

CITY OF LAREDO

CITY COUNCIL MEETING

A-2010-R-06

CITY COUNCIL CHAMBERS

1110 HOUSTON STREET

LAREDO, TEXAS 78040

MARCH 15, 2010

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 16, 2010 & March 1, 2010

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.

V. PUBLIC HEARINGS

1. **Public hearing and introductory ordinance** amending the City of Laredo's FY 2009-2010 annual budget by appropriating revenues and expenditures in the amount of \$24,000.00 in the Laredo Police Department Special Police Programs. Funding will be used to purchase supplies and equipment in support of the U.S. Marshals Service Gulf Coast Violent Offender & Fugitive Task Force. Equipment purchases are 100% reimbursable by the U.S. Department of Justice, U.S. Marshals Service. Reimbursement for equipment purchases will be in accordance with the MOU agreement between the City of Laredo and the U.S. Marshals Service, and funding will be available through May 28, 2010.
2. **Public hearing and introductory ordinance** amending the City of Laredo FY 2009-2010 annual budget by appropriating expenditures in the amount

of \$4,154,528.00 and revenues in the amount of \$1,183,092.00 in the Laredo Police Department Trust Fund. Funding will be used to purchase operational materials, supplies, training and capital outlay equipment. Items include surveillance equipment, tactical equipment, patrol and officer safety equipment, and other needed items. Funding is available in the Police Trust Fund and \$2,971,436.00 will be coming from opening balance.

3. **Public hearing and introductory ordinance** amending the Subdivision Ordinance of the City of Laredo by revising Chapter II, Section 2-3.5, Expiration and Extension Period of all Plat Approvals, by creating subsection (g) revising the expiration of plat approval by extending the approval of any plat approved after January 1, 2006, whether preliminary or final to December 31, 2011, if applicable; providing for publication and effective date.
4. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 14-29, Block 4 and Lots 14-24, Block 5 of La Joya Subdivision, Phase 2, located south of Obsidian Boulevard and east and west of Palmito Drive, from R-1A (Single Family Reduced Area District) to R-1MH (Single Family Manufactured Housing District); providing for publication and effective date.

Staff supports the application and the Planning and Zoning Commission has recommended approval of the Zone Change. District I

5. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit for the storage of flammable and explosive products (diesel fuel) on Lots 5 & 6, Block 1, Pan American Business Park, located at 4305 Pan American Boulevard; providing for publication and effective date.

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

6. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by rezoning the south 2/3 of Lot 2, Block 552, Western Division, located at 1716 Shea Street, from R-3 (Mixed Residential District) to B-1 (Limited Commercial District); providing for publication and effective date.

Staff does not support the application and the Planning and Zoning Commission has recommended approval of the Zone Change. District VIII

(Recess)
(Press Availability)

VI. INTRODUCTORY ORDINANCES

7. Amending the City of Laredo FY 2010 Airport Construction Budget to recognize additional revenues from a grant received from the Federal Aviation Administration Airport Improvement Program being Grant Project

No. 3-48-0136-062-2010 in the amount of \$4,000,000.00 for noise mitigation under FAR PART 150 Noise Abatement Program at the Laredo International Airport and appropriating said grant revenue and local match to the appropriate expenditure accounts and authorizing the City Manager to implement said budget amendment. The City's local match of five (5%) percent in the amount of \$210,526.00 is available in the Airport Construction Fund.

VII. FINAL READING OF ORDINANCES

8. **2010-O-029** Amending the FY 2009-2010 City of Laredo Health Department budget by appropriating revenues and expenses in the amount of \$35,940.00; amending Chapter 6 (Animals and Fowl) of the City of Laredo Code of Ordinances and Fees (see attachment A) by:

Adding additional definitions to Article I, Section 6-1, amending Sections, 6-3 supervisor of animal control program, 6-4 regarding impoundment, 6-5 regarding designation of state law, 6-6 regarding redemption of impounded animals, 6-7 regarding management of small animals and fowl, 6-8 regarding management of large livestock not redeemed, 6-9 regarding disposition of funds collected by city, 6-13 regarding compliance with sanitation standards for keeping livestock, small animals and fowl, 6-18 renamed to cruelty to animals and adding provisions, adding Section 6-19 protection of animals and pets;

Amending Article II. Rabies Control by:

deleting the vaccination fee in Section 6-22 and moving it to Section 6-80, modifying Section 6-23 procedure when a person is bitten, modifying Section 6-26, amending Section 6-30 by deleting dangerous dogs, deleting Sections 6-31 registration of dangerous dogs, Section 6-32 attack by dangerous dog, 6-33 violations, 6-34 defense; and replacing it with health emergencies, and addressing in new Article V; and reserving those sections (6-31 through 6-34) for future expansion;

