

CITY OF LAREDO CITY COUNCIL MEETING

A-2014-R-03

CITY COUNCIL CHAMBERS

1110 HOUSTON STREET

LAREDO, TEXAS 78040

FEBRUARY 18, 2014

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 February 3, 2014.

Citizen comments

Citizens are required to fill out a witness card and identify themselves at the microphone. Comments should be relevant to City business and delivered in a professional manner. No derogatory remarks will be permitted. There is a time limit of three minutes per speaker. Speakers may not pass their minutes to any other speaker.

V. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

a. Appointments by Mayor Raul G. Salinas to the Laredo's Homeless Assistance Committee (LHAC):

1. Council Member Mike Garza, Chair
2. Council Member Narvaez, Vice-chair
3. Ronnie Acosta, City of Laredo-Community Development Dept.
4. Elizabeth Alonzo, Laredo Municipal Housing Corporation (LMHC)
5. Laura Llanes, Laredo Housing Authority (LHA)
6. Javier Santos, Fernando Salinas Trust
7. Nora E. Murillo, United Independent School District (UISD)
8. Leticia Reyes, Laredo Independent School District (LISD)
9. Rosanne Palacios, Mercy Ministries of Laredo

b. Appointment by Mayor Raul G. Salinas of Guillermo Castro to the Airport Advisory Board.

c. Appointment by Mayor Raul G. Salinas of Council Member Juan Narvaez to the Laredo Development Foundation 2014 Board of Directors.

d. Appointment by Council Member Alejandro "Alex" Perez of Monica Molano to the Third Party Funding Advisory Committee.

VI. PUBLIC HEARINGS

1. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 7, 8 and 9, Block 1723, Eastern Division, located at 2820 Jaime Zapata Memorial Highway, from B-1 (Limited Commercial District) to B-3 (Community Business 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 amending Ordinance No. 2011-O-137 authorizing a Conditional Use Permit for an amusement redemption machine establishment on Lot 1A and 1B, Block 1, San Isidro/McPherson No. 2 Subdivision, located at 9710 and 9720 McPherson Road by changing permit holder, hours of operation and property legal description; providing for publication and effective date.

Staff supports the proposed conditional use permit but not the proposed 24 hour operating hours, and the Planning and Zoning Commission recommends approval of the Conditional Use Permit. District VI

3. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for a commercial van terminal on Lot 10, Block 120, Western Division, located at 919 San Bernardo Avenue; providing for publication and effective date.

Staff is in support of the application and the Planning and Zoning Commission recommends approval of the Conditional Use Permit. District VIII

4. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 1, 2, 3, and 12, Block 977, Western Division, and located at 3819 San Bernardo, from B-3 (Community Business District) to B-4 (Highway Commercial District); providing for publication and effective date.

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

5. Amending the City of Laredo Health Department (CLHD) FY 2013-2014 full time equivalent positions (FTE) by creating three (3) FTE positions funded by the Texas Health and Human Services Commission under the Texas Healthcare Transformation and Quality Improvement 1115 Waiver. These funds are for the implementation of the preventive care clinics approved through the regional health plan for indigent and uncompensated preventive health care. The CLHD is implementing two (2) projects: 1) Primary Care Expansion (in women's health, STD/HIV, well child, prenatal care, early detection, cancer prevention and family planning) and 2) Expand Chronic Care clinic services with Disease Self Management to improve health and prevent hospitalizations. **(Approved by Operations & Finance Committees)**

(Recess)
(Press Availability)

VII. INTRODUCTORY ORDINANCES

6. Ratifying the execution of an easement document agreement for the conveyance to Mines Road Development, LTD, a tract of land containing 233.21 square feet, (0.0053 ac) out of the Northwest International Bridge Plat, as recorded in Volume 22, Page 86, Map Records of Webb County, Texas. Said tract of land is more particularly described by boundary survey and metes and bounds description in the attached exhibit. The easement was requested on behalf of the Fasken family for access to an existing irrigation pump house facility located directly adjacent to City property. **(Approved by Operations Committee)**

7. Authorizing the City Manager to execute easement documents for the acceptance of a driveway access easement provided by BBVA Compass Bank for shared access to the South Laredo Library. Said easement contains 1,711.82 sq. ft out of a 0.9545 acre tract of land owned by Compass Bank and located at 2615 South Zapata Highway and is further described in the agreement attached as an exhibit. The acceptance of this easement will allow for joint use and access to the Bank and City Library facility. **(Approved by Operations Committee)**

VIII. RESOLUTIONS

8. **2014-R-11** Declaring a public necessity to utilize the area under IH-35, between Park Street and Sanchez Street, as a parking area on February 20, 2014, for the Annual Youth Parade and on February 22, 2014, for the Washington's Birthday Grand Parade and authorizing the City Manager to enter into an agreement with Texas Department of Transportation for the use of said property. **(Approved by Operations Committee)**

