

CITY OF LAREDO CITY COUNCIL MEETING

**A-2016-R-04
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
MARCH 7, 2016
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 Doanh "Zone" T. Nguyen, Acting 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.

Pursuant to the Texas Penal Code (trespass by holder of license to carry a handgun), a person licensed under Subchapter H, Chapter 411, Government Code (Concealed Handgun Law or Handgun Licensing Law), may not enter into the City Council Chamber while City Council is in session with a concealed or openly-carried handgun.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. MINUTES

Approval of the minutes of February 16, 2016, February 23, 2016 and February 26, 2016.

V. COMMUNICATIONS AND RECOGNITIONS

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 of Nicandro Villarreal, III to the Fire Fighters' and Police Officers' Civil Service Commission of the City of Laredo to serve a (3) three year term effective March 7, 2016 to March 7, 2019.
- b. Appointment by Council Member Roque Vela Jr. of a commissioner to the Ethics Commission.
- c. Appointment by Council Member Roque Vela Jr. and Council Member Charlie San Miguel of a board member to the Regional Mobility Authority (RMA) Board.
- d. Appointment by Mayor Pro-Tempore Juan Narvaez and Council Member Alex Perez of a board member to the Regional Mobility Authority (RMA) Board.

VII. PUBLIC HEARINGS

1. Authorizing the City Manager to execute a Stonegarden grant and appropriate funding in the Airport Budget FY2016 in the amount of \$15,000.00 and approve a Memorandum of Understanding with Webb County for the 2015 Homeland Security Grant Program (HSGP) Operation Stonegarden (OPSG). Funding will be available on a reimbursement basis through the Webb County Sheriff's Office (WCSO). This funding will be used for overtime and fringe benefit expenses used for Stonegarden Operations at the Laredo International Airport. No local match is required. The term of this grant agreement is from January 1, 2016 to August 31, 2017.
2. Closing as a public easement, an alley dedicated for public use in Block 926, Eastern Division, City of Laredo, Webb County, Texas, also known to be located at the 1700 block of Guadalupe Street and providing for the reversion of the public's interest in said alley to the abutting landowners in equal shares, and providing for an effective date.

3. Closing as a public easement a dedicated alley in Block 25, Eastern Division, City of Laredo, Webb County, Texas, also known to be located on the 700 block of Market Street and providing for the reversion of the public's interest in said alley to the abutting landowners in equal shares and providing for an effective date.

(Recess)

(Press Availability)

VIII. INTRODUCTORY ORDINANCES

4. Authorizing the City Manager to execute a lease agreement with United States of America, by and through U.S. Customs and Border Protection, for the leasing by border patrol of a City of Laredo parcel of property located on the river bank of the Rio Grande from the City's Zacate Creek waste water treatment plant at Springfield and Aldama to the conjunction of Chacon Creek at the Rio Grande, and more particularly described by parcel numbers attached hereto. The purpose of the lease is for the construction by Border Patrol of an all-weather, river-side "Road Corridor," for the patrolling and securing of the implicated international border area in Laredo. The lease term is for five (5) years with three (3) five-year renewal options for a total of twenty (20) years, with a rental of one dollar (\$1.00) per annum; and, providing for an effective date.

IX. FINAL READING OF ORDINANCES

5. **2016-O-029** Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for a Bar, on Lots 1 & 2, Block 857, Western Division, located at 3301 San Bernardo Avenue, Suite 24; providing for publication and effective date.

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

6. **2016-O-030** Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning .06 acres, as further described by metes and bounds in attached Exhibit "A", located East of Bob Bullock Loop and North of Del Mar Boulevard, from R-1 (Single-Family Residential District) to B-4 (Highway Commercial District); providing for publication and effective date.

7. **2016-O-031** Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for the temporary placement of a manufactured home during the construction of a single-family residential structure on Lot 2, Block 624, Western Division, located at 2416 Ventura Street; providing for publication and effective date. District VIII
8. **2016-O-32** Authorizing the City Manager to extend the lease agreement for a five (5) year renewal between the City of Laredo and QSR Burgers One, L. P., (Burger King at El Metro). The term of the lease shall be for five (5) years with one (1) additional five (5) year option and three (3) successive options to extend the term hereof five (5) years each, upon the same terms, covenants and conditions. The monthly amount of \$3,500.00 is the minimum annual guarantee of Forty Two Thousand Dollars (\$42,000.00).
9. **2016-O-033** amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit for a Restaurant Serving Alcohol, on Lots 4A & 4B, Block 1, Gonzalez Subdivision, located at 4615 San Bernardo Avenue; providing for publication and effective date.