Amending Article III. Small Animals and Fowl by:

Adding additional requirements to Section 6-42 keeping practices, adding Section 6-45 pursuit of animals, adding Section 6-46 pet shop/pet store requirements, adding Section 6-47 grooming shop requirements, and reserving Sections 6-48 through 6-60 for future expansion;

Amending Article IV Large Livestock and Wild Animals by:

Including AG zoned areas in Section 6-62 enclosure required, amending Section 6-63 size of enclosure by adding livestock standing requirements, deleting sections 6-69 penalty and reserving same for future expansion
Adding a new Article V dangerous wild animals and dangerous dogs
Amending Section 6-70 by deleting publication and creating "dangerous wild animals"

Adding new sections:

Section 6-71 state law – seizure of a dog causing death of or serious injury to a person

Section 6.72 department determination as a dangerous dog
Section 6-73 requirements for ownership of a dangerous dog;
noncompliance hearing

Adding a new Article VI nuisance and adding:
Section 6-74 owner responsibilities
Section 6-75 enforcement; interference with animal control or police officers

Adding a new Article VII. application, registration, permits, fees and penalty
and adding new sections:
Section 6-76 non-transferability of permits
Section 6-77 spayed or neutered dog or cat registration required; intact dog
or cat registration required
Section 6-78 litter permit
Section 6-79 term of registration and permits, falsifications
Section 6-80 registration, vaccination and permit fees (establishing
increases in fees and new fees; refer to schedule a);
Section 6-81 waiver of fees
Section 6-82 waiver of requirements
Section 6-83 penalties and enforcement
Section 6-84 additional enforcement provisions
Section 6-85 parent's ultimate responsibility

To become effective sixty (60) days from public hearing and introduction;
and providing for effective date and publication. **(AS AMENDED)**

VIII. RESOLUTIONS

9. **2010-R-017** Authorizing the City Manager to enter into and execute a cooperative working agreement, attached hereto as Exhibit A, between Texas Department of Public Safety, Victim Services and the City of Laredo Police Department for the purpose of coordinating services, maximizing existing resources and avoiding duplication of services for crime victims in Laredo.
10. **2010-R-018** Authorizing the City Manager to submit a supplemental grant application to the Texas Automobile Burglary and Theft Prevention Authority in the estimated amount of \$25,237.83 to fund the Laredo Auto Theft Task Force for the period of April 1, 2010 through August 31, 2010. This supplemental application will be for equipment and will not require a match by the City of Laredo.
11. **2010-R-019** Authorizing the City Manager to enter into a contract with the Texas Department of State Health Services through the South Texas Development Council (STDC) for continuation of the Health Department's Housing Opportunities for Persons with AIDS Project (HOPWA), term from February 1, 2010 through January 31, 2011 and authorizing the City Manager to execute said contract.
12. **2010-R-020** Accepting seven (7) parcels of land, conveyed by Special Warranty Deed, from Laredo Hills, L.L.P., to the City of Laredo for municipal

purposes (said parcels being a total of 6.79 acres of land located within the Vista Nueva Subdivision) and described as follows:

1. Lot 19, Block 1, Vista Nueva Subdivision Situated in the City of Laredo, as per plat recorded in Vol. 25, Pg. 121, Webb County Plat Records.
 2. Lot 1, Block 2, Vista Nueva Subdivision Situated in the City of Laredo, as per plat recorded in Vol. 25, Pg. 121, Webb County Plat Records.
 3. Lot 2, Block 2, Vista Nueva Subdivision situated in the City of Laredo, as per plat recorded in Vol. 25, Pg. 121, Webb County Plat Records.
 4. Lot 8, Block 6, Vista Nueva Subdivision situated in the City of Laredo, as per plat recorded in Vol. 25, Pg. 121, Webb County Plat Records.
 5. Lot 1, Block 7, Vista Nueva Subdivision situated in the City of Laredo, as per plat recorded in Vol. 25, Pg. 121, Webb County Plat Records.
 6. Lot 1, Block 8, Vista Nueva Subdivision situated in the City of Laredo, as per plat recorded in Vol. 25, Pg. 121, Webb County Plat Records.
 7. Lot 19, Block 8, Vista Nueva Subdivision situated in the City of Laredo, as per plat recorded in Vol. 25, Pg. 121, Webb County Plat Records.
13. **2010-R-021** Resolution authorizing and approving the creation of the Laredo Public Facility Corporation under Chapter 303 of the Texas Local Government Code to act on behalf of the City of Laredo regarding the Terraza at Lomas Del Sur Project; for approving the certificate of formation and bylaws related thereto; and resolving other matters in connection therewith.
14. **2010-R-022** Resolution authorizing and approving the Naming of Rights Agreement between Laredo Energy IV, L.P., a Laredo Hockey Holdings, L.P., and the City of Laredo.

