

# CITY OF LAREDO

CITY COUNCIL MEETING

A-2013-R-10

CITY COUNCIL CHAMBERS

1110 HOUSTON STREET

LAREDO, TEXAS 78040

JUNE 17, 2013

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 June 3, 2013.

### V. COMMUNICATIONS AND RECOGNITIONS

#### Recognitions

- a. Recognizing the Laredo High School Mountain Bike League composed of high school students throughout Laredo for winning 3<sup>rd</sup> place overall in the Texas High School Mountain Bike League Championship.

#### 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. Speakers may not pass their minutes to any other speaker.

### VI. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

- a. Appointment by Council Member Mike Garza to the Historic District/Landmark Board.

- b. Appointment by Council Member Mike Garza to the Third Party Funding Advisory Committee.
- c. Appointment by Council Member Mike Garza to the Transportation & Traffic Safety Advisory Committee.
- d. Appointment by Council Member Mike Garza to the Laredo Commission for Women.
- e. Appointment by Council Member Charlie San Miguel of Danny Tijerina, Jr. to the Third Party Funding Advisory Committee.
- f. Appointment by Council Member Roque Vela, Jr. of Armando Cisneros to the Library Advisory Committee.

## VII. PUBLIC HEARINGS

1. **Public hearing and introductory ordinance** amending the FY 2012-2013 budget by appropriating revenues and expenditures in the amount of \$358,825.00 and the City of Laredo Health Department (CLHD) FY 2012-2013 full time equivalent positions (FTE) by creating two (2) FTE positions funded by the Texas Health and Human Services Commission under the Texas Healthcare Transformation and Quality Improvement 1115 Waiver. These funds are for the development and implementation of the regional health plan for indigent and uncompensated preventive health care by the County who is the anchor (lead), Laredo Medical Center, Doctors Hospital of Laredo, Border Region Behavioral Health, Maverick (FT. Duncan Hospital District), Zapata and Jim Hogg Counties and the City of Laredo through the Health Department. The CLHD will implement two (2) projects: 1) Primary Care Expansion in preventive care for women's health, STD/HIV, well child, prenatal care, early detection, cancer prevention and family planning and 2) Expand Chronic Care Management to include disease self-management. There was a match through an intergovernmental transfer (IGT) of \$146,041.98 approved by City Council on May 6, 2013. The term of the waiver is from September 1, 2012 through August 31, 2016. **(Approved by Operations & Finance Committees)**
2. **Public hearing and introductory ordinance** an Ordinance of the City of Laredo, Texas, amending Chapter 15, "Health and Sanitation," Article IV, "Tire Business Registration Program," of the Code of Ordinances as hereto amended; providing clarification on definitions, application, registration, renewal, suspension and revocation of tire business permits; establishing new rules and regulations for mobile tire repair road service units; requiring affiliation of each mobile repair unit with an authorized tire business; requiring compliance by each mobile repair unit with applicable building codes; providing for the disposal of records and a transmittal manifest; establishing a standard \$150.00 fee per tire businesses and mobile tire repair road service unit; providing for enforcement and criminal penalties,

providing a savings clause; providing a severability clause; providing for publication and an effective date. **(Approved by Operations & Finance Committees)**

3. **Public hearing and introductory 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 punctuations and typing edits;
- 3) And provide for effective date. **(Approved by Operations & Finance Committees)**

4. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by rezoning the North 2/3 of Lot 4 and the Northeast portion of Lot 3, Block 1020, Eastern Division, located at 3202 Buena Vista Avenue from B-1 (Limited Commercial District) to B-3 (Community Business District); providing for publication and effective date.

Staff is in support of the application and the Planning and Zoning Commission recommends approval of the zone change; providing for publication and effective date. District II

5. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for an auto body shop, on Lots 7, 8 and 9, Block 428, Eastern Division, located at 202 East Saunders Street; providing for publication and effective date.

Staff is in support of the application and the Planning and Zoning Commission recommends approval of the Conditional Use Permit. District IV

6. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 10, Block 1657, Eastern Division, located at 2702 Stewart Street from B-1 (Limited Commercial District) to B-3 (Community Business District); providing for publication and effective date.

Staff is in support of the application and the Planning and Zoning Commission recommends denial of the zone change. District IV

7. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit for a restaurant selling alcohol on Lot 1, Block 9, Crownridge Subdivision,

Phase 1, located at 416 Shiloh Drive, Suites 3, 4 and 5, Building A; providing for publication and effective date;

Staff is in support of the application and the Planning & Zoning Commission recommends approval of the Special Use Permit. District VI

8. **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 Lots 11 and 12, Block 11, El Portal Industrial Park, Unit 7, located at 11918 Hayter Road; providing for publication and effective date.

Staff is in support of the application and the Planning and Zoning Commission recommends approval of the Special Use Permit. District VII

9. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 1.34 acres as further described by metes and bounds in attached Exhibit "A", located at F.M. 1472 and Coal Mine Road, from AG (Agricultural District) to M-1 (Light Manufacturing District); providing for publication and effective date.

