

CITY OF LAREDO CITY COUNCIL MEETING

**A-2016-R-05
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
MARCH 21, 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 March 7, 2016 City Council Meeting minutes, as amended to reflect Resolution number 2016-R-25 to 2016-R-24.

V. COMMUNICATIONS AND RECOGNITIONS

Communiqués

1. Presentation by Nancy Santos on the Laredo Cancer Society and the upcoming Lanterns of Love Festival scheduled for Saturday, April 9, 2016 from 7:00 a.m. to 12:00 noon.
2. Presentation by Olivia Varela of the Laredo Development Foundation on the quarterly update on the business activity on MileOne.

Recognitions

1. Recognition by Mayor Pro-Tempore Juan Narvaez of "Voces Unidas" a district wide elementary choir for being one (1) of six (6) choirs selected to perform at the Texas Music Educators Association Conference. These students have qualified to be on this choir based on an audition process and were selected by TMEA based on their qualifications and by a panel of judges. **(Co-Sponsored by Council Member Roque Vela Jr.)**
2. Recognizing the Nixon and United boys basketball team for being one of the last 8 teams to play in their respective classification Nixon (5A) and United (6A). This is the first time in Laredo History that two schools represent Laredo at this level.

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 Council Member Roque Vela Jr. of Robert Tellez to the Environmental Advisory Committee.
- b. Appointment by Council Member Roberto Balli of Karen Elizondo to the Environmental Advisory Committee.
- c. Appointment by Mayor Pete Saenz of Sigifredo Perez, III to the Ethics Commission.

VII. PUBLIC HEARINGS

1. Amending the Zoning Ordinance (Map) of the City of Laredo by amending Ordinance 2014-O-110 authorizing a Special Use Permit for a restaurant selling alcohol on Lot 6A, Block 1, Vista Hermosa Subdivision, Unit III, located at 5511 McPherson Road by changing the permit holder; providing for publication and effective date.

Staff is not in support of the application and the Planning and Zoning Commission recommends approval of the Special Use Permit. District V

2. Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 7, Block 562, Eastern Division, located at 610 Hendricks Avenue, from M-1 (Light Manufacturing District) to R-3 (Mixed Residential 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. Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 9, 10 and 11, Block 2132, Eastern Division, less 625' right-of-way, located at 619 S. Meadow Avenue from B-1 (Limited Commercial District) to B-3 (Community 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 III

4. Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit for a restaurant selling alcohol on Lots 2, 3, 10, 11 and 12, Block 857, Western Division located at 3301 San Bernardo Avenue, Building A, Suite B; providing for publication and effective date.

Staff is not in support of the application and the Planning and Zoning Commission recommends approval of the Special Use Permit. District VIII

5. Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning part of Lot 4, part of lot 5, the Northwest quarter of Malinche Avenue between Pecan and Santa Clara Streets and 3,858.36 square feet out of Malinche Avenue between Santa Clara and Pecan Streets adjacent to Lot 5, Block 208, Eastern Division, located at 1619 S. Meadow Avenue, from B-1

(Limited Commercial District) to B-4 (Highway Commercial District); providing for publication and effective date.

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

6. Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 1, 2 and 3, Block 1; and Lot 5, Block 2, Santa Rita Commercial Subdivision, located at 5601, 5609, 5617 and 5618 Doc Sigi Perez Loop, 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

(Recess)
(Press Availability)

VIII. INTRODUCTORY ORDINANCES

7. Authorizing the City Manager to execute an amendment to the lease agreement between the City of Laredo, as LESSOR and M&M Air Cargo and Delivery Service, Inc., as LESSEE, approved by Ordinance No. 2015-O-035 dated March 16, 2015 to allow M&M Air Cargo and Delivery Service, Inc., to sublease 2,646 square feet constituting Section No. 2 of Building No. 170 located at 5103 Maher Avenue at the Laredo International Airport and providing for a rent increase / adjustment on the sublease portion; all other terms and conditions remain unchanged and in effect; providing for an effective date.
8. Authorizing the City Manager to execute a lease agreement renewal with Securitas Security Services USA, Inc., for approximately 120 square feet of office space and an exclusive office entry lane of approximately 1,020 square feet at Bridge II.
 1. Lease term is for one (1) year commencing April 1, 2016 and ending on March 31, 2017.
 2. Monthly rent will be \$3,500.00 for approximately 120 square feet of office space and an exclusive office entry lane of approximately 1,020 square feet at Bridge II.
 3. The lease may be terminated by either party with a thirty (30) day

written notice.

