

CITY OF LAREDO CITY COUNCIL MEETING

**A-2016-R-06
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
APRIL 4, 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 March 21, 2016

V. COMMUNICATIONS AND RECOGNITIONS

Communiqués

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 by Council Member Roque Vela Jr. of a commissioner to the Ethics Commission.
- b. Appointment by Council Member Charlie San Miguel of Johnny Herrera to the Historic/Landmark Board.
- c. Appointment by Mayor Pete Saenz of Cecilia Gutierrez to the Mayors Blue Ribbon Committee for People with Disabilities.

VII. PUBLIC HEARINGS

- 1. Public hearing providing community residents an opportunity to comment on their housing and community needs and the projects that they wish to see funded. Comments received will be made part of the City's 2016 One Year Action Plan that will outline how funding from the programs listed below, made available through the U.S. Department of Housing and Urban Development (HUD), will be utilized.

42nd Action Year Community Development Block Grant (CDBG)	\$3,436,805.00
2016 HOME Investment Partnership Grant (HOME)	\$849,850.00
2016 Emergency Solutions Grant (ESG)	\$311,462.00

Also for discussion and comment is the Fiscal Year (FY) 2014-2015 Consolidated Annual Performance and Evaluation Report (CAPER) regarding the City's administration of HUD Programs.

(Recess)
(Press Availability)

VIII. INTRODUCTORY ORDINANCES

2. Authorizing the City Manager to execute a lease agreement, with (SCAN) Serving Children and Adults In Need, Inc., to manage and operate a transitional housing project located on 1517 Washington St. Laredo Texas. The lease agreement term will be for an initial 15 years with a renewal option. **(Approved by Operations Committee)**
3. Amending the City of Laredo Code of Ordinances, Chapter 33, Article VII entitled "Illegal Dumping." Adding and deleting definitions in §33-453, adding environmental services director to §33-455, updating state agency in §33-474 (4), changing maximum penalty from two thousand dollars (\$2,000.00) to four thousand dollars (\$4,000.00) to reflect state law in §33-475 (a), updating contact department and hotline in §33-477 and providing for severability, publication, and an effective date. **(Approved by Operations Committee)**

IX. FINAL READING OF ORDINANCES

4. **2016-O-038** 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. (AS AMENDED) District V
5. **2016-O-039** 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. District III
6. **2016-O-040** 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. District III

7. **2016-O-041** 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. District III
8. **2016-O-042** 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.
9. **2016-O-043** 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.
10. **2016-O-044** 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.

11. **2016-O-045** 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.

X. RESOLUTIONS

12. **2016-R-40** Requesting the State of Texas, acting by and through its Texas Transportation Commission, to declare certain areas of land used by the State of Texas as state right of way be declared surplus to the department's needs and be removed from the State highway system and that portion of property owned by the State, located in the City of Laredo, Webb County, Texas and be conveyed to the City of Laredo, Webb County, Texas and agreeing to the transfer, jurisdiction and control of said area.
13. **2016-R-41** Authorizing the City Manager to submit a loan application to the Texas Water Development Board (TWDB) in the amount of \$5,000,000 to purchase water rights.
14. **2016-R-42** Providing for a Minor Encroachment Agreement between the City of Laredo, ("City") and United States General Services Administration ("GSA") to construct improvements for the modernization of the Convent Avenue Port of Entry expected to ease pedestrian and vehicular traffic and greatly enhance security at the International Bridge I. GSA is requesting a Minor Encroachment license on a 4½" bore to connect an internal fiber network to the facilities adjacent to the Convent Port of Entry International Bridge I and a waiver of the minor encroachment license fees and one-time application fee.

15. **2016-R-44** Opposing a new proposal from State and Federal authorities calling for aerial spraying of herbicides onto the banks of the Rio Grande for the eradication of Arundo Donax, aka Carrizo Cane that can be harmful to the environment and human health .
16. **2016-R-45** Accepting the conveyance of the following twenty (20) foot Public Utility and Utility Access Easement, for the right to install, construct, reconstruct, repair and perpetually maintain an 8" water line from:
- United Independent School District (UISD) By: Ricardo Rodriguez, Board President - Utility easement as follows:
- A tract of land containing 0.97 Acres, more or less in Webb County, Texas, situated in Porcion 19, Abstract 47, being out of Lot 1, Block 1, a copy of which conveyance is attached as Exhibits A & B:
- And directing that said Easement be filed of record in official property records of Webb County, Texas.
17. **2016-R-46** Opposing at-large member districts and opposing the expansion of the powers and duties of the Mayor in addition to those accorded by the Laredo City Charter.

