

# CITY OF LAREDO

CITY COUNCIL MEETING

A-2012-R-15

CITY COUNCIL CHAMBERS

1110 HOUSTON STREET

LAREDO, TEXAS 78040

AUGUST 20, 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 August 6, 2012

### V. COMMUNICATIONS

#### Communiqués

- a. Presentation by Tricia Cortez, Executive Director of the Rio Grande International Study Center regarding Eco-Camp held in July.

#### 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. PUBLIC HEARINGS

1. **Public hearing** for the adoption of a tax rate of \$0.637000 per \$100 value for the Tax Year 2012. The tax rate will provide revenue for the general fund and debt service. The rate includes \$0.498866 per \$100 value for

Maintenance and Operation and \$0.138134 per \$100 value for Sinking Fund of the Debt Service and is estimated to generate a tax levy of \$67,582,680.00. The City Council is scheduled to vote on the tax rate on September 11, 2012 at 1:15 p.m. and September 17, 2012 at 5:30 p.m. at City Council Chambers located at 1110 Houston Street.

2. **Public hearing and introductory ordinance** amending the City of Laredo 2011-2012 Laredo Auto Theft Task Force annual budget by increasing revenues in the amount of \$111,240.00 and increasing the amount of expenditures in the amount of \$49,217.00 to fund the Laredo Auto Theft Task Force and accepting a grant award in the amount of \$433,514.00 from the State of Texas Automobile Burglary and Theft Prevention Authority. The amendment will include one (1) Clerk III FTE position. The Texas Automobile Burglary and Theft Prevention Authority will fund the Laredo Auto Theft Task Force for the period of September 1, 2012 through August 31, 2013. This grant pays salaries, equipment and supplies for Laredo Police Department personnel to combat auto theft in the City of Laredo. **(Approved by the Operations & Finance Committees)**
3. **Public hearing and introductory ordinance** amending Chapter 28 of the City of Laredo Code of Ordinances by adding a new Article II to be entitled, "sign regulations" establishing comprehensive rules and regulations governing all signs within the City; and repealing in its entirety section 24-82 of the Land Development Code entitled, "signs and outdoor activity;" providing a severability, savings, repealing, and penalty clause; establishing an effective date; and providing for publication. **(Approved by the Operations Committee; Finance Committee recommended item be sent to full Council)**
4. **Public hearing and introductory ordinance** amending the Land Development Code of the City of Laredo, Article IV, 24-65 Supplementary Zoning District Regulations, Section 24.65.18, Arts and Entertainment District (AE District), requiring approval of sidewalk cafés, authorizing, by license, sidewalk cafés, setting the criteria for unobstructed pedestrian paths along sidewalks, and establishing minimum requirements, fees, and penalties for sidewalk cafes; and amending Appendix "A" (Definitions), of the Land Development Code of the City of Laredo, by adding the definitions of "sidewalk café" and "sidewalk café license"; to become effective sixty (60) days from passage, providing for severability and publication. **(Approved by the Operations Committee)**
5. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 18.69 acres, as further described by metes and bounds in attached Exhibit "A", located along Cuatro Vientos Road east of El Eden Subdivision Unit XV, from R-1 (Single Family Residential 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 I

6. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 17.39 acres, as further described by metes and bounds in attached Exhibit "A", located along the east side of Cuatro Vientos Road and east of El Eden Subdivision Unit XV, from R-1 (Single Family Residential District) to B-4 (Highway 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 I

7. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by repealing Ordinance 2009-O-028 authorizing a Conditional Use Permit for a parking lot, and authorizing a Conditional Use Permit for a health club (physical fitness) on Lots 1, 2, and 3, Block 1475, Eastern Division, located at 2503 Ligarde Street; providing for providing for publication and effective date.

Staff supports the application and the Planning and Zoning Commission recommends approval of the Conditional Use Permit and the repealing of Ordinance 2008-O-208. District II

8. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 11.72 acres, as further described by metes and bounds in attached Exhibit "A", located south of Havanna Drive and West of Bob Bullock Loop (Loop 20), from R-1A (Single-Family Reduced Area District), B-1 (Limited Commercial District), and B-3 (Community Business District) to R-1 (Single-Family Residential District); providing for publication and effective date.