Staff is in support of the application and the Planning and Zoning Commission recommends approval of the zone change. District VII

10. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by authorizing the issuance of a Conditional Use Permit for a Bus Terminal on the south 75 feet of Lot 1, the south 75 feet of the west 49 feet of Lot 2, and the north 36.11 feet of Lots 1 and 2, Block 59, Western Division, located at 801 and 803 Flores Avenue; providing for publication and effective date.

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

11. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 7, Block 2070, Eastern Division, located at 3319 Santa Clara Street, from R-1 (Single Family Residential District) to R-2 (Multi-Family Residential District); providing for publication and effective date.

Staff is not in support of the application and the Planning and Zoning Commission recommends approval of the zone change. District I

12. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for a restaurant on Lot 1, Block 3, Towne East Subdivision Phase 1, located at 3418 Fiesta Loop; providing for publication and effective date.

Staff is not in support of the application and the Planning & Zoning Commission recommends denial of the Conditional Use Permit. District V

13. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by rezoning approximately 4.97 acres, as further described by metes and bounds in attached Exhibit "A", located at 5301 Santa Maria Avenue, from B-4 (Highway Commercial District) to M-1 (Light Manufacturing 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 VII

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

## VIII. RESOLUTIONS

14. **2013-R-047** Amending Resolution No. 2013-R-03 by adding one (1) additional Memorandum of Understanding (MOU) to the list of Cooperative Working Agreements / Mutual Assistance Agreements / Memorandums of Understanding between the City of Laredo Police Department and various federal, state and local agencies, including but not limited to: Drug Enforcement Administration (DEA), Federal Bureau of Investigation (FBI), SCAN, *et al.*, a comprehensive list is attached hereto as "Exhibit A". The Police Department's participation is part of the community service provided to our citizens, with no cost to the City of Laredo. **(Approved by Operations Committee)**
15. **2013-R-048** Accepting the conveyance of the following Utility Easement from:

Jessland Properties, Ltd., Nolar III, L.L.C., MWG Islitas, Ltd., Meyer Investments, Ltd., Benjamin M. Alexander, Trustee of the GAD 2012 GST Trust, Maureen M. Alexander, Trustee of the WHA 2012 GST Trust, Gail Alexander Davis, Trustee of: the RAK GST Trust for Alexis Kokolis and the RAK GST Trust for Stephanie Kokolis, Phyllis A. Terry, Trustee of the Phyllis A. Terry Trust, Maureen Alexander, Trustee of the Maureen M. Alexander Trust –

A 386 square foot Utility Easement as follows: One (1) 386 square foot tract, a copy of which conveyance is attached as Exhibit 1; This 386 square foot easement is for a 6 inch force main line and a 6 inch reclaimed water line, from Peñitas Wastewater Treatment Plant (Peñitas Ranch) to Max Mandel Golf Course and will provide wastewater services for Max Mandel Municipal Golf Course. **(Approved by Operations Committee)**

**IX. MOTIONS**

- 16. Approving monthly adjustments to the tax roll. The amounts to be adjusted for the month of May 2013 represent a decrease of \$5,016.42. These adjustments are determined by the Webb County Appraisal District and by court orders.
- 17. Consideration for approval of the CDBG Cecilia Moreno Park Canopies (2) – District IV as complete, release of retainage and approval of final payment in the amount of \$2,370.00 to ALC Construction, Inc., Laredo, Texas. Final construction contract amount is \$23,700.00. Funding is available in the CDBG 36<sup>th</sup> Action Year/2010 Grant. **(Approved by Operations Committee)**
- 18. Pursuant to Laredo City Charter Article V, §5.02, discussion with possible action to confirm the recommendation by Judge Rosie Cuellar, Municipal Court Judge, of the appointment of Mr. Jose Luis Castillo to serve as Associate Municipal Court Judge for the City of Laredo.
- 19. Authorizing the City Manager to execute a contract for Medical Director/Supervisor of Pre-Hospital care for the City of Laredo Fire Department for a three (3) year period with an option to renew for an additional three (3) year period. This contract shall be effective on July 1, 2013. Funding is available in the Laredo Fire Department operating budget in the Professional Services account.

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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.**

**X (a) RESOLUTIONS**

- 20. **2013-R-049** Authorizing the City Manager to accept and execute an amendment to the contract for the Women, Infants and Children (WIC) Program in the amount of \$22,250.00 from the Texas Department of State Health Services for a total of \$4,381,639.00. The term period is from October 1, 2012 through September 30, 2013.

