

CITY OF LAREDO CITY COUNCIL MEETING

A-2015-R-17

CITY COUNCIL CHAMBERS

1110 HOUSTON STREET

LAREDO, TEXAS 78040

OCTOBER 19, 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 October 5, 2015.

V. COMMUNICATIONS AND RECOGNITIONS

Invitations

- a. Invitation to the "Dia de los Muertos Celebración Cultural" scheduled for November 2, 2015 at the Laredo Center for the Arts from 5:00 p.m. to 9:00

p.m.

- b. Invitation to Laredoans Against Drunk Driving (LDD) - 2nd Annual Derek R. Treviño SK-8 Comp & Awareness Event for October 24, 2015 at the Blas Castaneda Park from 9:00 a.m. to 2:00 p.m.

Recognitions

- a. Recognizing Eusebio Benavides, on his selection as the Code Enforcement Officer of the Year. Mr. Benavides is an employee with the Community Development Department.
- b. Recognizing The Laredo Crush Basketball Team for becoming the first team in the City to win the Title at the PrimeTime Sports National Basketball Championships in Dallas Texas.

Communiqués

- a. Presentation by the Laredo Swarm Organization to introduce coaches, players, mascot, and the Honey Beez cheerleaders.
- b. Presentation by DEA Special Agent, James R. Reed on the harms of K2.

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. PUBLIC HEARINGS

1. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 2-F, Block 2, Ramirez Business Park Subdivision, Phase I, located at 510 South Creek Drive, from B-4 (Highway Commercial District) to M-1 (Light Manufacturing 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 II**

2. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 1, Block 1, Riverhill Commercial Subdivision, Unit XVII, located at 4180 S. US Highway 83, 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 III**

3. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by authorizing an amendment to Ordinance 2013-O-021 authorizing a Conditional Use Permit for an auto body repair/auto paint shop on Lot 3, Block 1343, Eastern Division, located at 2315 Market Street, amending the site plan to include a portable office building and renew expired Conditional Use Permit (CUP); providing for publication and effective date.

Staff is not in support of the application and the Planning and Zoning Commission recommends approval of the Conditional Use Permit. **District III**

4. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 4 and 5, Block 470, Eastern Division, located at 317 E. Eistetter Street, from R-3 (Mixed Residential District) to B-1 (Limited Business District); providing for publication and effective date.

Staff is not in support of the application and the Planning and Zoning Commission recommends approval of the zone change. **District IV**

5. **Public hearing and introductory ordinance** granting of a non-exclusive franchise to Pedro Gonzalez IV DBA Pedro Pete Services, L.L.C. to use the present and future streets, avenues, alleys, roads, highways, sidewalks, easements and other public right-of-way of the City of Laredo, Texas for purposes of constructing, maintaining and operating a commercial container refuse gathering and disposing service, setting forth terms and conditions to

govern the franchise; providing a severability clause, a savings clause and an effective date. **(Approved by Operations Committee).**

6. **Public hearing and introductory ordinance** granting of a non-exclusive franchise to Mario Sanchez DBA LAR-CON Services, L.L.C. to use the present and future streets, avenues, alleys, roads, highways, sidewalks, easements and other public right-of-way of the City of Laredo, Texas for purposes of constructing, maintaining and operating a commercial container refuse gathering and disposing service, setting forth terms and conditions to govern the franchise; providing a severability clause, a savings clause and an effective date. **(Approved by Operations Committee).**

(Recess)
(Press Availability)

VII. FINAL READING OF ORDINANCES

7.

2015-O-149 Authorizing the City Manager to accept and enter into a continuation contract with the United States Health and Human Services (HHS) Department Substance Abuse and Mental Health Services Administration (SAMHSA) in the amount of \$500,000.00 and amending the FY 2015-2016 Full Time Equivalent (FTE) Position Listing by creating one (1) Public Health Technician, R36 position (Licensed Professional Counselor) for the City of Laredo Health Department initiative to integrate HIV prevention and medical care with mental health and substance abuse treatment and prevention services through co-location for the term from September 30, 2015 through September 29, 2016. Funding is expected to renew for an additional two (2) years.

VIII. FIRST AND FINAL READINGS

8.