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

9. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 22, Block 1, Deerfield Subdivision Phase 4, located at 1002 Big Bend Boulevard (10122 FM 1472), from B-1 (Limited Commercial District) to B-4 (Highway Commercial District); providing for publication and effective date.

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

**(Recess)**  
**(Press Availability)**

## VII. INTRODUCTORY ORDINANCES

10. Designating as a one-way westbound the 2500, 2600, and 2700 blocks of Mier Street, between N. Milmo Avenue and N. Arkansas Avenue, during the peak hours of 7:30 a.m. to 8:30 a.m., and 3:30 p.m. to 4:30 p.m., Monday through Friday, during school days, providing for the installation of appropriate signs to indicate one-way traffic and providing for publication and effective date. **(Approved by the Operations Committee)**
  
11. Authorizing the City Manager to approve the granting of:
  1. An access easement to the U.S. Department of Homeland Security upon a tract of land containing 0.68 acres, more or less, located in the City of Laredo, Webb County, Texas, being more particularly described by metes and bounds in Exhibit A attached hereto, and shown on survey attached hereto as Exhibit B. Said easement to be provided for a term of twenty (20) years with options to extend for additional five (5) year terms. Said request is being made for the construction, operation, maintenance and shared use of a boat ramp facility.
  
  2. A utility easement on a tract of land containing 0.15 acres, more or less, located in the City of Laredo, Webb County, Texas and more particularly described by metes and bounds and boundary survey herein attached as Exhibits C and D. Said easement is being requested for utility service connection to the boat ramp facility. The requested term of this easement is for twenty (20) years with options to extend for additional five (5) year terms. **(Approved by the Operations Committee)**
  
12. An Ordinance establishing security fees for services rendered by the Laredo International Airport to offset the operating cost of providing Security Access Media (ID) \$35.00, Fingerprint Processing \$56.00, Vehicle Decal \$30.00, Lock & Key \$60.00, and Dissemination of Reports to the public \$10.00 and authorizing the City Manager to implement said Ordinance; providing for an effective date. **(Approved by the Operations Committee)**
  
13. Authorizing the City Manager to execute a Rental Car Agency Concession and Lease Agreement with Coastal Bend Rent A Car, Inc., dba Avis Rent A Car, for the approximate 171 square feet of office and counter space located in car rental space no. 2 and 19 parking spaces located at 5210 Bob Bullock Loop at the Laredo International Airport. Lease term is for three (3) years commencing on August 1, 2012, and ending on July 31, 2015. Minimum Annual Guarantee (MAG) shall be \$90,131.40 or ten percent (10%) of gross sales, whichever is greater; providing for an effective date. **(Approved by the Operations & Finance Committees)**

14. Authorizing the City Manager to execute a Rental Car Agency Concession and Lease Agreement with EAN Holding, L.L.C., dba Enterprise Rent A Car, for the approximate 165 square feet of office and counter space located in car rental space no. 1 and 19 parking spaces located at 5210 Bob Bullock Loop at the Laredo International Airport. Lease term is for three (3) years commencing on August 1, 2012, and ending on July 31, 2015. Minimum Annual Guarantee (MAG) shall be \$107,141.00 or ten percent (10%) of gross sales, whichever is greater; providing for an effective date. **(Approved by the Operations & Finance Committees)**
15. Authorizing the City Manager to execute a Rental Car Agency Concession and Lease Agreement with the Hertz Corporation, for the approximate 165 square feet of office and counter space located in car rental space no. 5 and 19 parking spaces located at 5210 Bob Bullock Loop at the Laredo International Airport. Lease term is for three (3) years commencing on August 1, 2012, and ending on July 31, 2015. Minimum Annual Guarantee (MAG) shall be \$86,000.00 or ten percent (10%) of gross sales, whichever is greater; providing for an effective date. **(Approved by the Operations & Finance Committees)**
16. Authorizing the City Manager to execute a Rental Car Agency Concession and Lease Agreement with EAN Holding, L.L.C., dba National Car Rental, for the approximate 171 square feet of office and counter space located in car rental space no. 3 and 19 parking spaces located at 5210 Bob Bullock Loop at the Laredo International Airport. Lease term is for three (3) years commencing on August 1, 2012, and ending on July 31, 2015. Minimum Annual Guarantee (MAG) shall be \$85,250.00 or ten percent (10%) of gross sales, whichever is greater; providing for an effective date. **(Approved by the Operations & Finance Committees)**
17. Authorizing the City Manager to execute a lease with South Texas Workforce Development Board for approximately 6,600 square feet of building space with associated land located at 1701 E. Hillside Suite No. 1 at the Laredo International Airport, Block 15, Lot No. 1. Lease term shall commence August 1, 2012 and end on November 30, 2015. Initial monthly rent shall be \$8,250.00 and will be adjusted annual according to changes in the Consumer Price Index; providing for an effective date. **(Approved by the Operations & Finance Committees)**
18. Authorizing the City Manager to execute a lease with Webb County Head Start for approximately 1.0128 acres of land located at 4704 Naranjo Street at the Laredo International Airport. Lease term is for five (5) years commencing on August 1, 2012 and ending on July 31, 2017, and may be extended for one (1) consecutive five (5) year term ending on July 31, 2022. However, the lease may be terminated by either party upon giving a 180-day written notice from the party terminating to the other. Monthly rent shall be \$2,354.17 and will be adjusted annually according to changes in the