9. Authorizing the City Manager to accept and enter into contract with Texas A&M International University (TAMIU), amending the FY 2015-2016 budget by appropriating additional revenues and expenditures in the amount of \$479,656.00, and amending the FY 2015-2016 Full Time Equivalent (FTE) listing by adding the five (5) positions:

1. One (1) RN, Nurse Practitioner Supervisor, R40
2. One (1) Licensed Professional Counselor, R37
3. One (1) Public Health Promotion Program Supervisor, R35
4. One (1) Caseworker, R34
5. One (1) Licensed Vocational Nurse III, R33

Funding is from Methodists Health Care Ministries through TAMIU, and will allow us to provide early detection health and care services for diabetes and to integrate behavioral health screenings. The project is called *Sí Texas – Juntos For Better Health* Program and has several partners. The term period is from May 1, 2015 through April 30, 2016 but can be extended another five years.

10. Amending the classification of a vacant temporary captain position that was created for Gabriel E. Martinez Jr. in accordance with Article 22 of the Collective Bargaining Agreement between the City of Laredo and the Laredo Police Officer's Association and Chapter 143 of the Texas Local Government Code to a Sergeant FTE position, and to add an additional Sergeant FTE position to the existing manpower in the Laredo Police Department. Funding is available in the Police Department General Fund Budget.

IX. FINAL READING OF ORDINANCES

11. **2016-O-034** Authorizing the City Manager to execute a Stonegarden grant and amend the FY 2015-2016 Airport Budget by appropriating said grant 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.

12. **2016-O-035** 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.
13. **2016-O-036** 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.
14. **2016-O-037** 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.

X. RESOLUTIONS

15. **2016-R-35** Amending Resolution #2016-R-12 by adding one (1) additional Memorandum of understanding to the list of cooperative working agreements/mutual assistance agreements/memorandums of understanding between the City of Laredo Police Department and various federal, state and local agencies, including but not limited to: Drug Enforcement Administration (DEA), Federal Bureau of Investigations (FBI), SCAN, *et al.*, a comprehensive list is attached hereto as "Exhibit A". The Police Department's participation is part of the community service provided to our citizens, with no cost to the City of Laredo.

16. **2016-R-36** Authorizing the City Manager to submit a grant application in the amount of \$300,000.00 to the Office of the Governor's Homeland Security Grants Division (HSGD) for the purpose of funding the 2017 Local Border Security Program (LBSP). This grant does not require matching funds. Funding will be used to pay for overtime to increase patrol security along the Texas-Mexican border.
17. **2016-R-37** Authorizing the City Manager to execute a license agreement between the City of Laredo and the United States General Services Administration (GSA) for the purpose of the construction, operation and maintenance of security enhancements and temporary structures (improvements) on a portion of City of Laredo right-of-way, abutting the Convent Land Port of Entry (LPOE). The improvements are necessary to support the Department of Homeland Security, Customs and Border Protection's (DHS-CBP) inspection of outbound vehicular traffic and to improve port security. The term of the agreement shall be effective for an initial five (5) year period with two (2) options to renew for an additional five (5) year period each.

XI. MOTIONS

18. Consideration for approval of change order #1 in the amount of \$524,743.50 to QroMex Construction Co., Inc Granite Shoals, for the 24" EPC Water Main Jefferson WTP to Bridge 1. This change order consists of steel casing replacement at San Ignacio and Washington in the amount of \$1,623.00, replacement of existing water mains at street crossings and the transfer water service connections to the 24" Water Main in the amount of \$184,928.00 and the 24' Water Main extension from Lomas Del Sur to Cuatro Vientos to provide a secondary source of water and provide better pressure to the United 9th Grade Campus in the amount of \$338,192.50. The new contract amount will be \$2,848,963.00. The time extension of the contract for the change order will be 70 working days for a total contract time of 280 working days. Funding is available in the 2015 Water System Revenue Bond.
19. Approving monthly adjustments to the tax roll. The amounts to be adjusted for the month of February 2016, represent a decrease of \$17,918.88. These adjustments are determined by the Webb County Appraisal District and by court orders.