2015-O-150 Ordinance authorizing the issuance of City of Laredo, Texas Subordinate Waterworks and Sewer System Revenue Bonds, Series 2015A, in the principal amount of \$4,600,000, for the purpose of improving and extending the City's combined Waterworks System and Sewer System, making provisions for the security thereof; authorizing amendment to the city's budget to appropriate such proceeds for purposes authorized herein; awarding sale of the bonds to the Texas Water Development Board, and ordaining other matters relating to the subject

2015-O-151 Ordinance authorizing the issuance of City of Laredo, Texas Subordinate Waterworks and Sewer System Revenue Bonds, Series 2015B, in the principal amount of \$22,075,000, for the purpose of improving and extending the City's combined Waterworks System and Sewer System, making provisions for the security thereof; authorizing amendment to the city's budget to appropriate such proceeds for purposes authorized herein; awarding sale of the bonds to the Texas Water Development Board, and ordaining other matters relating to the subject.

IX. RESOLUTIONS

9. **2015-R-95** Authorizing the City Manager to designate and create Neighborhood Empowerment Zone, Number One, within the City of Laredo, and making the necessary findings of public benefit and public purpose to support the creation of the zone in District III and District VIII for the downtown and heights area in the City of Laredo for the purpose of development. **(Approved by Operations Committee).**
10. **2015-R-96** Consideration to grant fee waivers and a Tax Abatement Agreement between the City of Laredo and Frank Sisters Rental Inc. for the commercial property located at 2111 & 2115 Chihuahua St. respectively, being Lot 3 West 1/2 of 4 & Lot 5 East 1/2 of 4 in Block 1215, Eastern Division. The proposed commercial property eligible for property tax abatement includes rehabilitation of the existing structures of approximately 2,906 sq. ft. respectively in the total amount of \$212,565.00 which is equal to or in excess of 20% of the Base Value of the property in accordance with authorized guidelines and criteria established for the Neighborhood Empowerment Zone (NEZ). This agreement will be for a ten (10) year period and will consist of an estimated annual tax abatement total of \$1,354.04 and estimated total fee waivers of \$1,431.30 based on capital investment for the purpose of economic development. Guidelines and criteria for the agreement are set forth in the attached agreement and information. **(Approved by Operations Committee).**

11. **2015-R-97** Consideration to grant fee waivers and a Tax Abatement Agreement between the City of Laredo and Jason David & Joshua Drew Rivera for the residential property located at 819 Chihuahua St., being Lot 7 Block 96 Eastern Division. The proposed residential property eligible for property tax abatement includes rehabilitation of a 2,016 sq. ft. structure and new carport in the total amount of \$37,534.65 which is equal to or in excess of 20% of the Base Value of the property in accordance with authorized guidelines and criteria established for the Neighborhood Empowerment Zone (NEZ). This agreement will be for a five (5) year period and will consist of an estimated annual tax abatement total of \$239.10 and estimated total fee waiver of \$578.50 based on capital investment for the purpose of economic development. Guidelines and criteria for the agreement are set forth in the attached agreement and information. **(Approved by Operations Committee).**
12. **2015-R-100** A Resolution of the City of Laredo, Texas, authorizing and directing the City Attorney's office pursuant to Chapter 54 of the Texas Local Government Code to file a civil suit in District Court when necessary for the enforcement of any city ordinance involving its building code standards.

X. MOTIONS

13. Authorizing the City Manager to acquire the surface only of lot 6, block 67, western division, Laredo, Texas from Rafael and Angelina Torres, for its appraised fair market value of \$35,000.00 plus supplementary closing costs. This property, situated at 301 Grant is being purchased in support of parking improvements along San Enrique Avenue to improve access within the Azteca neighborhood. Funding is available in 2009 C.O.
14. Consideration for approval to ratify change order no. 2, an increase of \$12,500.00 and approval of change order no. 3 an increase of \$28,900.00 and to add one hundred ten (110) calendar days to the construction contract with Ayala Pools, Inc., dba/Sunset Pools, Laredo, Texas, for the CDBG El Eden Recreational Swimming Pool. Current construction contract amount with this change order is \$489,480.00. Funding is available in the Capital Improvement Fund. **(Approved by Operations Committee).**
15. Consideration for approval of the Slaughter Park Improvements Phase II as complete, approval of change order no. 3, a decrease of \$34,432.27 for the balance of quantities actually constructed in place, release of retainage and approval of final payment in the amount of \$37,769.01 to Rigney Construction & Development, LLC., Edinburg, Texas. Final construction

contract amount is \$755,380.16. Funding is available in the Slaughter Park Water Feature/Trail Improvements. **(Approved by Operations Committee).**