XI. MOTIONS

18. Consideration for approval of the selection of consultant for the Design Plan for a Dedicated Noncommercial Route from the Max Mandel Golf Course to IH-35 for a feasibility study, alternative alignments and right-of-way requirements with cost estimates, and authorization to negotiate a professional services contract. No financial impact. **(Approved by Operations Committee; however the item was tabled at the Finance Committee pending the donation of land by all property owners affected.)**
19. Authorizing the City Manager to submit the Texas Pollutant Discharge Elimination System (TPDES) Storm Water Permit renewal application to the Texas Commission on Environmental Quality (TCEQ). The City of Laredo's Municipal Separate Storm Water Permit will expire on November 21, 2016 and is required to submit the permit application before May 25, 2016 or 180 days before the expiration of the permit in order to discharge to the Waters of the United States. TPDES permit is a comprehensive Storm Water

Management Program (SWMP) for the City of Laredo to comply with the state and federal storm water regulations. The SWMP includes, but is not limited to, ways of controlling pollution from various activities such as structural controls, areas of new development and significant redevelopment, roadways, flood management projects, pesticides/herbicides/fertilizers, illicit discharges and improper disposal of chemicals, industrial and high risk runoff, construction sites and site planning, public education, and field screening. **(Approved by Operations Committee)**

20. Consideration to renew the existing annual service contract FY14-052 to Delta House Electric & Motor, Freer, Texas in an amount up to \$350,000.00 to provide electric motor repair services for the Utilities Department. Repairs are for motors with horsepower ratings from 1/8 HP to 400 HP that are used in water and wastewater operations. 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. All services will be purchased on an as needed basis. Funding is available in the Utilities Department Fund. **(Approved by Operations Committee)**
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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

21. **2016-R-38** Authorizing the City Manager to accept a grant in the amount of \$810,795.00 to fund the Laredo Police Department HIDTA Task Force and the Rio Grande Valley Financial HIDTA Task Force. This grant is funded by the Executive Office of the President, Office of the National Drug Control Policy (ONDCP), and High Intensity Drug Trafficking Area (HIDTA) at no cost to the City. Funding will be used to pay personnel salaries, fringe benefits, overtime, travel and operating expenses from January 1, 2016 through December 31, 2016.

22. **2016-R-39** Authorizing the City Manager to enter into an agreement and accept reimbursement from the U.S. Customs and Border Protection/U.S. Border Patrol Treasury Forfeiture Fund in the amount of \$80,000.00 for joint operations overtime expenses. The City of Laredo required match will be \$25,600.00 for a total amount of \$105,600.00. Funding is available in the Special Police Fund. The performance period will end on July 31, 2016.
23. **2016-R-43** Consideration to grant fee waivers and a tax abatement agreement between the City of Laredo and HEI Realty LLP for the commercial property located at 1209 Victoria St., being Lots 7-8 Block 128 Western Division. The proposed commercial property eligible for property tax abatement includes a paved parking lot of 12,100 sq. ft. in the total amount of \$136,000.00 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 \$866.32 and estimated total fee waiver of \$754.00 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.

XII (b) MOTIONS

24. Authorizing the City Manager to enter into contract and award \$200,000.00 in 2014, 40th AY Community Development Block Grant (CDBG) funds, made available by the U.S. Department of Housing and Urban Development, to (SCAN) Serving Children and Adults In Need, Inc. in support of the rehabilitation of 1517 Washington St. Laredo Texas 78040, for the use as transitional housing for homeless youth. CDBG award to SCAN is contingent on Council approval of the lease agreement.
25. Authorizing the City Manager to purchase the surface only of the following tracts of land from Disa Homes, Inc. in an amount not to exceed \$157,000.00 plus incidental closing costs for the purpose of constructing an elevated storage tank in the North Laredo, San Isidro area. The property is legally described as Lots 1 and 2, Block 5, San Isidro Northeast Subdivision, Phase XI and physically located at 106 and 108 Calma Drive. Funding for this purchase is available through 2015 Water Revenue Bond funds.

