CITY OF LAREDO

CITY COUNCIL MEETING
A-2011-R-21
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
NOVEMBER 28, 2011
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 7, 2011

V. COMMUNICATIONS AND RECOGNITIONS

Recognitions

a. Recognizing Maribel L. Garcia on her 8th annual participation in the Boston Marathon.

b. Recognizing Alexander High School Cross Country Team for their following achievements:

- 29th 5a District Champions
- Region 4 Champions
- 7th U.I.L. State Championships

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.

VI. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

a. Appointment by Council Member Esteban Rangel of Mr. Hector Lee Patiño to the Para Transit Advisory Committee.

b. Appointment by Council Member Alejandro Perez of Ms. Sandra Rocha Taylor to the Historic District/Landmark Board.

c. Appointment by Council Member Alejandro Perez of Ms. Mirta Piña to the Redistricting Commission.

d. Appointment by Council Member Alejandro Perez to the Telecommunications Advisory Committee.

e. Appointment by Council Member Alejandro Perez to the Transportation and Traffic Safety Advisory Committee.

f. Appointment by Council Member Alejandro Perez to the Planning and Zoning Commission.

VII. PUBLIC HEARINGS

1. **Public hearing and introductory ordinance** authorizing the City Manager to enter into contract with the Texas Department of State Health Services for the continuation of the Tuberculosis Prevention and Control Program and decreasing the City of Laredo Health Department FY 2011-2012 budget in the amount of $23,075.00 due to a state budget reduction for a total award of $142,893.00 for the period beginning January 1, 2012 through December 31, 2012. **(Approved by Operations Committee)**

2. **Public hearing and introductory ordinance** amending the City of Laredo Health Department FY 2011-2012 full time equivalent positions (FTEs) by creating one (1) FTE Health Educator I position funded by the Cancer Prevention and Research Institute of Texas (CPRIT) Grant of the City of Laredo Health Department (CLHD). This will improve early detection, health education and cancer prevention screening. Continuation of this position will be contingent on grant funding. **(Approved by Operations Committee)**

3. **Public hearing and introductory ordinance** authorizing the City Manager to accept and appropriate the City of Laredo Special Police FY 2011-2012 budget for an additional $100,000.00 under 2010 Operation Stone Garden, funding that will be available on a reimbursement basis through the Webb County Sheriff's Office (WCSO). This funding will be used for the purchase of equipment used for Stone Garden operations. The term of this grant agreement is from October 1, 2010 to September 30, 2013. **(Approved by Operations & Finance Committees)**

4. **Public hearing and introductory ordinance** amending Ordinance No. 2010-O-004 authorizing the issuance of a Conditional Use Permit for an

amusement redemption machine establishment on Lot 1, Block 2, Cuatro Vientos Norte Subdivision, Phase 1, located at 3301 Chacota Street, Units 21B and 22B, by changing ownership and extending the expiration date; providing for publication and effective date.

Staff supports the application and the Planning and Zoning Commission recommends approval of the amendments to the Conditional Use Permit. District I

5. **Public hearing and introductory ordinance** amending Ordinance No. 2010-O-132 authorizing the issuance of a Special Use Permit for the storage of flammable and explosive products on approximately 1.97 acres, as further described by metes and bounds in attached Exhibit "A", located at 126 Ranch Road 6086C, by extending the expiration date; providing for publication and effective date.

   Staff supports the application and the Planning and Zoning Commission recommends approval of the amendment to the Conditional Use Permit. District II

6. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by rezoning approximately 44.11 acres, as further described by metes and bounds in attached Exhibit "A", located north and northwest of the intersection of Riverbank Drive and Loop 20, from B-4 (Highway Commercial District) to M-1 (Light Manufacturing District); providing for publication and effective date.

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

7. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for a bus terminal on Lots 4 and 5, Block 113, Western Division, located at 802 Santa Ursula Avenue; providing for publication and effective date.

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

8. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for auto sales on Lots 11 and 12, Block 1703, Eastern Division, located at 2802 Laredo Street; providing for publication and effective date.