20. Consideration to award contract number FY16-038 to sole bidder, Royal Laser Wash, Laredo, Texas in the estimated annual amount of \$32,000.00 to furnish drive-thru exterior car wash services for the City's automotive fleet. The term of this contract will be for a period of one (1) year beginning as of the date of its execution. This contract may be extended for six (6) additional one (1) year periods upon mutual agreement. All services will be secured on an as needed basis. Funding is available in the Fleet Department Fund and various City departments.
21. Consideration to award a contract to sole source provider, Transcore L.P., for the purchase of 5,000 AVI sticker tags. AVI sticker tags are EGO Plus protocol 915Mhz radio frequency programmable beam powered windshield dash mounted tags used for auto vehicle identification (A.V.I.) electronic toll collection 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.
22. Consideration to renew annual supply contract FY14-013 to Quadex, North Little Rock, Arkansas in an amount up to \$56,000.00 for the purchase of cementitious mortar concrete for the repair of sanitary sewer underground structures 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. There will be no increase during this extension period. All material will be purchased on an as needed basis. This is the last extension period for this contract. Funding is available in the Utilities 2014 Revenue Bond.
23. Authorizing the City Manager to donate one (1) 2009 Ford Crown Victoria to the Town of Indian Lake Police Department. The vehicle because of use and time and incompatibility has no value for the purpose for which it was originally intended and has fully depreciated. This vehicle will be used for law enforcement purposes by the donee to the extent usable. The City of Laredo Police Department donates this vehicle as is and does not assume any liability associated with the use after it has been transferred. This vehicle was purchased with 2008 CO Bond.
24. Consideration to authorize a contract with Kraftsman Commercial Playgrounds through the Buyboard Cooperative Purchasing Agreement Program's contract pricing, in the total amount of \$159,888.36 for the purchase and installation of outdoor fitness equipment and a rope play structure and spring riders at San Francisco Xavier Park. Funding is available in the 40th action year 2014-2015 CDBG funding.

25. Authorizing the City Manager to enter into and execute a Memorandum of Understanding, attached hereto as Exhibit A, between the Laredo Police Officers' Association (LPOA) and the City of Laredo for the purpose of implementing a compressed work week for the Laredo Police Department Patrol Division (East and West Sector).
26. Consideration to enter into a contract or agreement with Texas Campaign in collaboration with Baylor College of Medicine Teen Health Clinic for adolescent preventive care and education services as the sole vendor approved by the Centers for Disease Control and Prevention. This program will provide approved evidenced-based Youth centered education, training, evaluation services to improve and create youth centered services that the State of Texas is requiring for this project. The amount is not to exceed \$83,060.00 for professional services (training to make services for prevention and wellness more adolescent conducive and to provide evaluation support of the project), as stated in the Department of State Health Services contract for the Texas Healthy Adolescent Initiative (THAI) for the term January 1, 2016 through December 31, 2016; renewable for up to four (4) years contingent on funding availability. Funding is available through the Health Department budget.
27. Authorizing the City Manager to initiate changes to the existing Downtown Facade Restoration Program which provides grants to commercial property owners and business owners in the Central Business District to encourage restoration projects of building facades and to enhance the overall exterior appearance and provide for more lighting. Provision of the assistance is contingent upon the creation and/or retention of jobs.

Proposed changes include:

1. Increase grant amount up to \$25,000 for corner buildings (double facade),
2. Reduce matching funds requirement to a minimum investment to \$500,
3. Allowing for lighting improvements to exterior.

XII. STAFF REPORTS

28. Presentation of the fiscal year 2014-2015 Comprehensive Annual Financial Report (CAFR) prepared by the City of Laredo's Financial Services Department and audited by the independent audit firm of Canales, Garza, and Baum, P.L.L.C.

29. Discussion with possible action to consider a 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 Rafael Lerma.

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.