IX. MOTIONS

15. Consideration to award number FY10-027 to the low bidder Gutierrez Machine Shop, Laredo, Texas, in the estimated amount of \$125,000.00 for concrete repairs of sidewalks, driveways, and curbs as a result of water line break repairs made by the Utilities Department. All work will be performed on an as needed basis for repairs required due to utility repairs. Funding is available in the Utilities Department budget.
16. Consideration to award contract number FY10-028 to the low bidder Nick Benavides, Laredo, Texas, in the estimated amount of \$100,000.00 for lawn and landscaping repairs caused by utility repairs. This contract is based on fixed hourly rates for a two man crew and when needed a licensed irrigator; plus any landscaping materials. Funding is available in the Utilities Department budget.

17. Consideration to award contract FY10-029 to the low bidders:
 - a) Planet Ford, Spring, TX in the amount of \$327,842.00 for the purchase of thirteen (13) vehicles, and;
 - b) Sam Pack's Five Star Ford, Carrollton, Texas in the amount of \$253,820.00 for the purchase of seven (7) vehicles.

Vehicles are being purchased for the Airport, Health Department, Information Services and Telecommunications (IST), Municipal Housing, Traffic and Utilities Departments. Funding is available from Contractual Obligation bond proceeds and department operational budgets.

18. Consideration to award supply contract number FY10-032 to the low bidder, Aguaworks Pipe & Supply, Brownsville, Texas, in the estimated amount of \$250,000.00 for the purchase of PVC pipe used by the Utilities Department. This will be a sixty (60) day supply contract with an option to extend for additional sixty (60) day periods. These materials are purchased on an as needed basis for construction and repair projects. Funding is available in the Utilities Department budget.
19. Consideration to award annual service contract number FY10-036 to the low bidder, Rafter P. Transport Inc., New Braunfels, Texas, in the estimated amount of \$85,000.00 to haul and load dry sludge from the Jefferson Water Treatment Plant to the City of Laredo landfill. This contract is based on a bid of \$6.00 per cubic yard of material. The frequency and number of loads vary depending on the City's need. The bid price is based on a per load rate. Funding is available in the Utilities Department—Water Treatment Division budget.
20. Consideration to award supply contract number FY10-037 to the following low bidders:
 - a) Ferguson Waterworks, Mission, Texas, in the estimated amount of \$11,029.70
 - b) HD Supply Waterworks, San Antonio, Texas, in the estimated amount of \$46,187.10;

for the purchase of rubber couplings and fittings used for wastewater applications for the Utilities Department. These materials are purchased on an as needed basis by the Utilities Department—Wastewater Operations for construction and repair projects. Funding is available in the Utilities Department Fund.

21. Consideration to authorize a sole source purchase order to ITT Water & Wastewater U.S.A., Inc., in the total amount of \$69,633.20 for the purchase of necessary ITT Flygt model replacement pumps, parts, and accessories for the Zacate Creek and Southside Wastewater Treatment Plant's lift station, that are only available from ITT Water & Wastewater, as it is the

only authorized vendor for the needed products in Texas. Funding is available in the Utilities Department Wastewater Treatment Division Fund.