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

(Recess)
(Press Availability)

VIII. INTRODUCTORY ORDINANCES

9. Authorizing the City Manager to execute an amendment to lease agreement dated September 6, 2011 and approved by Ordinance No. 2011-O-120 between the City of Laredo, as Lessor, and Ronnie Salomon d/b/a Avionics Services International as Lessee, to enable Lessee to sublease a portion of the approximate 12,000 square feet constituting the western most section of Hangar No. 1309 located at 4207 North Jarvis Avenue at the Laredo International Airport to Elite Aviation, Inc., d/b/a Altair Aviation, L.L.C. **(Approved by Operations Committee)**

10. Authorizing the City Manager to execute all necessary documents for the sale of a 1.129 acre tract of land out of block no. 10, Subdivision Plat of Laredo Airport located at 4801 Daughtery Avenue to Webb County for the Community Action Agency (C.A.A.), El Aguila Rural Transportation Program. The appraised fair market value of this tract is $306,564.00. **(Approved by Operations & Finance Committees)**

IX. FINAL READING OF ORDINANCES

11.

2011-O-149 Amending the Laredo Code of Ordinances, Chapter 19, Motor Vehicles and Traffic, Article I, Section 19-1, definitions, by adding definitions relating to Non-Radioactive Hazardous Material Route (NRHMR) and amending Chapter 19, Motor Vehicle and Traffic, Article XIII, Transportation of Hazardous Materials, by adding:

Section 19-601- Non-Radioactive hazardous material route designated
Section 19-604- Transporting non-radioactive hazardous material within corporate boundaries of City;
Section 19-605- Mandated permissible routes for local delivery
Section 19-606- Permissible NRHM roadway route for through traffic;
Section 19-607- Local delivery routes; burden of proof on responsible person to demonstrate best use of highest classification roadways.
Section 19-608- Empty vehicles;
Section 19-609- Placard requirements;
Section 19-610- Unlawful use of prohibited routes;
Section 19-611- Police Department discretion and public safety;
Section 19-612- Emergency response vehicle carrying fuel;
Section 19-613- Prohibited parking and standing;
Section 19-614- Criminal Class C misdemeanor, civil remedy and enforcement; providing for publication and effective date.

2011-O-150 Authorizing the City of Laredo to use the power of eminent domain to acquire the Lots 3, 4, 5 and 6, Block 2169, Eastern Division for the purpose of the construction of Municipal Park Improvements and related amenities.

2011-O-151 Authorizing the City of Laredo to use the power of eminent domain to acquire the northeast 1/4 of lot 8, block 1174, Eastern Division for the purpose of the construction of a Municipal Library and related improvements.

2011-O-152 Amending Chapter 2, Article II, Section 2-15 (b) of the Code Book of Ordinances by providing for the voting powers of the Mayor Pro Tem; amending Ordinances 2011-O-029 to reflect such changes; repealing Ordinances 90-O-101 and 97-O-179; and providing for effective date.

X. FIRST AND FINAL READING OF ORDINANCE AS AUTHORIZED BY TEXAS GOVERNMENT CODE §1201.028.

12. **2011-O-153** Ordinance authorizing the issuance of City of Laredo, Texas, Waterworks and Sewer System Revenue Bonds, New Series 2011, in the estimated amount of $31,720,000.00 for the purpose of improving and extending the City's combined Waterworks and Sewer Systems, approving an official statement, authorizing the execution of a purchase contract, making provisions for the security thereof; delegating to the Mayor or the City Manager the authority to approve all final terms of the bonds; authorizing amendment to the City's budget to appropriate such proceeds for purposes authorized herein; and ordaining other matters relating to the subject.

XI. RESOLUTIONS

13. **2011-R-112** Accepting the conveyance of the following utility easement and temporary construction easement for the 60 inch Water Main F.M. 1472 (Mines Road), El Pico to IH 35 Project, from:

    Maria Luisa Garcia (Rodolfo Garcia)—Utility easement with corresponding Temporary Construction Easement as follows:

    One over a 1.57 Acre Tract, a copy of which conveyance is attached as Exhibit 1; and directing that the said easement (and Temporary Construction Easement) be filed of record in official property records of Webb County, Texas. **(Approved by Operations Committee)**

14. **2011-R-113** Resolution directing publication of notice of intention to issue City of Laredo, Texas Combination Tax and Revenue Certificates Of Obligation Series 2011, in one or more series, in the approximate principal amount of $8,700,000.00, for paying all or a portion of the City's contractual obligations incurred for the purpose of;

    1. Constructing, improving and repairing City streets and sidewalks, together with drainage, traffic, and street signalization, right-of-way acquisition, and lighting improvements;

2. Acquisition of municipal equipment and municipal vehicles for various City departments, to wit: City Administration, Health and Welfare Department, Engineering Department, Parks and Leisure Department, Public Safety Department, and Public Works Departments;

3. Acquiring, designing, constructing, improving and equipping municipal buildings, to wit: City Parks and Leisure Buildings and Facilities, Public Libraries, and Fire Administration Building, including land acquisition and right-of-way, construction and design, and major repairs and renovations to existing municipal buildings consisting primarily of electrical, plumbing and roofing;

4. Acquiring, purchasing and equipping of the former Paul Young Car Dealership building and related land located at 4256 Dorel Drive for use by the City as a City Hall Annex; and

5. Acquiring, constructing and improving municipal parks, including related drainage and for the payment of legal, fiscal, and engineering fees in connection with such projects.