16. Authorizing the City Manager to amend the professional services contract in the amount not to exceed \$100,000.00 with MuniCap, Inc., for financial analysis related to evaluating economic incentive tools. Funding is available in General Fund. **(Approved by Operations Committee).**
17. Authorizing the City Manager to enter into a one-year service agreement with SunGard Public Sector, Lake Mary FL, in the amount of \$148,864.44. The service agreement is for software enhancements and maintenance on the financial applications residing on the City's IBMiSeries computer system for the period of October 1, 2015 through September 30, 2016. Funding is available in the Information Technology Fund. **(Approved by Operations Committee).**
18. Authorizing the City Manager to enter into and execute a contract between Motorola Solutions, Inc. and the City of Laredo for the purchase and installation of Public Safety Answering Point (PSAP) Telecommunicator Consoles through the Houston Galveston Area Council of Governments (HGAC) Cooperative Purchasing Contract No. RA05-15 in the total amount of \$56,953.52. These consoles will be installed at the Rio Grande Police Department. The consoles will be used as a workspace by all telecommunicators at this PSAP center. Funding is available in the Regional 9-1-1 Fund. **(Approved by Operations Committee).**
19. Consideration to award annual supply contract FY15-048 for the purchase of automotive parts for the Fire Department to the following vendors:
 - 1) Gonzalez Auto Parts, Laredo, TX, for an amount up to \$ 73,581.55 (Primary Vendor); and
 - 2) O'Reilly Auto Parts, Laredo, TX, for an amount up to \$ 69,765.30 (Secondary Vendor); and
 - 3) Andy's Auto Air, Laredo, TX, for an amount up to \$ 13,524.30 (Secondary Vendor); and
 - 4) Napa Auto Parts, Laredo, TX, for an amount up to \$ 12,204.50 (Secondary Vendor); and
 - 5) Interstate Battery, Corpus Christi, TX, for an amount up to \$ 7,556.00 (Secondary Vendor).
 - 6) Rotex Trucks Auto Parts, Laredo, TX, for an amount up to \$ 4,854.30 (Secondary Vendor); and

The replacement parts will be purchased on an as needed basis for all City Fire Department vehicles. This contract for approximately \$182,000.00 includes; oil/fuel filters, front end parts, hoses, clamps, belts, lamp/bulbs service lubricants and brakes as needed throughout 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. The contract may be extended for two more, additional one (1) year periods each upon mutual agreement of the parties. Funding is available in the Fire Department Budget. **(Approved by Operations Committee).**

20. Consideration to renew supply contract number FY14-089 to Martin Marietta Materials, Raleigh, North Carolina, in an amount up to \$ 450,000.00 for the purchase of Asphalt Cold Laid and Flexible Type A-Grade materials for the Public Works and Utilities Departments. These materials shall be purchased on an as needed basis. These materials are required for all city paving and construction projects. 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 Public Works and Utilities Department Budgets.
21. Consideration to renew supply contract number FY12-092 to Ferguson Waterworks, Newport News, Virginia, in an amount up to \$274,991.81 for the purchase of butterfly valves and mechanical joint iron fittings for the Utilities Department. The cost of iron manufactured items will be increasing by 1% due to an industry wide price increase. These materials shall be purchased on an as needed basis by the Utilities Department- Water Operations for construction and repair projects. The term of this contract shall be for a period of one (1) year beginning as of the date of its execution. This is the last extension period for this contract. Funding is available in the Utilities Department Fund.
22. Consideration to ratify a lease agreement amendment for one month with Santa Maria Real Estate Co. in the amount of \$5,050.00 (total of \$60,600.00 for 12 months) for the property located on 1403 Seymour in Laredo, Texas 78040 for the City of Laredo Health Department Substance Abuse and Mental Health Services Administration (SAMHSA) Program for term beginning September 1, 2015 through September 30, 2015. Funding is available through the Health Department budget. **(Approved by Operations Committee).**