Consumer Price Index (CPI); providing for an effective date. **(Approved by the Operations Committee)**

19. Authorizing the City Manager to execute a lease with Crossfit LTX for approximately 1,460 square feet of building space located at 1701 E. Hillside Suite No. 2 at the Laredo International Airport, Block 15, Lot No.1. Lease term shall commence August 01, 2012 and end on March 31, 2013. Initial monthly rent shall be \$1,400.00; providing for an effective date. **(Approved by the Operations Committee)**
20. Amending Chapter 2 "Administration" of the City of Laredo Code of Ordinances by adding Article VIII "Code of Ethics"; establishing standards of conduct applicable to all employees, officials and persons conducting business with or otherwise influencing governmental action; providing procedures and prescribing penalties for violations of the standards so adopted; creating an Ethics Commission; containing a savings clause; and providing for the publication and effective date thereof.

#### **VIII. FINAL READING OF ORDINANCES**

21.  
**2012-O-108** Amending the subdivision ordinance of the City of Laredo, Section 3-4 (Easements) to allow front lot utility easements; providing for rules and criteria in Section 6-4B,1 through 10; providing for severability, publication and effective date.  
  
**2012-O-109** Authorizing the City Manager to execute a Termination of Lease and Bill of Sale by and between the City of Laredo, a municipal corporation ("Landlord"), and TOWER ASSETS NEWCO III, L.L.C., ("Tenant"), to terminate Ground Lease, dated August 20, 2011 ("Lease") located 14100 FM 1472, wherein Landlord leased to Tenant's predecessor in interest, Texas no. 20 Rural Cellular Inc., as authorized by Ordinance 2001-O-186 and accepting transfer of the tower assets to Landlord, effective September 30, 2012.

#### **IX. MOTIONS**

22. Consideration to award contract FY12-081 for the purchase and installation of a feral hog fence for the Max Mandel Municipal Golf Course to Quality Fence, Laredo, Texas, in the amount of \$77,320.50. The City Council is asked to grant a waiver for a minor irregularity as Quality Fencing failed to sign the vendor information sheet. This vendor has extensive experience in this type of fence construction and was deemed to have submitted the best value bid for this project. Funding for this project is available in the Contractual Obligation bond proceeds.
23. Authorizing the issuance of two (2) banner permits to the Texas A & M International University Alumni Association, for the installation of a banner

across the intersection of Calton Road and Yeary and a banner across Del Mar Boulevard and McPherson Road from September 1, 2012 to October 8, 2012 to advertise the Autumn Music Festival (Autmus Fest) and requesting the waiver of permit fees. **(Approved by the Operations Committee)**

24. Approving monthly adjustments to the tax roll. The amounts to be adjusted for the month of July 2012, represent a decrease of \$29,179.92. 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.**

**XI (a) RESOLUTIONS**

25. **2012-R-065** Authorizing the City Manager to accept a grant in the amount of \$145,000.00 from the Texas Department of Public Safety, Texas Ranger Division for the purpose of funding FY 2012-2013 Local Border Security Program (LBSP). Funding will be used to pay for overtime to increase patrol security along the Texas-Mexico border.