XII. MOTIONS

15. Consideration for approval of the CDBG Sidewalks Project No. 39 (23 Blocks) – District IV as complete and approval of change order no. 1 a decrease of $1.25 for the balance of quantities actually constructed in place, release of retainage and approval of final payment in the amount of $44,810.48 to ALC Construction, Inc., Laredo, Texas. Final construction contract amount is $145,610.25. Funding is available in the Community Development Block Grant – 35th Action Year/2009 Grant. **(Approved by Operations Committee)**

16. Authorizing the City Manager to approve Amendment No. 3 for the engineering services contract with LNV Engineering Company—Corpus Christi, Texas, for the Booster Station Improvements and 3 MG Elevated Water Storage Tank engineering contract in the amount of $13,950.00 for a new total amount of $1,290,050.00 This amendment is for additional construction phase and construction observation needed due to the time extension granted for loss of days due to heat. Funding is available in the 2008 Utilities Bond. **(Approved by Operations Committee)**

17. Consideration to approve change order no. 4 to A Plus Plumbing Contractor, Inc., Laredo, Texas for the City of Laredo and Webb County, Texas House to Line Connections Project at Old Milwaukee, Tanquecitos I, Tanquecitos II, San Carlos I, San Carlos II, Los Altos, Ranchitos 359, Laredo Ranchettes, D-5 Acres. This change order is to add six (6) more dwellings and fifteen (15) calendar days, subject to approval by Texas Water Development Board. The contract amount remains unchanged in the

amount of $949,906.30. Funding is available in the Colonias Fund. **(Approved by Operations Committee)**

18. Consideration for the selection of Garros Services, LLC, Laredo, Texas, as the operator for the two (2) refrigerated inspection facilities located within the federal import lots at World Trade and Colombia Solidarity Bridges; and authorizing the City Manager to negotiate a management contract with this firm**.** Garros Services is being recommended as the most qualified proposer based on the evaluation factors listed in the request for proposal document. The revenues generated from this operator contract will be realized in the Bridge Fund.

19. Consideration to award contract FY12-007 to Insight Networking, Tempe, AZ, in the amount of $89,212.04 for the purchase and installation of uninterruptible power supply (UPS) solution required for the new Fire Department administration building. A staff evaluation committee reviewed all proposals utilizing a best value evaluation grading system and Insight Networking was deemed to provide the best value for the City. Funding is available in the 2009 Contractual Obligation bond – Fire Administration Building.

20. Consideration to award contract FY12-005 to Intercom Communications Co., Laredo, Texas, in the amount of $175,761.00 for the network cabling infrastructure required for the new Fire Department administration building. A staff evaluation committee reviewed all proposals utilizing a best value evaluation grading system and Intercom Communications was deemed to provide the best value for the City. Funding is available in the 2009 Contractual Obligation bond – Fire Administration Building.

21. Approving monthly adjustments to the tax roll. The amounts to be adjusted for the month of October 2011, represent a decrease of $61,479.71. These adjustments are determined by the Webb Appraisal District and by court orders.

****

XIII. 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.

XIII (b) MOTIONS

22. Consideration for approval of amendment no. 4, an increase of $76,157.00 to the professional services contract with Arcadis, Laredo, Texas, for the West Laredo Corridor – Calton Road Railroad Grade Separation to provide additional professional services for separation of the project into the

additional phase for the relocation/replacement of existing water and sanitary sewer systems. The City has reviewed the proposal and the City is in agreement with the estimate and scope of work. TxDot has approved the amendment which measures are being taken in order to satisfy TxDot requirements to have the Right-of-Way cleared of obstructing utilities, prior to beginning construction. Current engineering contract amount including this amendment no. 4 is $1,826,579.14. Funding is available in the Capital Improvement Fund.