9. **2014-R-16** Authorizing the City Manager to execute a Memorandum of Understanding (MOU), attached hereto as Exhibit A, between U.S. Customs and Border Protection and the Laredo Fire Department for the purpose of providing an EMT program for clinical education and field work experience. **(Approved by Operations Committee)**

10. **2014-R-17** Authorizing the City Manager to execute a Memorandum of Understanding (MOU) with BCFS Health and Human Services (BCFS - HHS) for the assignment of a Mobile Medical Unit (MMU-1) for rehabilitation of firefighting personnel during local large scaled events. **(Approved by Operations Committee)**

11. **2014-R-19** Amending Resolution No. 2014-R-06 by adding four (4) additional Memorandums of Understanding (MOUs) to the list of Cooperative Working Agreement/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 Investigation (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. **(Approved by Operations Committee)**

12. **2014-R-25** A resolution of the City of Laredo, Texas determining that GA Advertising and AL & Robs, local bidders, provide the best combination of contract price and additional economic development opportunities in accordance with Section 271.9051(b)(2) of the Texas Local Government Code for the purchase of uniforms for City employees in the total amount of \$56,103.62.

IX. MOTIONS

13. Consideration to award contract FY 14-034 for the purchase of promotional materials in an amount up to \$60,000.00 for various vendors as follows:
 1. Ad-Wear Houston, Texas;
 2. Indoff, Laredo, Texas;
 3. Positive Promotions, Inc., Hauppauge, New York;
 4. Authentic Promotions, Carmicheal, California;
 5. J. Paul Co., Lewisville, Texas;
 6. Canada Mostin Trading Corp., Ontario, Canada

Promotional materials will be purchased by Laredo Transit Management, Solid Waste, 911 (Admin and PSAP), Library and Convention and Visitors Bureau on an as needed basis. Funding is available in the respective department budgets. **(Approved by Operations Committee)**

14. Authorizing a refund of property tax in the amount of \$700.00 payable to Beavers Source due to an overpayment; Tax account #801-02028-101. **(Approved by Operations Committee)**

15. Approving monthly adjustments to the tax roll. The amounts to be adjusted for the month of January 2014, represent a decrease of \$418,036.49. These adjustments are determined by the Webb County Appraisal District and by court orders.
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X. 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.

X (a) RESOLUTIONS

16. **2014-R-13** Authorizing the City Manager to sign a water rights agreement, between the City of Laredo and Fender Exploration and Production Co., L.P., whereby the City is agreeing to purchase the right to divert and use 1279 A/F per annum of Class B water rights to the Rio Grande River at \$1,200.00 per A/F for a purchase price of \$1,534,800.00 and further authorizing the City Manager to sign and file necessary application(s) with Texas Commission on Environmental Quality on behalf of the City requesting that said water rights be severed from Certificate of Adjudication No. 23-2777A of the seller and combined with Certificate of Adjudication No.23-3997 as amended by the City and that the point of diversion, purpose and place of use of said water rights be changed as required by the City. Funding is available in the Water Availability Fund.
17. **2014-R-14** Authorizing the City Manager to submit a Research and Planning Grant Application to the Texas Water Development Board in the amount of \$50,000.00 to perform a Water Smart Basin Study Program that would target the Pecos River and Devils River Basins.
18. **2014-R-15** Authorizing and approving a fee waiver and a tax abatement agreement between the City of Laredo and Rodolfo Camarena for a proposed project located at 2219 Gustavus St., Lots 5 & 6, Block 1269, Eastern Division that consists of a single-family residence, 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 abate taxes on new improvements for the purpose of economic development. The project has an estimated capital investment total of

\$236,522.13, estimated annual tax abatement total of \$1,506.65 and estimated total fee waivers of \$1,723.50. Guidelines and criteria for the agreement are set forth in the attached agreement and information.

19. **2014-R-18** Authorizing the City Manager to accept a grant in the amount of \$763,914.00 from the 2013 Homeland Security Grant Program (HSGP) Operation Stonegarden (OPSG). Funding will be available on a reimbursement basis through the Webb County Sheriff's Office (WCSCO). This funding will be used for overtime and fringe benefit expenses and for the purchase of four (4) fully equipped marked units used for Stonegarden operations. The term of this grant agreement is from February 1, 2014 to September 30, 2014.

