

CITY OF LAREDO

CITY COUNCIL MEETING

A-2010-R-22

CITY COUNCIL CHAMBERS

1110 HOUSTON STREET

LAREDO, TEXAS 78040

NOVEMBER 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 November 8, 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. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

- a. Appointments by Mayor Raul G. Salinas to the People with Disabilities Blue Ribbon Committee.

- Francisco Martinez
- Michael E. Gonzalez
- Lilvette Santos
- Daniel Castillon
- Dr. Georgeanne Ramon-Reuthinger
- Martha M. Moke
- Candelario Rodriguez

- b. Appointment by Council Member Cynthia Liendo Espinoza of Mr. Ricardo Cisneros, Jr. to the Sports Ad Hoc Advisory Committee.
- c. Appointment by Council Member Cynthia Liendo Espinoza of Ms. Viviana Rotnofsky to the Economic Development Advisory Committee.

VI. PUBLIC HEARINGS

- 1. **Public hearing and introductory ordinance** amending the City of Laredo Code of Ordinances Chapter 26-Police, Article II-department, Division 1-generally, 26-21 through 26-27 by eliminating certain references to approval by the Mayor or City Council so that this ordinance conforms to duties and authority of the Chief stated in Chapter 143 of the *Texas Local Government Code*; reducing fees for case reports, incident reports and crime date and or similar information in accordance with the Texas Public Information Act; setting the following fees as allowed by State Law: \$6.00 for additional copies of an accident report, \$2.00 for a certified accident report; \$6.00 for certifying that no report/information is on file; \$10.00 for negative arrest records search; \$12.00 for a positive arrest records search and letter stating results; \$10.00 for fingerprint cards; providing for publication and an effective date.
- 2. **Public hearing and introductory ordinance** amending the City of Laredo Fiscal Year 2011 Budget by appropriating revenues and expenses in the amount of \$ 44,000.00 in the General Fund - Traffic Safety Division. The contribution of \$44,000.00 is from the Plantation Homeowner's Association for the purpose of partially funding the installation of speed cushions along Country Club Drive.
- 3. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 5.22 acres, as further described by metes and bounds in attached Exhibit "A", located west of Bob Bullock Loop and northwest of Maria Luisa Drive, from R-1 (Single Family Residential District) to B-1 (Limited Commercial District); providing for publication and effective date.

Staff supports the application and the Planning and Zoning Commission recommends approval of the zone change. District II

- 4. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 12A, Block 131, Eastern Division, located at 3510 Springfield Avenue, from B-1 (Limited Commercial District) to B-3 (Community Business District); providing for publication and effective date.

Staff supports the application and the Planning and Zoning Commission recommends approval of the zone change. District IV

- 5. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 2A, Block 64, Calton

Gardens Subdivision, located at 317 E. Calton Road, from B-1 (Limited Commercial District) to B-3 (Community Business District); providing for publication and effective date.

Staff supports the application and the Planning and Zoning Commission recommends approval of the zone change. District V

6. **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 on Lot 2A, Block 1, Arguindegui Real Estate Plat, located at 8919 San Dario Avenue; providing for publication and effective date.

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

7. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for a day care/rehabilitation center for young adults with special needs, on Lots 1, 2 and east 27.5 feet of lot 3, Block 1369, Eastern Division, located at 2317 Montgomery Street; providing for publication and effective date.

Staff does not support the application and the Planning & Zoning Commission recommends approval of the Conditional Use Permit. District IV

8. **Second (2nd) public hearing** for the unilateral annexation of three (3) tracts of land, and the voluntary annexation of one (1) tract of land:

Unilateral Annexations:

Tract 3: Highway 359 South Tract – 48.34 acres, more or less, located south of US Highway 359 and southwest of the City of Laredo Landfill. Petitioner: City of Laredo;

Tract 4: Highway 359 East Tract – 29.88 acres, more or less, located south of US Highway 359 and south of the City of Laredo Landfill. Petitioner: City of Laredo;

Tract 5: South Laredo Tract – 207.85 acres, more or less, located west of Ejido Avenue and north of La Pita Mangana. Petitioner: City of Laredo.

