is subject to future appropriations and allows for additional extensions of two (2) twelve (12) month periods with the same specifications and pricing, upon mutual consent. Funding is available in the respective departmental budgets.
19. Consideration to authorize a construction contract with Fuquay, Inc., Austin, Texas, through the BuyBoard Cooperative Purchasing Program's contract pricing, in the total amount of \$107,274.00 for the sanitary sewer rehabilitation of two (2) 10" pipes crossing Highway 83 at Norton Street (330') and Frees Street (340'). The project shall consist of removing corroded material inside the cast-iron pipes and rehabilitating them with a fiberglass reinforced plastic liner. Funding for this project is available in the 2013 Sewer Revenue Bond.
20. Consideration to award contract number FY15-006 to the low bidder, MG Landscaping, Laredo, Texas, in an amount up to \$65,000.00 for lawn and landscaping repairs caused by utility repairs. This contract is based on square and linear footage rates and when needed a licensed irrigator; plus any landscaping materials. The term of this contract shall be for a period of one (1) year beginning as of the date of its execution. Funding is available in the Water and Sewer Fund.
21. Consideration for approval of change order No.2, to MTZ Construction, Inc., Laredo, Texas with no increase to the total contract amount for the Lift Station, Booster Station and Force mains for the Max Mandel Municipal Golf Course. This change order consists of the removal and relocation of the existing cattle guard gate and chute area, backfill of the area and concrete to match the existing driveway and installation of 130 feet, 4' high fence matching the existing fence. The construction contract time is extended for an additional ten (10) working days. The contract amount is \$1,797,628.50. The new construction time including this change order will be one hundred eighty-seven (187) working days. Funding is available in the 2012 Sewer Revenue Bond.
22. Authorizing the City Manager to execute amendment No. 1, an increase of \$57,000.00, to the professional engineering services contract with Porras Nance Engineering for the Water and Wastewater Utilities Relocation at Loop 20 between U.S. 59 and Kansas City Southern Railroad (KCSR). The consultant will provide engineering and surveying services to develop plans, cost estimates, construction administration and as built plans. The total new contract amount is \$322,000.00. Funding is available in the 2012 Water Revenue Bond.

23. Consideration for acceptance and release of 2% retainage in the amount of \$1,714,596.10 to Western Summit Contractors, Inc./McAllen Construction, Inc., a Joint Venture Contractor, Fort Worth, Texas, for El Pico Water Treatment Plant 20 MGD. The total contract amount is \$85,729,805.17. Funding is available in Water 2008, 2009, 2010, 2011, 2012 & 2013 Revenue Bonds.
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XII. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

24.

A. Request by Mayor Pete Saenz

1. Discussion with possible action regarding the roles and responsibilities of the Internal Auditor.

B. Request by Council Member Mike Garza

1. Discussion on the procedure for withdrawing complaints with the Ethics Committee, with possible action.

C. Request by Mayor Pro-Tempore Esteban Rangel

1. Status report on the hiring of a consultant for a City-wide employee classification analysis.
2. Discussion with possible action to consider installing a railing along Highway 359 westbound to U.S. 83 to address safety concerns.

D. Request by Council Member Alejandro "Alex" Perez

1. Discussion with possible action to remove the requirement that an agenda item with financial impact first go before Operations and Finance Committees before being placed on the City Council agenda for a regularly scheduled City Council meeting.
2. Status on utility line replacement and resurfacing of streets in the Heights area.

3. Status update from April 21, 2014 Council meeting regarding the waiving or reduction of rec center fees for elderly, handicap, and veterans.
(Co-Sponsored by Mayor Pro-Tempore Esteban Rangel and Council Member Charlie San Miguel)
4. Discussion with possible action to install speed cushions on Willow St., between Meadow Ave. and Hendricks Ave., and on Green St., between Loring Ave. and Stone Ave., under the Special Provision of the Speed Hump Installation Policy adopted by City Ordinance using District III Discretionary Funds. **(Contingent upon approval of item No.1)**

E. Request by Council Member Roque Vela, Jr.

1. Discussion with possible action to enter into an agreement with the Alexander Trust to allow for the placement of temporary speed humps on Melville Drive under the special provisions of the speed hump policy, and allowing the acting or interim City Manager to execute all relevant documents. Associated costs to be paid for by the Alexander Trust.

F. Request by Council Member Charlie San Miguel

1. Discussion with possible action to host two community favorite events.
(Co-Sponsored by Mayor Pro-Tempore Esteban Rangel, Council Member Alejandro "Alex" Perez and Council Member Cynthia Liendo)
 - Light the Way for Christmas Celebration on Thursday, December 11, 2014, at North Central Park: a free holiday Christmas celebration that serves as a toy drive for The Toy Chest, a non-profit organization that provides toys to local children undergoing cancer treatments and their siblings, featuring local school, church and dance group performances, vendors and Santa Claus, and the lighting of two natural Christmas trees at North Central Park, one in memory of all Laredo veterans who never made it home for Christmas, Co-sponsored by PILLAR.
 - No Mud! No Glory! One Tough Mud'r 3!, the 5K boot-camp style mud race, on Saturday, April 11, 2015 at North Central Park that features over approximately 40 mud and water obstacles and draws over 1,000 participants. Teams compete for the Border Patrol Agent Jeffrey Ramirez Team Championship, in honor of BP Agent Jeffrey Ramirez who died the day of the first Mud Run, who was also an athlete and enjoyed participating in such events. Individuals compete for the Firefighter Marcos Aranda Individual Male and Individual Female Champion. City of Laredo Firefighter Marcos Aranda lost his courageous battle with cancer and was a star athlete throughout his life.

XIII. STAFF REPORTS

25. Consideration to approve the former City Manager's, Carlos R. Villarreal, early retirement contract supplanting his employment contract with the City as approved and directed by the City Council at its regularly scheduled meeting on November 17, 2014, and authorizing the acting or interim City Manager to execute the agreement.
26. Discussion with possible action on creating a City Charter Review Ad-Hoc Committee.
27. Appointment by Council Members of an interim City Manager to exercise the powers and perform the duties of City Manager until such time as a new City Manager is appointed by the City Council pursuant to Laredo City Charter, §3.01, APPOINTMENT, COMPENSATION, and related matters.
28. Discussion with possible action regarding the process of the search for a new City Manager.
29. Discussion with possible action regarding the purposes and objectives of the Technical Review Board Ad-Hoc Committee to provide recommendations jointly with staff regarding the review of both existing and proposed policies & ordinances before they are approved by City Council.

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, November 26, 2014 at 5:15 p.m.

Gustavo Guevara, Jr.
City Secretary