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

X. RESOLUTIONS

10. **2015-R-22** Authorizing the City Manager to submit a grant application in the amount of \$85,000.00 to the Office of The Governor, Criminal Justice Department, for funding the 2017 JAG or Justice Assistance Grant for the period of October 01, 2016 through September 30, 2017. This funding will provide overtime for the Anti-Gang Unit which will target Criminal Street Gangs by identifying, monitoring, suppressing and documenting criminal gang activities and maintaining the TX-Gang database.
11. **2016-R-23** Accepting the conveyance of the following 15 Foot Utility and Utility Access Easement and corresponding Temporary Construction Easement for the Right To Construct, Reconstruct, Repair and Perpetually Maintain Water Line Improvements for the construction of a 24" Diameter Water Transmission Main from Loop 20 and Del Mar Blvd to East Corridor Booster Station from:

JJL Gonzalez Properties, Ltd. By: JJL Gonzalez, L.L.C., General Partner By: Luis E. Gonzalez, Manager. Utility Easement as follows:

A strip of land 15' In Width Containing 3,750.03 Square Feet or 0.086 Acres more or less, over, across and upon Lot 4, Block 1 Jacaman Ranch Subdivision, Unit 6. A copy of which Conveyance is attached as Exhibits A & B; and directing that the said Easement be filed of Record in Official Property Records of Webb County, Texas.

12. **2016-R-25** Authorizing the City Manager to accept a grant in the amount of \$897,000.00 from the 2015 Homeland Security Grant Program (HSGP) Operation Stonegarden (OPSG). Funding will be available on a reimbursement basis through the Webb County Sheriff's Office (WCSO). This funding will be used for the purchase of vehicles and related equipment, and for overtime and fringe benefit expenses used for Stonegarden Operations. No local match is required. The term of this grant agreement is from January 1, 2016 to August 31, 2017.
13. **2016-R-26** Consideration to grant fee waivers and a tax abatement agreement between the City of Laredo and Prudenciana Flores Barrera for the residential property located at 1902 Lincoln St., being Lot 5 Block 287 Western Division. The proposed residential property eligible for property tax abatement include an addition of a 680 sq. ft. structure in the total amount of \$16,950.00 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 five (5) year period and will consist of an estimated annual tax abatement total of \$107.97 and estimated total fee waiver of \$376.50 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.
14. **2016-R-27** A Resolution of the City of Laredo, Texas, authorizing and directing the City Attorney's office pursuant to Chapter 251 of the Texas Local Government Code Municipal Right of Eminent Domain to acquire land necessary for a public use. A 24.86% interest in a tract of land containing 2,035.10 sq. ft. out of the Lot 3, Block No.3, of the Country Club Estates Subdivision, as recorded in Volume 3, Page 13, of the Webb County Plat Records, in the City of Laredo, Webb County, Texas.
15. **2016-R-28** A Resolution of the City of Laredo, Texas, authorizing and directing the City Attorney's office pursuant to Chapter 251 of the Texas Local Government Code Municipal Right of Eminent Domain to acquire land necessary for a public use. Being 0.0597 acre parcel, (2,600.532 sq. Ft.), more or less, out of a community lane, approximately 20 feet wide, herein described parcel being situated in Porcion 22, Abstract 277, original grantee

Maria de Jesus Sanchez in Laredo, Webb County, Texas.

16. **2016-R-29** A Resolution of the City of Laredo, Texas, authorizing and directing the City Attorney's office pursuant to Chapter 251 of the Texas Local Government Code Municipal Right of Eminent Domain to acquire land necessary for a public use.

