

CITY OF LAREDO CITY COUNCIL MEETING

**A-2015-R-06
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
APRIL 20, 2015
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 April 6, 2015.

V. COMMUNICATIONS AND RECOGNITIONS

Recognitions

1. Recognizing Jessica Ayala, Miss Laredo Latina 2015 and Ms. Fernanda Montoya, Miss Teen Laredo Latina 2015 for their crowning at the Miss Laredo Latina Pageant held at Laredo Civic Center on March 1, 2015.

2. Recognizing the United South High School Cheerleaders for being Non - Tumbling Division Cheer Power National Champions.
3. Recognizing the Trautmann Middle School Lassos' Dance Team for being National Champions.

Citizen comments

Citizens are required to fill out a witness card and submit it to the City Secretary no later than 5:45 p.m. 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 Mayor Pro-Tempore Esteban Rangel of Ray Camina to the Convention & Visitors Bureau Advisory Committee.
- b. Appointment by Council Member Alejandro "Alex" Perez of Juan Avila to the Para-Transit Advisory Committee.

VII. PUBLIC HEARINGS

1. **First public hearing** on the voluntary annexation of the Majestic Realty Tract (Tract 1) being 1,992.92 acres, more or less, located east of Unitec Industrial Park.
2. **First public hearing** on the voluntary annexation of the 4V Holdings Tract (Tract 2) being 83.4979 acres, more or less, located east of Cuatro Vientos Road and south of Wormser Road.
3. **First public hearing** on the voluntary annexation of the Union Pacific Tract (Tract 4) being 29.435 acres, more or less, located south of Unitec Industrial Park and north of the Missouri Pacific Rail Yard.

4. **First public hearing** on the voluntary annexation of the Killam Ranch Properties Ltd., Port Drive R.O. W. Extension Tract (Tract 5) being 7.753 acres, more or less, located south of Unitec Industrial Park and north of the Missouri Pacific Rail Yard.
5. **First public hearing** on the voluntary annexation of the Laredo Town Center Tract (Tract 6) being 9.457 acres, more or less, located east of Loop 20 (Bob Bullock Loop) and north of El Ranchito Road (RR 6078A).
6. **Public hearing and introductory ordinance** authorizing the City Manager to accept funds in the amount of \$585,772.00 from the South Texas 9-1-1 Regional Administration Division to cost share personnel at the Laredo Police Department Public Safety Answering Point in accordance to Section 771.0751 of the Texas Health and Safety Code and Rule 251.3 Use of Revenue in Certain Counties from the Commission on State Emergency Communications; and amending the FY 2014-2015 General Fund Budget of the City of Laredo by appropriating revenues and expenditures in the amount of \$585,772.00 for Laredo Police Department Communications Division salaries. **(Approved by Operations & Finance Committees)**
7. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit and Drilling Permit for Oil and/or Gas Extraction and Production for Hachar 5H Well on a 2.62 acre pad site out of a 6,132.06 acre tract known as the Hachar Lease, located East of F.M. 1472; providing for publication and effective date.

Staff is in support of the application and the Planning and Zoning Commission recommends approval of the proposed Special Use Permit.
District VII

8. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit and Drilling Permit for Oil and/or Gas Extraction and Production for Hachar 6H Well on a 2.62 acre pad site out of a 6,132.06 acre tract known as the Hachar Lease, located East of F.M. 1472; providing for publication and effective date.

Staff is in support of the application and the Planning and Zoning Commission recommends approval of the proposed Special Use Permit.
District VII

9. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 76, Block 2, Southgate Subdivision, located at 3005 Frio Plaza, from R-1 (Single-Family Residential District) to R-2 (Multi-Family Residential District); providing for publication and effective date.

Staff does not support the application and the Planning and Zoning Commission recommends approval of the zone change. District II

10. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 7 and 8, Block 817, Eastern Division, located at 1520 Cortez Street, from R-3 (Mixed Residential District) to B-3 (Community Business District); providing for publication and effective date.