22. Consideration for acceptance and release of retainage in the amount of \$6,190.00 to Granbury Contracting and Utilities, Inc., Granbury, Texas, for the 16" water line with a 30" casing under Loop 20 (Cuatro Vientos Project). Funds are available in the 2008 Utility Bond.
23. Approving monthly adjustments to the tax roll. The amounts to be adjusted for the month of February 2010 represent a decrease of \$5,065.13. These adjustments are determined by the Webb County Appraisal District and by court orders.
24. Authorizing the City Manager to execute the three (3) year option on a lease agreement with Alejandro E. Villarreal, Jr., as "lessor", and the City of Laredo as "lessee" for the approximate 2,000 square feet of office space located at 910 Hidalgo Street, Laredo, Webb County, Texas. The office space was used to relocate the Laredo Police Department Precinct #6 in order to open office space at the Bruni Plaza Center for the City of Laredo's Building Department. The term of this lease agreement is three years commencing on March 1, 2010 and ending on February 28, 2013. Rental fee will be \$825.00 per month through the term of this lease agreement.
25. Consideration for approval of change order no. 2, an increase of \$99,361.90 to the construction contract with Martinez Paving Co., Inc., Laredo, Texas, to construct a concrete median on Loop 20 at Shiloh Drive for the Shiloh Drive Extension Project. The median consists of a northbound left-turn lane extension at Loop 20 and Shiloh Drive and to add eighty-eight (88) calendar days to the construction contract time. Current construction contract amount is \$1,365,518.85. Funding is available in the 2006 C.O. Bond.
26. Consideration for approval of the El Eden Recreational Facility Park Project as substantially complete and approval of change order no. 1, a decrease of \$130,328.89 on unused portions of contingency allowances; partial release of retainage and other completed work in the amount of \$182,244.21; and approval to add seventy-seven (77) working days to the construction contract time for weather delays, design delays and delays in obtaining easements for utilities, and other miscellaneous work. An amount of \$60,129.30 is being retained and will be released upon completion of pending punch list items and change order work. Final construction contract amount is \$4,031,171.11. Funding is available in the 2006 C.O. Bond and 2007 C.O. Bond.
27. Consideration for approval of amendment no. 3, an increase of \$44,658.00 to the professional services contract with SCS Engineers, Bedford, Texas, for the New Type I Cell in the City of Laredo Municipal Landfill located at 6912 Hwy. 359 to continue construction quality assurance and surveying services. The new engineering contract total will be \$552,558.00. Funding is available in the Solid Waste Account.

28. Consideration for approval to reject the sole bid of WRG Fire Training Systems, Inc., Sherwood, Oregon received for the Upgrades/Modifications for the Aircraft and Structural Fire Training Props and Facilities at the Laredo International Fire and Law Enforcement Training Center since the bid was over the project budget amount, and approval to re-bid the project.
29. Consideration to authorize approval of contract amendment No. 5 to the professional services contract dated February 21, 2007 with Puig Engineering, LLC, of Laredo, Texas, for the performance of engineering services related to the West Laredo Multimodal Corridor Phase II-Flecha Lane/Las Cruces Drive Realignment Project, is amended such that both the fee is increased by \$40,500.00, from \$438,700.00 to \$479,200.00, for additional professional services, and the contract completion date is extended by 270 days from notice to proceed. Funding is available in the Capital Improvement Fund.
30. Authorizing the City Manager to amend the existing contract of SLC Construction, LLC, Laredo, Texas, and to execute all related documents related to the consolidation of projects 1, 2, 3, 4, 5, and 6, for the replacement of approximately 60,000 linear feet of 8" waterline (at various locations). Texas Water Development Board Staff has approved the consolidation of the six (6) projects.
31. Consideration to authorize a purchase contract to Exerplay, Inc., Cedar Crest, New Mexico, through the Buy Board cooperative purchasing program in the amount of \$74,817.00, for the purchase of twenty (20) solar trash receptacles. Funding is available utilizing grant funding from the Department of Energy—Energy Efficiency and Conservation Block Grant (EECBG) Program.

X. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

32.

A. Request by Mayor Raul G. Salinas

1. Update on the Laredo Haitian Relief Project, and check presentation to three humanitarian partners: Habitat for Humanity, American Red Cross and Doctors Without Borders. Recognizing individuals and organizations that assisted with this project.

B. Request by Council Member Dr. Michael Landeck

1. Discussion with possible action regarding the Canizales Boxing Gym including acquisition, expansion, design and modernization with District 3 Discretionary Funds not to exceed \$300,000.00.
2. Discussion with possible action to instruct staff to come up with a proposal from El Metro for an experimental hub on or near HEB on Zapata Highway with routes between Laredo Community College and the hub.

3. Discussion with possible action to instruct staff to come up with a proposal from El Metro for an experimental bus line from HEB hub along Loop 20 and the Mines Road.

C. Request by Council Member Cynthia Liendo Espinoza

1. Consideration to waive the Civic Center rental fees for the upcoming Earth Day events scheduled for Saturday, April 10, 2010, with possible action.

XI. STAFF REPORTS

33. Selection of an operator/manager of the proposed City of Laredo Baseball Stadium, with possible action.
34. Report regarding the proposed City/County Veteran's Museum, with possible action.

XII. EXECUTIVE SESSION

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

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

35. Consideration to authorize the purchase of two (2) scrubbers/sweepers and two (2) walk-behind scrubbers from Tennant Sales and Service Company, Minneapolis, MN in the total amount of \$111,601.60. These items will be purchased utilizing the State of Texas – Texas Multiple Award Schedule (TXMAS) cooperative purchasing contract. Funding is available from Federal Transit Capital Grant No. TX-04-0040.

XIV. 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, March 10, 2010 at 6:15 p.m.

Gustavo Guevara, Jr.
City Secretary