20. **2014-R-020** Supporting the construction of a twelve million eight hundred thousand dollar (\$12,800,000.00) affordable housing project consisting of one hundred (100) units proposed to be developed by Laredo Housing Opportunities Corporation (LHOC) Ana Lozano Apartments LTD., and to be located at 6500 Springfield; and further authorizing the City Manager to enter into agreement with LHOC Ana Lozano Apartments, LTD., to provide a loan of one million three hundred twenty thousand dollars (\$1,320,000.00) to assist with the construction of the same. The loan is pursuant to the Texas Local Government Code allowing the City to make loans promoting economic development thru affordable housing development.

21. **2014-R-22** Supporting the construction of a fourteen million four hundred thousand dollar (\$14,400,000.00) affordable housing project consisting of one hundred twelve (112) units proposed to be developed by Laredo Housing Opportunities Corporation (LHOC) Stone Oaks Apartments, LTD., and to be located at the intersection of East Calton Road and Foster Avenue; and further authorizing the City Manager to enter into agreement with LHOC Stone Oaks Apartments, LTD., to provide a loan of one million five hundred thousand dollars (\$1,500,000.00) to assist with the construction of the same. The loan is pursuant to the Texas Local Government Code allowing the City to make loans promoting economic development thru affordable housing development.

22. **2014-R-21** Supporting the construction of a seventeen million, eight hundred thousand dollar (\$17,800,000.00) affordable housing project consisting of one hundred fifty two (152) units proposed to be developed by Brownstone Affordable Housing (BAH) Casa Verde Apartments, LTD., and to be located at 8600 Casa Verde Road, Laredo, Texas; and further authorizing the City

Manager to enter into an agreement with BAH Casa Verde Apartments, LTD., to provide a loan of two million seventy thousand dollars (\$2,070,000.00) for the construction of the same. The loan is pursuant to the Texas Local Government Code allowing the City to make loans promoting economic development thru affordable housing development.

X (b) MOTIONS

23. Authorizing the City Manager to ratify nine (9) months of the continuation lease agreement between the City of Laredo and VIGSA, LTD and approval of the remaining term of the contract to allow the City of Laredo to continue to operate on the property located on 3806 South Highway 83, Riverhills Commercial Center, Suite 300 situated in Laredo, Texas 78040 for the City of Laredo Health Department Women, Infants and Children (WIC) and Health Promotion Programs. The term of the agreement shall be for five (5) years beginning April 17, 2013, through April 16, 2018. Funding for the base rate of \$110,867.40 per year is available through the Health Department Budget and the agreement is contingent on the availability of funds.
24. Consideration for acceptance and release of remaining retainage in the amount of \$26,060.00, final payment in the amount of \$216,345.42 for a total amount of \$242,405.42 and approval of change order No. 1 to QroMex Construction Co., of Granite Shoal Texas, for Loop 20 Embarcadero Subdivision Sanitary Sewer Crossing (Bore) Project. Funding is available in the 2010 Revenue Bond.
25. Consideration to award a construction contract to the lowest bidder, AZAR Services, L.L.C., Laredo, Texas, in the base bid amount of \$588,305.70, less alternative No. 1, and deduct items 3 and 4 for a net bid of \$424,245.70 for the Upper Zacate Creek Soccer Complex 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 2014. Funding is available in the 2006 C.O. Bond, 2007 C.O. Bond, 2008 C.O. Bond, Environmental Services Stormwater and Environmental Services fund 2007 C.O.
26. Consideration for approval to ratify the award of a construction contract to the lowest bidder, American Construction Consulting, L.L.C., Laredo, Texas in the amount of \$557,390.39 for the South Laredo Library, trade packages namely: (1) Division 9 Finishes Package and includes tile work, clay brick pavers, ceiling work, and carpeting work; (2) Division 10 Specialties Package and includes miscellaneous specialties, solid plastic partitions, flag

poles, architectural signage, operable walls, and toilet room accessories. Construction contract time is one hundred fifty (150) calendar days. Completion date for the project is scheduled for June 20, 2014. Funding is available in the Capital Improvement Fund, 2006 C.O., and Friends of the Library Fund.

27. Consideration to award a construction contract to the lowest qualified bidder, ALC Construction, Inc., Laredo, Texas, in the base bid amount of \$595,000.00 for the Farias Boxing Gym with a construction contract time of one hundred eighty (180) 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 2014. The apparent low bidder failed to acknowledge the federal wage determination and addendums No. 2 and 3 which have an impact on the cost of the base bid. Funding is available in the Farias Recreation Boxing Gym.

28. Consideration to award a construction contract to the lowest bidder, Rigney Construction & Development, L.L.C., Edinburg, Texas in the base bid amount of \$789,812.43 for the Slaughter Park Improvements, Phase II with a construction contract time of one hundred eighty (180) 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 2014. Funding is available in the Slaughter Park Water Feature/Trail Improvements.