Voluntary Annexation:

Tract 6: Laredo Golf Course Tract – 270.08 acres, more or less, located approximately 6.19 miles northwest of the intersection of Mines Road (FM 1472) with Las Tiendas Road (FM 3338) and on the south side of Mines Road. Petitioner: City of Laredo;

for a total of 556.15 acres, more or less, as described in the attached tract summaries, as required by Section 43.063 of the Texas Local Government Code.

(Recess)
(Press Availability)

VII. INTRODUCTORY ORDINANCES

9. Authorizing the City Manager to amend the Capital Improvements Fund budget by appropriating revenues and expenditures in the amount of \$135,372.00 in payment from developer for improvements not completed in Khaledi Heights Subdivision Phase I, II, and III generated through cashier's checks payments made for pending improvements. **(Approved by Operations & Finance Committees)**

VIII. FINAL READING OF ORDINANCES

10.

2010-O-170 Amending the City of Laredo Health Department FY 2010-2011 annual budget by authorizing the City Manager to accept and appropriate revenues and expenditures in the amount of \$200,000.00 from the Department of Health and Human Services Centers for disease control and prevention. The funds are for a partnership with the mid Rio Grande Border Area Health Education Center (AHEC) who will receive \$161,000.00 to implement the assessment partnering with the University of Texas Health Science Center at San Antonio Center for South Texas Programs and South Texas AHEC, several community partners and the City of Laredo Health Department who will receive \$39,000.00 including one (1) FTE Clerk III along with various other local community partners, this project will conduct a health care needs assessment to project health care services, assess indigent care, address emerging health care issues and needs, health care professions development as well as improve health care access. This project is from September 1, 2010 through August 31, 2011.

2010-O-171 Amending the City of Laredo Special Police Programs Fund FY 2010-2011 annual budget by authorizing the City Manager to amend the full time equivalent positions (FTE) by adding one (1) Evidence Tech and one (1) Network Specialist to the Special Police Program Fund. Funding for these positions is \$71,301.00 and has been appropriated in the Special Police Program Fund and will be funded through The Edward Byrne Memorial Justice Assistance Grant Program which will be used to pay for the salaries and fringe benefits for these positions.

2010-O-172 Authorizing City Manager to accept, execute, and amend the City of Laredo Special Police Programs Fund FY 2010-2011 annual budget in the amount of \$4,369,266.00 to fund the Community Oriented Policing Services COPS Grant and to amend the Full Time Equivalent Positions (FTE) by adding twenty-two (22) Police Officer Cadet positions grade 71 to the Special Police Program Fund. Funding for this project is available from

the COPS Office and will be used to hire twenty-two (22) new police officer cadet positions and the program will pay 100% of the officer salaries and fringe benefits for the next three (3) years.

2010-O-173 Amending the City of Laredo Municipal Court FY 2010-2011 annual budget and FTE's by authorizing the City Manager to accept, execute and appropriate revenues and expenditures in the amount of \$35,638.82 received from Linebarger, Goggan, Blair & Sampson, L.L.P. to offset the expense to the City of Laredo for the creation of one (1) full time assistant court clerk position (salary and benefits) to handle data transfer, additional walk-in traffic, phone inquiries and other tasks associated with the implementation and administration of the contract for professional collection services.

2010-O-174 Authorizing the City Manager to execute an amendment to the lease with Ronny Salamon d/b/a Avionics Services Intl., approved on November 7, 2005, by Ordinance No. 2005-O-277 for approximately 6,174 square feet constituting Building No. 1338 located at 4015 North Jarvis Avenue at the Laredo International Airport. Said Amendment adds three (3) years to the lease term ending on September 30, 2013 and amending Section 2.02 Lessee's Duty to Repair, to obligate Lessee to make several improvements to the leased premises. All other terms and conditions of the lease remain unchanged and in effect; providing for an effective date.