Staff does not support the application and the Planning and Zoning Commission recommends denial of the proposed zone change. District III

(Recess)
(Press Availability)

VIII. INTRODUCTORY ORDINANCES

11. Authorizing the City Manager to approve a sublease of the leased premises approved by Ordinance No. 95-O-251 dated February 20, 1996 between the City of Laredo as LESSOR and L.A. Ventures Terminal, LTD as LESSEE, for the premises described as Warehouse Suite No. 4A, which consists of approximately 11,348 sq. ft. of warehouse and office space located at 4114 Airpark Drive and within Lot 4, Block 1 of the Laredo International Airport Subdivision Plat to Johnstone Supply 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)**

IX. FINAL READING OF ORDINANCES

- 12.

2015-O-048 Authorizing the City Manager to accept and appropriate the Federal Aviation Administration (FAA) Grant Project No. 3-48-0136-77-2014 Amendment No.1 in the amount of \$678,815.00 and amending the City of Laredo FY2015 Airport Construction Budget for the purpose of Airport improvements. The City's 10% local match for this grant amendment is

\$75,424.00. This is part of a multi-year grant totaling \$4,881,196.00; funds are available in the Airport Construction Fund.

2015-O-049 Authorizing the City Manager to convey an easement and right of way to AEP Texas Central Company located at, and to serve the Max Mandel Golf Course Lift Station off FM 1472, one (1) conveyance over a tract of land containing 2,688 square feet of land, more or less, out of a 270.00 acre tract, situated in Porcion 06, Abstract 38 as described in easement conveyance attached as Exhibit "A"; and providing for an effective date.

2015-O-050 Authorizing the City Manager to approve a sublease of Air Cargo Warehouse space constructed by Air Trade Laredo, LLC, on the leased premises approved by Ordinance No. 2011-O-148 dated November 7, 2011 between the City of Laredo as Lessor and Air Trade Laredo, LLC, as Lessee, for the premises consisting of 27,168 sq. ft., 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. The sublease is to RobertShaw Controls Company, a Delaware Corporation.

2015-O-051 Authorizing the City Manager to execute a lease with Trecon Investments Corporation, as lessee, for a tract of land consisting of 83,425.70 sq. ft., and located on Block No. 23, Tract "2B" at the Laredo Airport, Subdivision Plat. Lease term is for twenty (20) years commencing on May 1, 2015 plus, two (2) consecutive ten (10) year renewal options. Initial monthly rent shall be \$2,780.00 and will be adjusted annually according to changes in the Consumer Price Index; and rent adjustments based on appraisals at each ten (10) year anniversary period; providing for an effective date.

2015-O-052 Authorizing the City Manager to execute a Lease Agreement with Dauntless, a Texas Sole Proprietorship, for approximately 1,460 square feet of building space located at 1701 E. Hillside, Suite No. 2 at the Laredo International Airport, Block 15, Lot 1. The initial monthly rent shall be \$1,400.00 and will be adjusted annually according to the changes in the Consumer Price Index (CPI). The term shall commence on May 1, 2015 and shall terminate on April 30, 2016, plus two (2) one-year renewal options until April 30, 2017 and April 30, 2018, providing for an effective date.

X. RESOLUTIONS

13. **2015-R-31** Authorizing the City Manager to accept a grant in the amount of \$7,000.00 from the Texas Department of Transportation for the Enforcement of Vehicle Occupant Protection during the "Click It or Ticket" Campaign. This grant is for overtime salaries and fringe benefits and is funded 100% by the Texas Department of Transportation. **(Approved by Operations Committee)**

XI. MOTIONS

14. Authorizing the City Manager to approve Amendment No. 1, an increase of \$50,000.00 to pay for past and future legal services by the Law Firm of Denton, Navarro, Rocha & Bernal in the matter of Crossett Development I, LLC v. City of Laredo, Case No. 5:14-CV-00199, in the United States District Court. Funding is available in Airport Operations Fund.
 15. Approving monthly adjustments to the tax roll. The amounts to be adjusted for the month of March 2015, represent a decrease of \$53,840.09. These adjustments are determined by the Webb County Appraisal District and by court orders.
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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