26. Consideration for approval of the CDBG El Eden Recreational Swimming Pool (Design/Build Project) as complete, release of retainage and approval of final payment in the amount of \$24,474.00 to Ayala Pools, Inc., dba/Sunset Pools, Laredo, Texas. Final construction contract amount is \$489,480.00. Funding is available in the Community Development 39th Action Year, 2014 C.O. Bond Issue, 2008 C.O. Bond Issue and the Capital Improvements Fund.
27. Approval to appoint Maurice A. Click, Jr., M.D., M.P.H., to continue to serve as the City of Laredo Health Authority under Section 121.033 of the Texas Health and Safety Code, for the period of April 1, 2016 through March 31, 2018 and authorizing the City Manager to enter into a contract with Dr. Click for professional services in the amount not to exceed \$12,720.00 per year. Funding is available through the Health Department budget. The contract is subject to funding availability and can be renewed for an additional year.
28. Authorizing the City Manager to enter into and execute a contract between AT&T and the City of Laredo to cover the cost of monthly service fees for ECaTS, Information into Insights Management Information System (MIS) Services for Jim Hogg, Starr, Webb and Zapata Counties for two years, and the installation of the ECaTS software at an additional remote host site through the Houston Galveston Area Council of Governments (HGAC) Cooperative Purchasing Contract No. EC07-14 in the total amount of \$72,000. Funding is available in the 9-1-1 Regional Fund.
29. Consideration to renew the existing annual contract FY14-048 to Southern Sanitation, Laredo, Texas, in an amount up to \$73,627.44, to provide trash collection services for large volume containers. These services will be required for various city operations such as the Airport, Bridge System, Parks and Leisure, Public Access, Fleet Management, Traffic, Transit, Municipal Housing, Environmental Engineering, Utilities, and Solid Waste Departments. The contract vendor is also required to provide these containers for special events such as the Household Collection Event. 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 for these services are available in various departmental funds.
30. Consideration to renew an existing annual contract FY14-046 to McNeilus Truck & Manufacturing, Dodge Center, Minnesota in an amount not to exceed \$160,000.00, for the purchase of McNeilus Original Equipment Manufacturer (OEM) equipment repair parts and service for the City's refuse trucks. 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 four extension periods. All parts and services will be secured on an as needed basis. Funding is available in the Fleet Maintenance Budget.

31. Consideration to renew the existing annual contracts FY14-053 with the following vendors:

1. Laredo Cycle Sports, Laredo, Texas in an amount up to \$20,000.00; and
2. Corpus Christi Cycles, South Padre Island, Texas in an amount up to \$15,000.00,

for the purchase of motorcycle Original Equipment Manufacturer (OEM) parts/services for the City's Police motorcycles. The term of these contracts 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. All parts and services will be purchased on an as needed basis. Funding is available in the Fleet Maintenance Budget.

32. Consideration to renew the existing annual service contracts FY14-051 to the following vendors:

1. LED Electric and Lighting Contractor (Primary Vendor), Laredo, Texas in an amount up to \$150,000.00; and
2. Castillo Electric & Facility Services (Secondary Vendor), Laredo, Texas in an amount up to \$50,000.00,

for electrical repair services to include, but not limited to: minor repairs, maintenance of various systems, subsystems, and/or equipment devices for various City Departments. There will be no price increase during this extension period. The term of these contracts shall be for a period of one (1) year beginning as of the date of its execution. This is the second of four extension periods. All services will be purchased on an as needed basis. Funding is available in respective departmental budget.

33. Authorizing the City Manager to select a consulting firm and negotiate contract FY16-030 for the creation of a Downtown TIRZ. After review and interviews, the committee's top recommended firm was Community Development Strategies (CDS), Houston, TX. Funding is available in the Capital Improvement Fund.

34. Ratification of a contract to Siddons-Martin Emergency Group, Denton, Texas in the amount of \$ 431,081.00 through the Houston Galveston Area Council of Governments (H-GAC) - Cooperative Purchasing Program, for the purchase of one (1) custom pumper replacement truck that was damaged in a rear-end collision on IH-35 and declared a total loss. This truck will be assigned to Fire Station #1 located on Guadalupe Street. The anticipated delivery is expected within 1 to 2 months of order date. Funding is available in the General Fund and the Capital Improvement Fund.
35. Authorizing the City Manager to award a contract to Lockwood, Andrews & Newnam, Inc. (LAN) for the Phase 1 Asset Management Plan Development in the amount of \$197,400.00. The Utilities Department will be undertaking a phased approach to establish its Asset Management Program (ASM) as required by the Texas Water Development Board over the next several years. Consulting services are needed for Phase 1 of the Asset Management Program to provide a road map for the implementation phase(Phase-2). Funding is available in the 2010 Sewer Revenue Bond.
36. Authorizing the City Manager to approve & accept the project and to release the remaining 2% retainage in the amount of \$877, 272.44 to Pepper-Lawson Waterworks, L.L.C., Houston, Texas for the South Laredo Wastewater Treatment Plant 6 MGD Expansion Project. The plant is 100% complete. The total contract amount remains the same at \$43,863,622.00. Funding is available in the 2012 TWDB Loan, and is subject to approval by Texas Water Development Board (TWDB).
37. Consideration of Amendment #1 for Gilpin Engineering in the amount of \$2,225,000.00 for the Manadas Creek Wastewater Treatment Plant project. The initial contract in the amount of \$1,354,000.00 for the 3MGD plant was awarded to Gilpin Engineering in 2009. The amendment is for a increase in capacity for the Proposed Treatment Plant capacity from 3.0 MGD Average Daily Flow to 9.5 MGD Average Daily Flow. Phase 1 Start-up Equipment Capacity of 4.75 MGD Average Daily Flow Capacity of 9.5 MGD Average Daily Flow for All Structures, Piping and Conduits and Master Plan for Staged Future Equipment Upgrades to achieve 9.5 MGD Ultimate Capacity. The total contract amount with this amendment is \$3,579,000.00. The contract time is 270 calendar days. Funding is available in the 2011 Sewer revenue Bond.

