

CITY OF LAREDO

CITY COUNCIL MEETING

A-2012-R-10

CITY COUNCIL CHAMBERS

1110 HOUSTON STREET

LAREDO, TEXAS 78040

JUNE 4, 2012

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 May 21, 2012

V. COMMUNICATIONS AND RECOGNITIONS

Communiqués

- a. Invitation by children of St. Mary's University alumni and Project Kids Aid With Lemonade, to their annual lemonade & cookie stand, which benefits the South Texas Food Bank, this year to be held on Saturday, June 16th at a Laredo Lemurs baseball game at Uni-Trade Stadium.
- b. Presentation of AT&T Yellow Pages Cover, featuring the winning photo from the Spring Break Kite Festival Photography Contest.

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 Alejandro “Alex” Perez to the Parks & Leisure Advisory Committee.

VII. PUBLIC HEARINGS

1. **Public hearing and introduction of an ordinance** amending Article VI [Investment Policy] of Chapter 2 [Administration] of the Code of Ordinances in order to:
 1. Insert new requirements due to Legislative changes in the Public Funds Investment Act;
 2. Correct and insert minor punctuation and typing edits; and providing for effective date. **(Approved by the Operations & Finance Committees)**
2. **Public hearing and introductory ordinance** amending the City of Laredo’s FY 2012 Laredo Conventions and Visitors Bureau operating budget by appropriating revenues and expenditures in the amount of \$300,000.00. Funding is available in the Hotel Motel Fund. **(Approved by the Operations & Finance Committees)**
3. **Public hearing and introductory ordinance** authorizing the City Manager to execute termination of Advanced Funding Agreement with the Texas Department of Transportation for the design of a proposed railroad grade separation over the Kansas City Southern Railroad Crossing on Arkansas Avenue, between Guadalupe and Chihuahua Streets, and amending the FY 2011-2012 Capital Grants fund by decreasing revenues in the amount of \$812,016.00, and transferring in \$93,540.00, for a total decrease in expenses of \$905,556.00. TxDOT and the City mutually agree to terminate the agreement, and proceed no further with the project due to significant adverse public response. The City will not be required to reimburse the \$310,000.00 in federal funds already expended on the project. **(Approved by the Operations & Finance Committees)**
4. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by amending Ordinance No. 2010-O-019 authorizing the issuance of a Conditional Use Permit for an oriental grocery store and professional offices on Lot 4, Block 666, Eastern Division, located at 1219 East Bustamante Street, by removing the expiration date; providing for publication and effective date.

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

5. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 2 and 3, Block 2, San Isidro Business Park, located at 301 and 309 Crossroads Street, 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. Council District VI

6. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 3 and 4, Block 1, San Isidro Business Park, located at 310 and 318 Crossroads Street, 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. Council 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 thrift shop on Lot 1, Block 569, Western Division, located at 2619 Salinas Avenue; providing for effective date and publication.

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

(Recess)
(Press Availability)

VIII. FINAL READING OF ORDINANCES

8. **2012-O-076** Authorizing the City Manager to accept and appropriate the City of Laredo Special Police FY 2011-2012 budget for an additional \$200,000.00 under 2009 Operation Stone Garden, funding 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, 2009 to September 30, 2012.

2012-O-077 Ratifying the acceptance of a contract from Migrant Clinicians Network, Inc., (MCN) and amending the City of Laredo Health Department FY 2011-2012 Annual Budget by appropriating revenues and expenditures in the amount of \$10,160.00 for "Moving Against Cancer: a Collaborative Health Promotion, Education and Training Effort to Assist Local Latino Mobile Poor", to increase the rate of cancer screening and follow up within

the Laredo Community through appropriate public education, provider training and patient navigation assistance through August 31, 2012.

2012-O-078 Authorizing the City Manager to accept a contract amendment from the Department of State Health Services (DSHS) to align the grant consolidation process and amending the City of Laredo Health Department FY 2011-2012 Annual Budget by increasing in the amount of \$58,299.00 for a total of \$306,835.00 for the continuation of local public health system, Office of Public Health Practices (OPHP) Grant to continue to provide prevention services, disease control, early detection, patient care and health promotion activities through August 31, 2012.

2012-O-079 Authorizing the City Manager to accept a contract amendment from the Department of State Health Services (DSHS) to align the grant consolidation and amending the City of Laredo Health Department FY 2011-2012 Annual Budget by increasing in the amount of \$22,962.00 (\$20,873.00 in Direct Funds and \$4,089.00 in-kind match) for a total of \$488,289.00 for the continuation of Public Health Emergency Preparedness and Response Program and extending the term period through August 31, 2012.