**XI (b) MOTIONS**

26. Consideration to authorize the City Manager to enter into a professional services contract with Arredondo, Zepeda, & Brunz, L.L.C., (AZ&B) in the amount of \$2,225,789.95 to complete 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. The scope of work includes developing construction documents and a permit amendment concurrently, and provide the construction phase services and deliverables to meet TCEQ requirements. Tentative completion date is June 2013. Funding is available in the Solid Waste Fund Balance.
27. Consideration for approval of change order no. 1, an increase of \$354,302.79 to the construction contract with Red Cliff, Inc., El Paso, Texas, for the Canal Street Drainage Improvements Phase II for additional storm drainage improvements to change side slope of south concrete channel to increase channel capacity; add concrete riprap south of concrete channel to reduce erosion and maintenance costs; to trim tree branches within the City right-of-way to keep organic material from contaminating the concrete pours; and to increase the height of concrete channel south wall an average of 1.75 feet for a total of 440 linear feet to prevent erosion and

to add forty-eight (48) working days to the construction contract time. Current construction contract amount with this change order is \$2,780,546.29. Current construction contract time with this change order is two hundred twenty-eight (228) working days. Completion date for the project is scheduled for March 12, 2013. Funding is available in the HMGP (Hazard Mitigation Grant Program), Environmental Fund, and 2008 C.O. Bond.

28. Authorizing the City Manager to acquire fee simple title of the "Surface Only" for 1615 Laredo Street, legally described as Lot 4, Block 890, Eastern Division, for the expansion of the Canizales Gym. This property will provide for additional parking lot improvements and is to be acquired in an amount not to exceed \$122,800.00 plus incidental expenses. This will be a voluntary transaction funded by the Canizales Gym Improvement Project 2007 C.O. Bond.
29. Consideration to award contract number FY12-072 to the sole bidder, Texas Scenic Company Inc., San Antonio, TX, in the total amount of \$62,560.00 for the purchase and installation of new theatrical lighting system for the Laredo Little Theatre facility. Funding is available in the Economic Development Initiative Grant, Laredo Little Theatre (EDI-SP LDO) Grant made available through the U.S. Department of Housing and Urban Development (HUD).

**END OF CONSENT AGENDA**

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**XI. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS**

30.

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

1. Discussion with possible action to create an ambassador/greeter program to welcome guest at special City events. **(Co-sponsored by Mayor Pro-Tempore Cynthia Liendo Espinoza and Council Member Juan Narvaez)**
2. Discussion with possible action to establish a partnership with the private sector and the business community to embark on a training program to enhance customer service in our City. **(Co-sponsored by Mayor Pro-Tempore Cynthia Liendo Espinoza and Council Member Juan Narvaez)**
3. Discussion with possible action concerning the West Nile Virus and appropriate measures being taken in the

community by our City. **(Co-Sponsored by Council Member Mike Garza, Council Member Esteban Rangel, & Council Member Alejandro “Alex” Perez)**

4. Discussion with possible action on the City’s participation and support of the Healthy at H.E.B. Community Challenge and the “It’s Time Texas Movement”.

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

1. Discussion with possible action to restructure Council meetings during certain times of the year.

**C. Request by Council Member Alejandro “Alex” Perez**

1. Status update on the Kansas City Southern crossing improvements, with possible action.
2. Status update with possible action on pending items for Slaughter Park, Meadow Park, Market Street Tennis Courts, Santa Rita Express Library Branch, and fencing improvements at Santa Rita Park.
3. Discussion with possible action on the installation of a traffic light at Zapata Hwy and Diaz Street. **(Co-Sponsored by Council Member Juan Narvaez)**
4. Discussion with possible action on donating or disposing of obsolete computers that are no longer of any value or use to the City to area school or other establishments that may find them of practical use.

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

1. Discussion with possible action on declaring the section of Manadas Creek adjacent to Longhorn Drive as a health and safety hazard.

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

1. Discussion with possible action on the tractor trailer parking lot to be located on city owned property near the La Bota Water Tower on Mines Road and Killam Industrial Boulevard.

**XII. STAFF REPORTS**

31. Discussion with possible action to consider a second request for an extension of Injury Leave with pay in accordance with 143.073 (b) of the Texas Local Government Code for Patrol Officer Jesus A. Garcia Perez.

### **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. 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 Wednesday, August 15, 2012 at 7:00 p.m.

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**Gustavo Guevara, Jr.**  
City Secretary