16. **2015-R-32** Authorizing the City Manager to accept the contract with the Women's Health and Family Planning Association of Texas (WHFPT) in the amount of \$120,312.00 for the continuation of the City of Laredo Health Department Title X Family Planning Women's Health Program for the term period from April 1, 2015 through March 31, 2016.
17. **2015-R-33** Accepting the donation of a tract of land, being lot No. one (1), Block No. one hundred ninety-three (193), Western Division of the City of Laredo (802 Washington St.), donated by Ms. Lucille DeWitt.

XII (b) MOTIONS

18. Authorizing award of 2014 HOME Investment Partnership Program (HOME), Community Housing Development Organization (CHDO) set-aside funds in the amount of \$102,763.00 to Habitat for Humanity of Laredo, Inc., to assist in part with the construction of approximately four (4) homes in the Los Obispos subdivision; and further authorizing the City Manager to execute all documents in support of the same.
19. Authorizing the City Manager to purchase the surface only of Lots 9 and 10, Block 127, Western Division, City of Laredo, commonly known as 1315 and 1317 Victoria. The Chamberlain and Gallagher families have agreed to the purchase of the (2) two lots for the purchase price of \$293,000.00 as determined by a fair market appraisal and closing costs not to exceed \$3,000.00. These lots will be used for the purpose of providing additional parking for City patrons and employees. Funding is available in the 2007 C.O.
20. 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.
21. Consideration for approval of the South Laredo Library Facility (Plumbing Package) as complete, ratification of change order No. 1, an increase of \$1,500.00, ratification of change order No. 2, an increase of \$1,400.00, ratification of change order No. 3, a decrease of \$980.00 for the balance of quantities actually constructed in place, release of retainage and approval of final payment in the amount of \$13,692.00 to A Plus Plumbing Contractor, Inc., Laredo, Texas. Final construction contract amount is \$136,920.00. Funding is available in the Capital Improvement Fund and the 2008 C.O. Fund.
22. Consideration for approval of the South Laredo Library Facility (Elevator Package) as complete, approval of change order No. 1, a decrease of \$5,399.50 for the balance of quantities actually constructed in place, release of retainage and approval of final payment in the amount of \$10,259.05 to ThyssenKrupp Elevator Corporation, Frisco, Texas. Final construction contract amount is \$102,590.50. Funding is available in the Capital Improvement Fund.

23. Consideration for approval to award a professional services contract to Seca Engineering, L.L.C., Laredo, Texas, in an amount not to exceed \$68,750.00 for design and preparation of plans and specifications for Repairs/Reconstruction and/or Replacement of Concrete Slabs and Construction Joints at El Metro Operations and Maintenance Facility – 401 Scott Street. Design work is to be done on a fast track basis. Funding is available in the Grant No.TX-05-0055-01.
24. Authorizing the City Manager to grant multiple Public Fireworks Display Permits for special events at the Uni-Trade Stadium Lemurs Baseball Games during the 2015 Season. The technician for the display will be Magic in the Sky, LLC.
25. Authorizing and advancing additional funding to the Laredo Urban Transportation Study - Metropolitan Planning Organization (LUTS - MPO) for contract amendment No.3 with Kimley-Horn and Associates, Inc., in the amount of \$21,500.00, which increases the contract fee from \$56,700.00 to \$78,200.00, for additional services related to the development of the Railroad Quiet Zone Study Update. Said sums are 100% reimbursable from federal funds supplied to the M.P.O. as per the fiscal agreement between the City and the M.P.O. Funding is available in the General Fund - Planning MPO Grant.
26. Authorizing the City Manager to award a professional engineering services contract in the amount of \$175,115.00 to Premier Civil Engineering, LLC., Laredo, Texas for engineering and surveying services for the Waterline Replacement Project along Laredo Street, San Dario Avenue, Esperanza Drive and Arkansas Avenue to include identification of critical issues and problem areas, general topographic survey, utility coordination, cost estimates, construction documents, bidding and construction management. Funding is available in the 2012 Water Revenue Bond.
27. Authorizing the City Manager to award a professional engineering services contract in the amount of \$174,900.00 to Crane Engineering Corp., Laredo, Texas for engineering and surveying services for the Galveston Street Water Main Replacement Project to include utility coordination, preliminary design, topographic survey, develop construction plans and construction phase services. Funding is available in the 2012 Water Revenue Bond.