23. Consideration for approval of the World Trade/Colombia Solidarity Bridges Port of Entry Refrigerated Inspection Facilities as substantially complete, release of retainage in the amount of $81,511.35 and approval of change order no. 2, an increase of $116,763.55 for changes to dock door heights, to the construction contract with Leyendecker Construction, Inc., Laredo, Texas. Current construction contract amount with this change order is $1,816,763.55. Current construction contract time with this change order is two hundred (200) calendar days. Completion date for the project is scheduled six (6) to seven (7) weeks after this change order is approved on or about January 6, 2012. Funding is available in the Capital Improvement Fund and Bridge Series 2005 Bond.

24. Consideration to authorize the purchase of two-thousand nine hundred and forty (2,940) garbage/refuse carts from Toter Inc., Statesville, NC, through the HGAC Cooperative Purchasing Contract GC01-11 in the total amount of $141,773.00. Funding is available in the Solid Waste Services budget.

25. Consideration to renew contract FY10-007 awarded to Sames Motor Co., Laredo, Texas, in the estimated amount of $90,000.00 for the purchase of Ford original equipment manufacturer (OEM) captive parts for the Fleet Department. This contract establishes discount percentage pricing for the purchase of automotive replacement parts for the Fleet Department. All parts will be secured on an as needed basis and funding is available in the Fleet Management budget.

26. Consideration to award contract number FY12-010 to the low bidder, Southern Tire Mart, L.L.C., Dallas, Texas, in the estimated annual amount of $120,000.00, for the purchase of truck tires for all City vehicles. All tires are purchased on an as needed basis. Funding is available in the Fleet Fund.

27. Consideration to ratify the City Manager's authorization for payment of seven (7) wastewater permit fees in the amount of $164,685.92 assessed yearly by the Texas Commission of Environmental Quality (TCEQ). The City's Wastewater Treatment Department is assessed a water quality fee based on a level in proportion for use of state water and/or for the treatment or discharge of wastewater. Funding is available in the Utilities Department—Water and Wastewater Treatment Division Budget.

28. Consideration to award a construction contract to the sole bidder, QroMex Construction Co. Inc., in the amount of $256,410.00 for US Hwy. 83-Lopez De Vega. The bid consists of boring and casing and installation of approximately 185 LF of City furnished 27" FRP sanitary sewer main in 48" steel casing, 92 LF of 27" FRP sewer main in 48" steel casing, Sewer Bore Repair with a construction time of thirty (30) working days and authorizing the City Manager to execute all related contract documents contingent upon receipt of insurance and bond documents. Funding is available in the 2009 Utility Bond.

29. Consideration of the selection of consultant, Porras Nance Engineering, Laredo, Texas and authorization to negotiate a professional services contract not to exceed $300,000.00 to provide engineering and surveying services to develop reports, plans, specifications, bid documents, construction management, as-built drawings and cost estimates for the 16 inch Water Main along Ejido Avenue from Monterrey to Columbia Drive. Funding is available in the 2009 Bond.

END OF CONSENT AGENDA

****

XIV. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

30.

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

1. Voicing support for a recent pledge made by United South high school students to eliminate texting while driving, and inviting the community of Laredo to join in this pledge to stop texting while driving, and thereby promote the safety and well being of our citizens. **(Co-Sponsored by Council Member Mike Garza, Council Member Esteban Rangel, and Council Member Jorge Vera)**.

B. **Request by Council Member Mike Garza**

1. Discussion with possible action to install a memorial in remembrance of J.J. Trejo at a facility located in Independence Hills Regional Park. **(Co-Sponsored by Mayor Raul G. Salinas, Council Member Esteban Rangel, and Council Member Jorge Vera)**

C. **Request by Council Member Esteban Rangel**

1. Presentation regarding the mega clean-up of the Chacon Hike and Bike Trail.

D. **Request by Council Member Alejandro "Alex" Perez**

1. Status report with possible action on Kansas City Southern railroad crossings in District 3.

2. Discussion with possible action on the hiring procedure of Council interns as approved by Council.

3. Discussion with possible action regarding the City's refrigerated storage facility project.

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

1. Discussion with possible action to direct staff to research and determine the five most popular intergovernmental contracts or memoranda of understandings (MOUs) entered into by governmental entities throughout Texas and the United States.

XV. STAFF REPORTS

31. Discussion with possible action on a request by Occupy Laredo to be granted an exception under Laredo City Ordinance §23.2(b), entitled, "Closing Hours," to be allowed to use Laredo City Parks as a camp ground during the hours of 11:00 pm to 6:00 am when parks would otherwise be closed, and any other matters related thereto.

XVI. 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.

XVII. ADJOURNMENT

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 Monday, November 21, 2011 at 7:00 p.m.

Gustavo Guevara, Jr.
City Secretary