The two (2) parcels needed for the right of way are:

Parcel 1 Being 0.67 acre (29,137 sq. Ft) tract of land more or less, out of a called 1.8267 acre tract conveyed to Arnulfo Gonzalez Jr., recorded in Volume 624, Page 486, Webb County Deed Records and partially out of a 0.0709 acre tract conveyed to Arnulfo Gonzalez Jr., recorded in Volume 637, Page 94, Webb County Deed Records, being out of Porcion 22, Dona Maria Jesus Sanchez, original grantee Abstract 277, Webb County, Texas.

Parcel 2 Being 0.05 acre (2,382 sq. Ft.) Tract of land more or less, out of a 1.8267 acre tract conveyed to Arnulfo Gonzalez Jr., recorded in Volume 624, Page 486, Webb County Deed Records, being out of Porcion 22, Dona Maria Jesus Sanchez, original grantee Abstract 277, Webb County, Texas.

The two (2) parcels needed for the drainage easement are:

Parcel 3 Being an access and utility easement containing 0.16 acre (6,995 sq. Ft.) tract of land, more or less, out of a 1.8267 acre tract, conveyed to Arnulfo Gonzalez, Jr., recorded in Volume 624, Page 486, Webb County Deed Records, being out of Porcion 22, Dona Maria Jesus Sanchez, original grantee abstract 277, Webb County, Texas.

Parcel 4 Being an access and utility easement containing 0.08 acre (3,426 sq. ft.) tract of land, more or less, out of a 1.8267 acre tract conveyed to Arnulfo Gonzalez Jr., recorded in Volume 624, Page 486, Webb County Deed Records, being out of Porcion 22, Dona Maria Jesus Sanchez, original grantee Abstract 277, Webb County, Texas.

17. **2016-R-30** A Resolution of the City of Laredo, Texas, authorizing and directing the City Attorney's office pursuant to Chapter 251 of the Texas Local Government Code Municipal Right of Eminent Domain to acquire land necessary for a public use.

The parcel needed for the right of way is:

PARCEL 1 Being A 0.54 acre (23,582 sq. ft.) tract of land, more or less, out of a called 1.00 acre tract remainder of a 2.00 acre tract conveyed to Jose C. Resendez, recorded in Volume 1927, Page 53, Webb County Deed

Records, being out of Portion 22, Dona Maria Jesus Sanchez, original grantee Abstract 277, Webb County, Texas.

The parcel needed for the drainage easement is:

PARCEL 2 Being an access and utility easement being a 0.25 acre (10,688 sq. ft.) tract of land, more or less, out of a called 1.00 acre tract remainder of a 2.00 acre tract conveyed to Jose C. Resendez, recorded in Volume 1927, Page 53, Webb County Deed Records, being out of Porcion 22, Dona Maria Jesus Sanchez, original grantee Abstract 277, Webb County, Texas.

18. **2016-R-31** A Resolution of the City of Laredo, Texas, authorizing and directing the City Attorney's office pursuant to Chapter 251 of the Texas Local Government Code Municipal Right of Eminent Domain to acquire land necessary for a public use. A tract of land containing .46 acres (20,092.38 sq. ft.) more or less, being out of that certain 11.1784 acre tract of land conveyed to Crown Enterprises Inc., recorded in Volume 3098, Pages 12-15, Official Public Records Webb County, Texas, situated in survey 1026, J.F. Fuentes original grantee, Abstract 317, City of Laredo, Webb County Texas.
19. **2016-R-32** Authorizing the City Manager to submit a grant application to the Laredo Urban Transportation Study (LUTS) Laredo Metropolitan Planning Organization (MPO) Transportation Alternatives Program (TAP) in the amount of \$1,000,000 with \$200,000.00 in matching funds. Funds will be used for the design and construction of the upper Zacate creek multi-use hike and bike trail.

XI. MOTIONS

20. Authorizing the City Manager to amend the Chapter 380 Economic Development Agreement between the City of Laredo and Reel Dinner Partners-Laredo, LLC, executed June 17, 2014, where the new owners of the physical property are now BACH Development San Isidro, LLC. Reel Dinner Partners-Laredo, LLC, wish to enter into a sale-lease back for the real property upon which this project is located.
21. Authorizing the City Manager to select a consulting firm and negotiate contract FY16-020 for review of the current City of Laredo Subdivision Ordinance Section 3-2 Streets and Alleys, R. Pavement Standards. This Statement of Qualifications includes: Recent Experience, Qualifications of Team, Capability to perform all of the services required for the immediate

and future projects, Reputation for personnel and professional integrity and competence, Local participation, Familiarity with local geography. This project will be privately funded.