30. Request for Executive Session pursuant to Texas Government Code Section 551.074 to deliberate the duties, evaluation, and work performance of the City Manager and return to open session for possible action regarding the City Manager's employment contract and any matters related thereto.
31. Request for Executive Session pursuant to Texas Government Code Section 551.071(1)(a) to consult with attorney on pending/contemplated/and motioned for litigation in the property of Abst. 283 Porcion 23 L. Sanchez Und. Int. 1.859 ACRES, Roadway, more popularly known as Alta Mira Drive, in the City of Laredo, Webb County, Texas; and return to open session for possible action.

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

32. **2016-RT-02** Authorizing the City Manager to submit a grant application in the amount of \$3,260,305 to the Federal Transit Administration (FTA) for Fiscal Year 2016 Section 5307 Urbanized Area authorized under the new Fixing America's Surface Transportation (FAST) Act. Funding will be for Operating Assistance to the El Metro Bus Operations. The required local match for this grant will be funded with the Transit's Local Sales Tax.
33. **2016-RT-03** Authorizing the City Manager to submit a grant application in the amount of \$312,710 to the Federal Transit Administration (FTA) for Fiscal Year 2016 Section 5339 Bus and Bus Facilities Program authorized under the new Fixing America's Surface Transportation (FAST) Act. Funding will be used for the purchase of one (1) heavy-duty bus for the El Metro fixed-route bus operations. The twenty (20) percent local match for this grant is funded with the Transit's Sales Tax.

34. Consideration for approval of award of construction contract to the lowest bidder, ALC Construction, Inc., Laredo, Texas, in the amount of \$471,203.75 (which includes the base bid and alternate no. 1) for the El Metro Operations and Maintenance Facility – 401 Scott Street Repair/Reconstruction and/or Replacement of Concrete Slabs and Construction Joints with a construction contract time of one hundred fifty (150) 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 August 2016. Funding is available in the Transit Capital Grants Fund/FTA Grant.
35. Consideration for approval of award of construction contract to the lowest bidder, ABBA Construction, LLC., Laredo, Texas, in the amount of \$949,790.00 (which includes the base bid and alternates no. 1 and 2) for the El Metro Operations and Maintenance Building Roof Replacement and Building Improvements (Re-Bid) with a construction contract time of one hundred fifty (150) 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 August 2016. Funding is available in the Transit Capital Grants Fund/FTA Grant.

XV. ADJOURN AS THE LAREDO MASS TRANSIT BOARD AND RECONVENE AS THE LAREDO CITY COUNCIL

GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

36.

A. Request by Mayor Pete Saenz

- a. Exercise of Mayor's veto power pursuant to Laredo City Charter, §2,15: Vetoing the March 7, 2016 appointment of Carlos Villarreal as a commissioner on the Laredo Ethics Commission.
- b. Status report on the ongoing independent audit of First Recycling, L.L.C., at the City of Laredo Municipal Recycling Facility at the City landfill.

B. Request by Council Member Charlie San Miguel

- a. Staff report regarding the widening of Del Mar Boulevard from the general vicinity of Gold's Gym to Winfield Parkway, including prospective development in the future in that area and the need for infrastructural expansion in view of the same, with possible action.

C. Request by Council Member George Altgelt

- a. Discussion with possible action to pass a resolution in support of the USDA's Arunda Integrated Pest Management (mechanical/bio approach) process.
- b. Condemning the aerial herbicide application of imazapyr (a known toxic substance) directly on the river and upstream from the City of Laredo and Nuevo Laredo's water intake.
- c. Discussion with possible action to implement a tree preservation ordinance.
- d. Discussion with possible action to select a paid governmental affairs specialists (lobbyists) to advocate for the City of Laredo in Austin, Texas and Washington, D.C. and request for proposals and qualifications regarding the same.

D. Request by Council Member Roque Vela, Jr.

- a. Discussion with possible action on directing staff to place a resolution on the next Council Meeting for the petition being spearheaded by Moving Laredo Forward and The Laredo Chamber of Commerce and any related matters. **(Co-Sponsored by Council Member Roberto Balli, and Council Member Rudy Gonzalez)**

XVI. 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, March 16, 2016 at 7:00 p.m.

Doanh "Zone" T. Nguyen
Acting City Secretary