2010-O-175 Authorizing the City Manager to grant a Right-of-Entry to United States of America for a twenty-four (24) month period on City owned property located alongside the Rio Grande and directly under International Bridge I (as depicted in the attached survey Exhibit "A"), to allow access to the site, allow the installation of a temporary cofferdam, install a permanent surface, associated parking area, install lights at the parking area and improve the boat ramp.

IX. RESOLUTIONS

11. **2010-R-100** Authorizing the removal of the traffic signal located at the intersection of Salinas Avenue and Garden Street which is no longer warranted according to the Texas Manual on Uniform Traffic Control Devices. **(Approved by Operations Committee)**

X. MOTIONS

12. Award of construction contract to the lowest qualified bidder Empire Roofing Companies, Inc., San Antonio, Texas, in the base bid amount of \$259,310.00 for the Laredo Main Public Library Roof Recover Project with a construction contract time of sixty (60) calendar days; and authorizing the City Manager to execute all related contract documents contingent upon receipt and approval of insurance and bond documents. Funding is available in the 2008 CO Bond and Capital Improvement Fund.

13. Authorizing the City Manager to accept the contract between the City of Laredo Health Department and the County of Webb for \$210,000.00 for the term of October 1, 2010 to September 30, 2011; and extending the contract for three (3) additional years in the amount of \$250,000.00 per year from October 1, 2011 to September 30, 2014 to conduct public health disease control, environmental health prevention and enforcement, septic tank inspections and authorization, food safety, food management and enforcement, animal, vector and zoonosis control and prevention. **(Approved by Operations & Finance Committees)**
14. Authorizing the City Manager to amend the Engineering Contract with Raba-Kistner Consultants, Inc., of San Antonio, Texas, in the amount of \$6,500.00 for a new total amount of \$89,500.00 for additional geotechnical engineering services for the El Pico Water Treatment Plant. Funding is in the 2008 Utility Bond. **(Approved by Operations Committee)**
15. Consideration for approval of change order no. 1 to Closner Construction, Laredo, Texas, for the Manhole Rehabilitation Phase 5 Project, for an additional one (1) manhole at no extra cost to the contract amount of \$305,735.00 and increasing the contract time by one (1) additional calendar day. **(Approved by Operations Committee)**
16. Consideration to award an annual supply contract to Graybar Electric, Corpus Christi, Texas, in the estimated amount of \$50,000.00 for the purchase of electrical parts and accessories through the U.S. Communities Purchasing Alliance Cooperative Purchasing Program's contract pricing. This contract will supplement the department's electrical maintenance capabilities. Funding is available in the Water Operational funds. **(Approved by Operations & Finance Committees)**
17. Consideration to award an annual service contract FY11-006 to the lowest bidder, Cantu Electric, Laredo, Texas, in the estimated amount of \$55,000.00 for the maintenance illumination systems along IH 35, Loop 20, F.M. 1472 and U.S. Hwy. 83/SH 359 interchange for a term of one (1) year. The contract vendor will be required to maintain, repair, and/or replace the various appurtenances related to the existing roadway assemblies. Funding is available in the Traffic Safety budget. **(Operations Committee provided a "Conditional" approval pending additional information; approved by Finance Committee)**
18. Consideration to award contract FY11-002 to the low bidder, American Fence Company, New Braunfels, Texas, in the estimated amount of \$79,935.00 for the installation of a new fence northwest of the Laredo International Airport. This project shall include the installation of a new fence, construction of a mow strip, construction of six (6) concrete slabs, and gate installation. Funding for this project is available in the Airport Construction Fund. **(Operations Committee approved, subject to no change orders; approved by Finance Committee)**

19. Consideration to award contract FY11-009 for the purchase of original equipment manufacturer (OEM) parts for the City's lawn maintenance equipment to the following low bidders;
 1. Neuhaus & Co., Weslaco, Texas, in the estimated amount of \$40,000.00, and;
 2. RDO Equipment, Laredo, Texas, in the estimated amount of \$30,000.00.