22. Declaring as surplus property the surface only of an unimproved 5.23 acre tract of land more or less, situated in Porcion 22, Abstract 277, Dona Maria Jesus Sanchez, original grantee, same being out of a called 8.55 acre tract conveyed to the City of Laredo as recorded in Volume 2952, Pages 134-139, Webb County Official Public Records and seeking authorization to advertise for the public sale of this said parcel through the solicitation of bids from the general public. This tract is physically located south of Borchers Elementary School and east of Backwoods Drive in north Laredo.
23. Consideration for approval of the selection of consultant for the Roof Replacement at Bruni Plaza Building Located at 1120 San Bernardo Avenue Approximately 15,200 Sq. Ft. for design, preparation of plans and specifications, and authorization to negotiate a professional services contract.
24. Approving and adopting the City of Laredo Tax Increment Financing Policy and Procedures for Large Zones. This Large Zone Policy applies to projects which meet and exceed certain criteria including: Zones in excess than 750 acres, investments exceeding \$500 million, projects with substantial public benefit and other taxing jurisdiction participation.
25. Authorizing the City Manager to enter into a Memorandum of Understanding (MOU) between the City of Laredo and the Critter House, Inc., for the construction by Critter House of an adoption/spay/neuter center at City property located at 5202 Maher Ave, Laredo, Texas. MOU agreement is for 25 years with an annual lease payment of \$10.00 per year in exchange for the valid public purpose of animal control services they will provide.
26. Consideration to renew the existing six (6) month contract FY14-039 to Hollon Oil Company, Weslaco, Texas in an amount up to \$88,000.00 for the purchase of motor oil and lubricants for the Fleet Department. The term of this contract shall be for a period of six (6) months beginning as of the date of its execution. This is the fourth of eight extension periods. There will be no price increase during this extension period. All lubricants will be secured on an as needed basis. Funding is available in the Fleet Maintenance Budget.

27. Consideration to renew the existing annual service contract FY14-044 to Rafter P. Transport Inc., New Braunfels, Texas, in an amount up to \$100,000.00 to haul and load dry sludge from the Jefferson Water Treatment Plant to the City of Laredo landfill. This contract is based on a \$6.00 per cubic yard load rate. All services will be secured on an as needed basis. There will be no price increase during this extension period. 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 second of five extension periods. Funding is available in the Utilities Department – Waste Water Treatment Division Budget.
28. Consideration to renew contract number FY14-035 to Regional Land Management Services, Laredo, Texas in an amount up to \$418,760.00 to provide disposal services of approximately 10,469 tons of wastewater bio-solids from various wastewater treatment plants. The frequency and number of loads vary depending on the City's need. The bid price is based on a \$40.00 per ton rate. The Utilities Department will deliver approximately 25,635 tons to the City of Laredo Landfill. There will be no price increase during this extension period. 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 second of three extension periods. Funding is available in the Utilities Department – Wastewater Plant Division Budget.
29. Consideration to award supply contract number FY16-033 to the following low bidders:
1. Sections I and II to Ferguson Waterworks, Newport News, Virginia in an amount up to \$4,259.00;
 2. Sections III, VI, and VII to Fortline Waterworks, San Antonio, Texas in an amount up to \$67,584.08;
 3. Sections IV and V to Aguaworks Pipe & Supply, Brownsville, Texas in an amount up to \$234,819.61.

for the purchase of rubber couplings, PVC pipe, and related materials for the Utilities Department. The term of this contract shall be for a period of one (1) year beginning as of the date of its execution. 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 one year period. This contract may be extended for five additional one year periods each upon mutual agreement. Funding is available in the Utilities Department Fund.