2012-O-080 Amending the City of Laredo Code of Ordinances Chapter 7, "Buildings & Building Regulations," by amending Article II Registration of General Contractors and Subcontractors Section 7-23 approval, by adding the words, "Upon Request", at the end of the first sentence and deleting Article II Registration of General Contractors and Subcontractors Section 7-29 Insurance, providing for a severability clause; a publication clause; and an effective date.

IX. RESOLUTIONS

9. **2012-R-039** Appointment to the Fire Fighters' & Police Officers' Civil Service Commission of the City of Laredo to serve a three (3) year period effective June 4, 2012 to June 4, 2015.

X. MOTIONS

10. Approval for students from the Sister Cities Youth Committee to travel to our Sister City La Cruz de Guanacaste, Costa Rica to participate in the Youth Committee Exchange Program and approval of expenditures. The program serves as a catalyst for youth advancement through innovative and cross-cultural educational programs with our worldwide sister cities; provides an excellent opportunity for promoting the City of Laredo; enhances Laredo's international relationships which are vital to Laredo's livelihood as the largest inland port in the country if not the world. Funds are available in the Sister Cities Youth Committee Account. City Council finds and declares that a valid public purpose will be served by this expenditure.

XI. 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.

XI (a) RESOLUTIONS

11. **2012-R-045** Authorizing and approving a Tax Abatement Agreement between the City of Laredo and Con-Way Freight Inc., in accordance with authorized guidelines and criteria and established reinvestment zone. This agreement will be for a five (5) year period and will abate taxes on new improvements for the purpose of economic development and the creation of jobs. The amount of taxes abated depends on the number of jobs created and the amount of investment. The guidelines and criteria for the agreement are set forth in the attached agreement and attachments.

12. **2012-R-048** Authorizing the City Manager to execute termination of the Advanced Funding Agreement with TXDOT for the design and construction of the West Laredo Multimodal Trade Corridor Project-Phase I (CPL Road) and to reallocate all unexpended available project funds to the Flecha/Las Cruces Realignment or Calton Grade Separation Projects, as needed. The project is proposed for termination due to the inability to acquire the necessary right of way. Grant is being accounted for in the Capital Improvements Fund.

XI (b) MOTIONS

13. Authorizing the City Manager to enter into a continuation lease agreement between the City of Laredo and Laredo, Texas Hospital Company, L.P., D/B/A Laredo Medical Center to allow the City of Laredo to continue to operate on the property located on 1710 East Saunders Street in Laredo, Texas, 78041 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 May 1, 2012 through April 30, 2017, contingent on funding availability.

14. Consideration to authorize the purchase of new Access Control System and security door hardware related items for entry into the Laredo Bridge System facilities from Knight Security, Austin, Texas, through the State of Texas DIR Cooperative Purchasing Contract SSD-1755 in the total amount of \$156,021.41. Funding is available in the Bridge Operations Fund.

15. Referring the City of Laredo Comprehensive Plan to the Planning and Zoning Commission and requiring that a report from the Planning and

Zoning Commission with any recommendations be brought back before the City Council before the adoption of the budget; in accordance with Article IX, Section 9.03 of the Charter of the City of Laredo.

16. Consideration for approval to award a professional services contract to Frank Architects, Inc., Laredo, Texas, in the amount of \$62,500.00 for design and preparation of plans and specifications of preservation documents for the Canseco Property Project located at 1415 Chihuahua Street between Loring and Seymour Avenues. Design work is to be done on a fast track basis approximately three (3) months. Funding is available in the 2008 C.O. Bond.
17. Award of construction contract to the sole bidder, ALC Construction, Inc., Laredo, Texas, in the base bid amount of \$61,832.70 for the ADA Sidewalks and Ramps Project No. 48 (12 Blocks-District III) with a construction contract time of fifty (50) working 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 2012. Funding is available in the 2010 C.O. Issue.
18. Acceptance of the Engineered Material Arresting System (EMAS) upgrade project at the Laredo International Airport and authorizing the City Manager to make final payment in the amount of \$1,774,700.00 to Engineering Arresting Systems Corporation (ESCO) to include the EMASMAX Lid upgrade, replacement of ninety five (95) damaged blocks, all necessary materials, labor, and supervision. This project is funded by FAA Grant No. 68 and Airport EMAS Damage Reimbursement Fund.
19. Consideration for approval of the selection of consultant Arredondo, Zepeda, & Brunz, LLC (A,Z,&B), Dallas, Texas, and authorization to negotiate a professional services contract for an expansion permit application, construction plans and construction quality assurance for the next disposal cell for the City of Laredo Municipal Landfill located at 6912 HWY 359, Laredo, Texas. There is no financial impact.
20. Consideration to award contracts to the following bidders:
 - a. Freightliner & Western Star, San Antonio, Texas, in the amount of \$144,258.00 for the purchase of one (1) Freightliner Cab & Chassis with Bergkamp Patcher Body,
 - b. Santex Truck Center, San Antonio, Texas, in the amount of \$159,891.00 for the purchase of one (1) International Truck/Trailer,

for use by the Utilities Department utilizing the BuyBoard and H-GAC Cooperative Contract. Funding is available in the Utilities Department fund.