23. Consideration for approval of monthly adjustments to the tax roll. The amounts to be adjusted for the month of September 2015, represent a decrease of \$3,741.64. These adjustments are determined by the Webb County Appraisal District and by court orders.
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XI. STAFF REPORTS

24. Discussion with possible action to consider a first request for an extension of Injury Leave with pay in accordance with 143.073 (b) of the Texas Local Government Code for Police Patrol Officer Sergio Reyes.

XII. 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.

25. Request for executive session pursuant to Texas Government Code Section 551.072 to deliberate the value of real property pertaining to a potential purchase of real property located at 1415 Chihuahua, legally described as Lots 1 thru 6, Block 792, Eastern Division, Laredo, Webb County, Texas. Acquisition of this tract would be for municipal purposes to include a planned cultural arts and education facility.
26. Request for Executive Session pursuant to Texas Local Government Code 551.071(1)(A) to consult with attorney on pending litigation in Civil Action 5:2014CV00199; Crossett Development I, LLC v. City of Laredo; in the United States District Court for Southern District of Texas, Laredo Division; and return to open session for possible action.

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

27. Consideration of approval on the selection of consultant, Public Solutions Group (PSG), and authorization to negotiate a professional services contract to provide consulting services for the design and engineering of an upgrade to the El Metro Compressed Natural Gas (CNG) fueling station (FY15-055), located at 401 Scott Street. Funding is available from the Federal Transit

Administration (FTA) Grant TX-04-0055-00. **(Approved by Operations Committee).**

28. Amending the Transit Department FTEs by creating one (1) additional position for a Transit Procurement Specialist for El Metro Operating Fund. Funding is available in the El Metro Operating Fund. **(Approved by Operations Committee).**

XIV. RECESS AS THE LAREDO MASS TRANSIT BOARD AND CONVENE AS THE LAREDO PUBLIC FACILITY CORPORATION

29. Appointment of Officers for the Position of President, Vice President, Secretary and Executive Director for the Laredo Public Facility Corporation. **(Approved by Operations Committee).**
30. Authorizing the award of \$20,000.00 (twenty thousand dollars) to Habitat for Humanity of Laredo, Inc. for the purpose of promoting and implementing affordable housing opportunities and initiatives within the community. Funding is available in the Laredo Public Facilities Corporation. **(Approved by Operations Committee).**

XV. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

31.

A. Request by Mayor Pete Saenz

1. Discussion with possible action on the City of Laredo's Procurement Policy.

B. Request by Council Member Rudy Gonzalez, Jr.

1. Status report on the multipurpose field project at El Eden Park and the soccer field project at Independence Hills Regional Park, with possible action.

C. Request by Council Member Esteban Rangel

1. Discussion with possible action on the presentation by the Emergency Assistance Team (EAT).
2. Discussion with possible action to rename Dryden Park Soccer Field to Coach Julian Rodriguez Field.

D. Request by Council Member Alejandro "Alex" Perez

1. Presentation by Jerry Garza on Teledoc Services, with possible action.

E. Mayor Pro-Tempore Juan Narvaez

1. Discussion with possible action to allow the Laredo Crime Stoppers, Inc. to amend their Third Party Application beyond the deadline to increase the amount allocated from \$4,000.00 to \$14,000.00 to cover unforeseen expenses due to the relocation of their offices.

F. Request by Council Member Roque Vela, Jr.

1. Status report on Request for Qualifications (RFQ) for Bond Counsel and any related matters, with possible action.

G. Request by Council Member George Altgelt

1. Discussion with possible action to require staff to maintain records of how many animals are euthanized daily and to promote a "Adopt Don't Shop" & "Spay and Neuter Program" for all animals that are up for adoption.

XVI. RECESS AS THE LAREDO FACILITY CORPORATION 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, October 14, 2015 at 6:30 pm.

Gustavo Guevara, Jr.
City Secretary