28. Authorizing the City Manager to award a professional engineering services contract in the amount of \$174,600.00 to Mejia Engineering Company, Laredo, Texas for engineering and surveying services for the Waterline Replacement for Lane Street from Stone Avenue to Smith Avenue to include Preliminary Engineering Assessment, Preliminary Engineering Design, Plans and Specifications, Final Engineering Design, Traffic Control Plan, Construction Management, Project Close-out, Survey Control and Right-of-Way Survey. Funding is available in the 2012 Water Revenue Bond.
29. Awarding a construction contract to QROMEX Construction Inc., Granite Shoals, Texas in the amount of \$2,324,219.50 for the 24" EPC Water Main - Jefferson WTP to Bridge I. The project consists of approximately 8000 linear feet of 24" PVC water mains, boring & casing 620 linear feet in steel casing with related valves, appurtenances and incidentals. The contract time is two hundred ten (210) working days. Funding is available in the 2014 Water System Revenue Bond.
30. Authorizing the City Manager to approve change order No. 5, in the amount of \$61,479.57 to the construction contract with Mountain Cascade of Texas LLC, Mansfield, Texas for the 60 inch Transmission Main Project. This change order is for additional costs associated with sandblasting, priming and painting Pressure Reducing Valve Station and Blow-off piping, additional 21 LF of 42" steel pipe, additional CMU Fence at El Pico Water Treatment Plant, installation of a longer spool piece for the Air Release Valve vent and installation of a bend due to a skew at 16" connection point. The contract time will be increased by one hundred seventeen (117) working days. The new contract amount is \$15,788,596.71. Funding is available in the 2012 Revenue Bond.
31. Authorizing the approval of Amendment No. 4 to Black & Veatch Corporation associated with Civil Engineering Consultants Corporation dba Jeff Puig Engineering in the amount of \$58,500.00 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 \$1,562,550.00. Funding is available in the 2012 Water Revenue Bond and 2013 Water Revenue Bond.

END OF CONSENT AGENDA

XIII. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

- 32.

A. Request by Mayor Pete Saenz

1. Review of less than \$50,000.00 contracts by City Manager, with possible action.

B. Request by Council Member Alejandro "Alex" Perez

1. Presentation by Chano Aldrete of Chano's Patio on the Laredo Burger Cook-Off to be held at Slaughter Park on May 30, 2015, with possible action.

XIV. STAFF REPORTS

33. Discussion with possible action for the Mayor to appoint three (3) Council Members to serve on the Board of Directors of the Laredo Development Foundation. Term of service is one (1) year unless otherwise indicated.
34. Discussion with possible action to approve the City Manager's employment contract. At a past City Council Meeting, Council directed staff to prepare an employment contract for the new City Manager to include a salary identical with that of the former City Manager, including appropriate benefits. Yearly salary set at \$249,202.32 including car and phone allowance as part of salary.

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.

35. Request for Executive Session pursuant to Texas Government Code Section 551.074 to deliberate the duties and contractual terms of the City Manager and return to open session for possible action regarding the City Manager's employment contract, and any matters related thereto.

36. Request for Executive Session pursuant to Texas Government Code Section 551.071(1)(a) to consult with attorney on pending litigation: Cause No. 2015CVQ001077-D3; Laredo Merchants Association v. City of Laredo; in the 341st Judicial District Court, Webb County, Texas; and return to open session for possible action.

XVI. 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, April 15, 2015 at 6:30 p.m.

Gustavo Guevara, Jr.
City Secretary