30. Consideration to renew the existing annual contract FY13-026 to Austin Wood Recycling, Cedar Park, Texas in an amount up to \$106,200.00 for the grinding of wood waste material (brush, branches, pallets, etc.,) at the City Landfill. Approximately 100,000 cubic yards of material will be disposed on an annual basis. All services will be secured on an as needed basis. There will be no price increase during this extension period. 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 third of four extension periods. Funding is available in the Solid Waste Services Department Fund.
 31. Consideration to award contract FY16-034 to the low bidder Industrial Property Brokers, Laredo, Texas, in an amount up to \$476,550.00 for the purchase and hauling of approximately 135,000 tons of earthen soils to the City's Solid Waste facility. The term of this contract shall be for a period of one (1) year beginning as of the date of its execution. This contract has six extension periods and may be extended upon mutual agreement. All earthen soils will be purchased on an as needed basis. The Solid Waste Department will use these soils to cover the landfill cells on a weekly basis in accordance to TCEQ requirements. Funding is available in the Solid Waste Services Department Fund.
 32. Authorizing the City Manager to select a consulting firm and negotiate contract FY16-013 for the Laredo Museum Feasibility Study. Best value criteria was considered by the evaluation committee to review all submittals. After review and interviews, the committee's top recommended firm was M. Goodwin Museum Planning, Inc. (MGMP), Los Angeles, CA. This Museum Feasibility Study includes: market research and market condition, market potential analysis. City Council previously approved the primary location for this museum to be the historic Old Federal Courthouse building. Funding is available in the Capital Improvement Fund.
 33. Consideration for acceptance of the Alta Vista Waterline Replacement Project, approval of the release of retainage as final payment in the amount of \$60,643.05, and approval of change order No.1, a net decrease of \$86,306.00, for the balance of quantities actually constructed in place to REIM Construction, Inc., Mission, Texas. Final construction contract amount is \$1,212,860.90. Work has been completed and improvements are in service, final punchlist items and final documentation are pending to be submitted by the contractor. Retainage payment will not be released until all contract requirements are fulfilled by REIM Construction, Inc. Funding is available in the 2014 Water System Revenue Bond.
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XII. STAFF REPORTS

34. Staff Report regarding FY2017 Third Party Funding application process with possible action.

XIII. 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 551.072 and Section 551.087(2), to consult with counsel regarding on-going Economic Development negotiations related to the incentives for The Coves at Winfield Project.

XIV. GENERAL DISCUSSIONS AND PRESENTATIONS

36.

A. Request by Council Member Roque Vela, Jr.

- a. Update on the fumigation timeline of City of Laredo creeks with possible action. **(Co-Sponsored by Council Member Rudy Gonzalez)**

B. Request by Council Member Charlie San Miguel

- a. Presentation by the Laredo Veterans Coalition to adopt a concept to make North Central Park a park that recognizes the 28 Vietnam fallen heroes, place military memorabilia throughout the park and possible action to rename North Central Park or to add the name Vietnam Veterans Memorial Park to North Center Park.
- b. Discussion with possible action for the Police Department to implement the 10 hour work shift (CWW) city wide based on the results of the Pilot Program that has been conducted during the last five months. Additionally to authorize the City Manager to extend the Memorandum of Understanding (MOU) with the LPOA as needed. **(Co-Sponsored by**

Council Member Alex Perez and Council Member George Altgelt)

C. Request by Council Member George Altgelt

- a. Discussion with possible action requiring staff to initiate the Request for Proposal (RFP) process for competitive bidding to select a 100% renewable energy portfolio for all of the city's electricity needs.
- b. Discussion with possible action requiring staff to initiate the Request for Qualifications (RFQ) to select an energy consultant to advise the city on how to acquire all street lamps within the city and/or to retrofit them with LEDs and light pollution control devices.
- c. Discussion with possible action to instruct the City Manager to go out for Request for Qualifications (RFQ) for consulting services to amend the oil and gas special use permit Ordinance, to include monitoring and ongoing over site of oil and gas wells with in the city limits that would insure health, safety and welfare of it surrounding residents, and tax audits relevant to oil and gas assets.
- d. Discussion with possible action for a Request for Qualification (RFQ) to prepare a TIGER grant and a Fast Lane grant application through the US DOT.

D. Request by Council Member Rudy Gonzalez, Jr.

- a. Discussion with possible action on the contract for the Chapter 380 agreement for the Wright Ranch Subdivision at Cuatro Vientos East.

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, March 2, 2016 at 6:20 p.m.

Doanh "Zone" T. Nguyen
Acting City Secretary