29. Consideration to award annual service contract FY14-042 to the following vendors:

1) Laredo Mechanical, Laredo, Texas in an amount up to \$210,000.00;

2) Gutierrez Machine Shop, Laredo, Texas in an amount up to \$100,000.00;

3) Odessa Pumps, Midland, Texas in an amount up to \$100,000.00

for water treatment and wastewater treatment booster stations, and lift stations pump repairs for the Utilities Department. This contract establishes hourly rates and a percentage discount on parts utilized during emergency pump repairs. All services will be purchased on an as needed basis. Water Treatment estimates a total expenditure of \$300,000.00 and Wastewater Treatment estimates a total expenditure of \$60,000.00. Funding is available in the Utilities Department Fund.

30. Consideration to award annual supply contract FY14-031 to the following low bidders:

1) Conney Safety Products, Madison, Wisconsin

2) Eagle Supply, Laredo, Texas

for the purchase of safety supplies in an amount up to \$150,000.00 for all City departments. This contract establishes pricing for those safety supplies most commonly utilized by City departments. All items will be purchased on an as needed basis and funding will be secured from the user department budgets.

31. Consideration to award a contract to Holman Boiler Works Inc., McAllen, Texas in the amount of \$77,285.00 through the State of Texas - TXMAS Cooperative Purchasing Program for the purchase and installation of one (1) 50 HP Boiler at the old Federal Court House. This installation will include all labor, materials, tools, and supervision needed to complete the project. Funding for the purchase of this equipment is available in the Capital Improvements Fund.

32. Consideration to award contract FY014-041, a two (2) year contract to Clark Hardware, Laredo, Texas with the estimated yearly amount of \$100,000.00 for the purchase of Plumbing Irrigation Supplies for City maintenance and repair projects. This is a two (2) year contract, subject to future appropriations and all items will be purchased on an as needed basis throughout the year and for various City departments. Funding is available in the Parks and Recreation, Airport, Public Works, Health, Solid Waste, Laredo Transit Management Inc., Laredo Municipal Housing Corporation and Utilities Departments budgets.

END OF CONSENT AGENDA

XI. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

33.

A. **Request by Mayor Raul G. Salinas**

1. Recognizing the late Mrs. Yolanda Friedman and her surviving family for her hard work in helping underprivileged citizens stricken with cancer with no means for treatment.

B. **Request by Mayor Pro-Tempore Esteban Rangel**

1. Recognizing the United South High School cheerleaders for their National Championship in Dallas, Texas by the National Cheerleaders Association (NCA).
2. Status report on Laredo area TxDOT projects generally and the Clark Overpass specifically, with possible action.

C. **Request by Council Member Roque Vela, Jr.**

1. Discussion with possible action on limiting presentations at City Council meetings to three (3) per meeting with a time limit of five minutes each and regulating City Council Member's items to city business.
2. Discussion on how to address the losing and relocation of oil companies to San Antonio, Texas, with possible action. **(Co-Sponsored by Council Member Jorge A. Vera)**

D. **Request by Council Member Charlie San Miguel**

1. Presentation on the "Light the Way" event held at North Central Park on Holiday Season and recognition to the sponsors. **(Co-Sponsored by Mayor Raul Salinas and Council Member Liendo)**

E. **Request by Council Member Jorge A. Vera**

1. Discussion with possible action to amend the Land Development Code to require that all future industrial park intersections and approaches be constructed of concrete, in accordance with TxDOT specifications.
2. Discussion with possible action on soliciting the services of a licensed and qualified Texas Real Estate Broker for listing City-owned properties pursuant to the new authority of Section 253.014 of the Texas Local Government Code which provides local governing bodies this method to sell real property without having to comply with public auction, notice and competitive bidding requirements.

3. Establishing a youth committee consisting of two students from every high school to establish a strategic City-wide plan addressing the needs of Laredo's youth such as recreational outlets, self-help programs, etc., with possible action.

F. Request by Council Member Cynthia Liendo

1. Discussion with possible action on creating an Arts & Entertainment District on San Bernardo Ave.

XII. STAFF REPORTS

34. Presentation on City Council Member sponsored events, 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.

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

35. Consideration to award a six (6) month supply contract FY14-037, for the purchase of engine oil and lubricants for the Laredo Transit Management, Inc. (El Metro) to the following low bidders:

- 1) Arguindegui Oil, Co., Laredo, Texas, in the estimated amount of \$68,937.00;

- 2) Gonzalez Auto Parts, Laredo, Texas in the estimated amount of \$19,750.00.

All items will be purchased on an as needed basis. Funding is available in the Laredo Transit Management, El Metro Operations Fund. **(Approved by Operations & Finance Committees)**

XV. ADJOURN AS THE LAREDO MASS TRANSIT BOARD 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, February 12, 2014 at 6:30 p.m.

Gustavo Guevara, Jr.
City Secretary