END OF CONSENT AGENDA

XIII. STAFF REPORTS

38. Presentation with possible action regarding Operation Crackdown, an initiative of the Texas National Guard, that will provide the demolition of abandoned and neglected structures that serve as a nuisance and drug haven within the community. Currently there are 20 properties with 26 structures identified and cleared for demolition.
39. Discussion with possible action to consider a second 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 R. Reyes Jr.

XIV. EXECUTIVE SESSION

The City Council hereby reserves the right to go into executive session at any time during this public meeting, if such is requested by the City Attorney or other legal counsel for the City, pursuant to his or her duty under Section 551.071(2) of the Government Code, to consult privately with his or her client on an item on the agenda, or on a matter arising out of such item.

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

40. **2016-RT-04** Authorizing the City Manager to accept a resolution approving the Laredo Transit Management Inc. (LTMI) Title VI Program and authorizing the City Manager to submit the plan to the Federal Transit Administration (FTA) Region Office. FTA requires that every three (3) years, transit systems receiving Federal financial assistance must update their Title VI Program. **(Approved by Operations Committee)**
41. Approval of the Third Party Advisory Committee selection of the Federal Transit Administration (FTA) Section 5310 applications for the Laredo Urbanized Area Enhanced Mobility of Seniors and Individuals with Disabilities Funding Program. The FY 2015 Call for Projects received four (4) applications and only two (2) were complete. The Third Party Committee and staff recommends that the Mass Transit Board approve the scoring Committee's selection of Laredo Transit and Ruth B. Cowl and authorize the City Manager to proceed with all necessary contractual documentation and FTA applications as mentioned in the LTMI Section 5310 Program Management Plan. **(Approved by Operations Committee)**

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

GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

42.

A. Request by Mayor Pete Saenz

- a. Authorizing the City Manager to enter into a Non-Construction Advance Funding Agreement (CSJ:#0922-33-105) to accept funding from the Texas Department of Transportation to produce a railroad grade separation feasibility study which addresses the KCS rail-line and the Union Pacific rail-line within the Scott/Sanchez street area with the City to provide a match of up to ten percent of the total estimated amount of \$405,740. (Funds available in the Capital Improvements Fund)

B. Request by Council Member George Altgelt

- a. Discussion with possible action to conduct a pilot program regarding how to incentivize crossings at the World Trade Bridge from 8 a.m. - 12 noon. Request from staff regarding costs to operate World Trade Bridge (WTB) during those same hours and whether a congestion fee would be feasible during peak hours and directive to staff to coordinate with our Nuevo Laredo counterparts.
- b. Discussion with possible action to implement a tree preservation Ordinance.
- c. 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.

C. Request by Council Member Esteban Rangel

- a. Discussion with possible action on proposals received for the Request for Qualifications (RFQs) for a design-build, permitting, equipment system supply, facility installation, startup, testing, and long-term operation of a

Scrap Tire Processing Plant for the City of Laredo's Landfill.

- b. Discussion with possible action on considering bringing back the City's Leadership Development and Tuition Assistance Programs.
- c. Discussion with possible action regarding increasing the salary for Mayor and City Council Members.

D. Request by Council Member Roque Vela, Jr.

- a. Status report on the tennis and baseball complex, with possible action.

XVII. 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 30, 2016 at 6:15 p.m.

Doanh "Zone" T. Nguyen
Acting City Secretary