All parts will be secured on an as needed basis. Funding is available in the Fleet Maintenance budget. **(Approved by Operations & Finance Committees)**

20. Consideration to award a six (6) month supply contract for contract FY11-005, for the purchase of lubricants for the Fleet Maintenance Division to low bidders meeting specifications:
 1. Hollon Oil Co., Weslaco, Texas, in the estimated amount of \$65,181.00;
 2. Arguindegui Oil Co., Laredo, Texas, in the estimated amount of \$20,363.75, and;
 3. Lone Star Lubricants, Laredo, Texas, in the estimated amount of \$4,288.00.

The bid pricing will be firm for a six (6) month period and all items will be purchased on an as needed basis. Funding is available in the Fleet Maintenance Fund. **(Approved by Operations & Finance Committees)**

21. Consideration to award contract FY11-010 to the low bidder, Eggemeyer Land Clearing, LLC., San Antonio, Texas, in the estimated annual amount of \$94,500.00 for the grinding of wood waste material (brush, branches, pallets, etc.) at the City Landfill. Approximately 90,000 cubic yards of material will be proposed on an annual basis. Funding is available in the Solid Waste Services Department fund. **(Approved by Operations & Finance Committees)**
22. Consideration for approval of the selection of consultant O'Connor Engineering & Science, Inc., Laredo, Texas, and Terracon Consultants, Inc., Laredo, Texas, for the Asbestos Containing Building Materials Investigations for two (2) subsequent fiscal years 2011-2012 and authorization to negotiate a professional services contract for each respective project on a rotation basis. Funding is to be available from each project amount and is subject to future appropriations for the 2012 fiscal year. **(Approved by Operations Committee)**
23. Approving monthly adjustments to the tax roll. The amounts to be adjusted for the month of October 2010, represent a decrease of \$73,805.80. These

adjustments are determined by the Webb County Appraisal District and by court orders.

XI. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

24.

A. Request by Mayor Raul G. Salinas

1. Discussion with possible action on forming a City of Laredo/School Districts Liaison Committee.

B. Request by Council Member Gene Belmares

1. Discussion with possible action on a full financial disclosure for the acquisition, development and construction of North Central Park.
2. Discussion with possible action on adding \$8,000.00 from Capital Improvement Funds for the installation of sidewalks located on Merlin, south of Del Mar Blvd.

C. Request by Council Member Cynthia Liendo Espinoza

1. Discussion with possible action on repairing sidewalks on San Bernardo Avenue from Jefferson Street, south to Scott Street.

XII. STAFF REPORTS

25. Discussion with possible action to consider a fourth request for an extension of Injury Leave with pay in accordance with 143.073 (b) of the Texas Local Government Code for Police Investigator Jesus Munoz.
26. Presentation by Mr. Juan Carrizales, Senior Tax Consultant with the Internal Revenue Service and Mr. Rogelio Trevino, Chairman of the Family Economic Success Coalition regarding the 2010 Volunteer in Tax Assistance (VITA) Program.

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.

27. Request for executive session pursuant to Texas Government Code Section 551.072 to deliberate the value of real property pertaining to a potential purchase of real property located at the 3100 Block of Mercer and properties that include 4925 Tesoro Plaza, 1820 West Calton Rd. and 5100 Santa Maria that are part of Right of-Way acquisition for the Calton Road Grade Separation Project.

28. Request for Executive Session pursuant to Texas Government Code Section 551.071 (1) (B) to consult with City Attorney on settlement offer regarding City of McAllen, et al. v. Time Warner Entertainment-Advance/Newhouse Partnership, D/B/A Time Warner Cable, Case No. 7:10-cv-00393 and return to open session for possible action.

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

29. Consideration to award six (6) month supply contracts (FY11-007) for the purchase of engine oil and lubricants for the Laredo Transit Management Inc. (El Metro), to the low bidders:

1. Arguindegui Oil, Co., Laredo, TX, in the estimated amounts of \$67,105.75; and
2. Hollon Oil Co., Weslaco, TX in the estimated amounts of \$9,810.00.

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, November 10, 2010 at 6:00 p.m.

Gustavo Guevara, Jr.
City Secretary