21. Consideration to reject the sole bid received for FY12-060, for the furnishing of cleaning services for domestic sewage back-ups into private properties; and authorize the new bids be solicited. The bid documents will be revised to clarify the bid price schedule for this service.
22. Consideration to exercise the renewal option for annual contract FY11-065 awarded to Ferguson Waterworks, Newport News, VA, in the amount of \$728,581.25 for the purchase of mechanical joint fittings, value boxes and pipe tubing for the Utilities Department. These materials are purchased on an as needed basis by the Utilities Department—Water Operations for construction and repair projects. Funding is available in the Utilities Department Fund.
23. Consideration for approval of change order no. 1, in a credit amount of \$4,313,521.00 to Western Summit Constructors, Inc. /McAllen Construction, Inc., a Joint Venture Contractor, Fort Worth, for El Pico Water Treatment Plant 20 MGD. This change order consists of modifying the Forebay structure and Deletion of the Cash Allowance in Task Item 25. The total contract amount will change from \$89,738,625.00 to \$85,425,104.00. Contract time remains the same. Funding is available in the 2007, 2008, 2009 C & D and 2010 Utility Bonds.

END OF CONSENT AGENDA

XII. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

24.

A. Request by Council Member Alejandro “Alex” Perez

1. Status update on the Santa Fe Splash Park, with possible action.
2. Discussion with possible action on establishing a Conservation District in the old original Heights Neighborhood (proposed map included). The purpose of the Conservation District is to basically conserve and ultimately encourage reinvestment in the old inner city heights neighborhood by establishing a zone where new and improved street lighting and decorative street signs can be installed apart from the uniform code and implement any other tool allowable in this type of zone to conserve and improve the neighborhood. This zone will not impact the budget and all or most improvements within the zone will be done with discretionary monies.

3. Discussion with possible action on the Kansas City Southern Railroad Crossing improvements “planking”.
4. Discussion with possible action on scheduling a Special City Council Meeting to discuss the Economic Incentive Plan, with a consultant, for District II, III, IV and possibly other districts. **(Co-Sponsored by Mayor Pro-Tempore Cynthia Liendo Espinoza, Council Member Esteban Rangel, & Council Member Charlie San Miguel)**

B. Request by Council Member Johnny Rendon

1. Presentation by Dr. Alfredo Trevino and Mrs. Trevino regarding the City’s need of tennis courts, with possible action.

C. Request by Council Member Charlie San Miguel

1. Discussion with possible action to allow the high school rivalry baseball games, such as Alexander High vs. United High, Nixon High vs. Martin High, etc., to be played at Unitrade Stadium beginning next baseball season. **(Co-Sponsored by Mayor Pro-Tempore Cynthia Liendo Espinoza, Council Member Esteban Rangel, & Council Member Alejandro “Alex” Perez)**

D. Request by Council Member Jorge A. Vera

1. Presentation by Ricardo Trejo, Regional Sales Manager for Redflex Traffic Systems, Inc., on an at grade railroad “Traffic Camera Safety Improvement Program”.
2. Discussion with possible action regarding the creation of a medical health clinic located in District VII.

XIII. STAFF REPORTS

25. Discussion with possible action on determining the qualifications important to City Council regarding the recruitment of the Police Chief.

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.

26. Request for executive session pursuant to Texas Government Code Section 551.071(1)(A) to consult with attorney on pending litigation: City of Laredo v. Homero Mojica, et al., cause no. 2010CVQ000755-D2, in the 111th District Court, Webb County, Texas; and return to open session for possible action.

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

27. Award of construction contract to the lowest bidder ALC Construction, Inc., Laredo, Texas, in the base bid amount of \$38,863.55 for the El Metro ADA Sidewalks and Ramps Project No. 50 (5 Blocks-District II) with a construction contract time of fifty (50) working 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 2012. Funding is available in the Transit New Freedom Grant XF7094. **(Approved by the Operations & Finance Committees)**

28. Award of construction contract to the lowest bidder DEH Construction Co., L.L.C., Laredo, Texas, in the base bid amount of \$35,865.00 for the El Metro ADA Sidewalks and Ramps Project No. 46 (7 Blocks-District I) with a construction contract time of fifty (50) working 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 2012. Funding is available in the Transit New Freedom Grant XF7094. **(Approved by the Operations & Finance Committees)**

XVI. 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, May 30, 2012 at 6:45 p.m.

Gustavo Guevara, Jr.
City Secretary