**X (b) MOTIONS**

- 21. Authorizing the City Manager to award a contract for professional engineering and consulting services to W.D. Schock Company of Nashville, Tennessee in the amount of \$1,364,371.00 to implement sound testing, design services and noise reduction studies and construction oversight for Phase VII – IX of residential sound insulation noise mitigation program

improvements in support of the City of Laredo International Airport FAR Part 150 Airport Residential Sound Reduction Program. Funding is available under Federal Aviation (FAA) Administration Airport Improvement Projects (AIP), Grants Nos. 69 & 72.

- 22. Authorizing the City Manager to enter into an agreement with IPS Group, Inc., for a Parking Meter Pilot Project for the installation of fifty (50) single parking meters and twenty-five (25) vehicle detection sensors at different locations within the Central Business District at no cost to the City of Laredo.
- 23. Consideration to authorize a purchase contract utilizing the Houston-Galveston Area Council of Governments (H-GAC) Cooperative Purchasing Program pricing to Nueces Power Equipment, Corpus Christi, Texas for the purchase of one backhoe in the amount of \$60,224.33. Funding is available from 2012A Contractual Obligation bond proceeds.
- 24. Consideration to award supply contract no. FY13-053 to City Ready Mix, Inc., Laredo, Texas, for an amount up to \$2,094,000.00, for the purchase of ready mix cement (job site delivered). The term of this contract for a one (1) year period with five (5), one (1) year options and is subject to availability of funds. All materials are purchased on an as needed basis utilizing the Utilities, Parks and Leisure Services and Public Works Department – construction projects budgets.
- 25. Authorizing the City Manager to sign a Project Partnership Agreement (PPA) with Army Corps of Engineers, Fort Worth District for the design and construction of the Laredo Riverbend Section 206 Aquatic Ecosystem Restoration Project. The project would help to restore the degraded ecosystem by enlarging existing wetlands, removing exotic plants, revegetating the existing aquatic and terrestrial systems with native plants species and restricting vehicular access to the Riverbend area. The total cost of the project is about \$3.7 million with a 35% matching fund from the City. Matching monies for the project is the in-kind land value \$422,000.00, in-kind construction of recreational features about \$280,000.00 and \$719,396.00 as cash match. Funding is available in the 2007 C.O. and Storm Water Improvement Fund.
- 26. Authorizing the City Manager to award and execute a contract with Carrillo & Associates, Inc., of Laredo, Texas, in the amount of \$127,440.00 for construction material testing services for the 60-inch Water Transmission Main Project. Funding is available in the 2012 Utility Bond.

**END OF CONSENT AGENDA**

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**XI. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS**

27.

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

1. Discussion with possible action on the effect of a conditional use permit or zone change on a property's appraised value.

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

1. Discussion with possible action on directing the Planning Department to initiate a zone change on all of Block 1302, Eastern Division, located at 2200 Zacatecas Street from R-2 to B-3.

**C. Request by Council Member Roque Vela, Jr.**

1. Discussion with possible action to consider raising the minimum number of parking spaces required for commercial buildings, and related matters.
2. Status report on the possibility of amending the Code of Ordinances, Chapter 28, Article II, Sign Regulations, with possible action.

**XII. STAFF REPORTS**

28. Presentation by the Army Corps of Engineers, Fort Worth District for the design and construction of the Laredo Riverbend Section 206 Aquatic Ecosystem Restoration Project with possible action. The project would help to restore the degraded ecosystem by enlarging existing wetlands, removing exotic plants, revegetating the existing aquatic and terrestrial systems with native plant species and restricting vehicular access to the Riverbend area.

29. Presentation on the City of Laredo's recent projects through FY 2013.

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

30. Consideration to exercise the second and final renewal option for the purchase of engine oil and lubricants for contract FY12-039 to the following bidders:

1. Arguindegui Oil, Co., Laredo, Texas up to an estimated amount of \$63,527.05.
2. Gonzalez Auto Parts, Laredo, Texas up to an estimated amount of \$36,077.00.

This is a six (6) month contract extension. 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, June 12, 2013 at 5:30 p.m.

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**Gustavo Guevara, Jr.**  
City Secretary

**COUNCIL COMMUNICATION**

<p><b>DATE:</b> 06/17/2013</p>	<p><b>SUBJECT: PUBLIC HEARING AND INTRODUCTORY ORDINANCE</b> Amending the FY 2012-2013 budget by appropriating revenues and expenditures in the amount of \$358,825.00 and the City of Laredo Health Department (CLHD) FY 2012-2013 full time equivalent positions (FTE) by creating two (2) FTE positions funded by the Texas Health and Human Services Commission under the Texas Healthcare Transformation and Quality Improvement 1115 Waiver. These funds are for the development and implementation of the regional health plan for indigent and uncompensated preventive health care by the county who is the anchor (lead), Laredo Medical Center, Doctors Hospital of Laredo, Border Region Behavioral Health, Maverick (FT. Duncan Hospital District), Zapata and Jim Hogg Counties and the City of Laredo through the Health Department. The CLHD will implement two (2) projects: 1) Primary Care Expansion in preventive care for women’s health, STD/HIV, well child, prenatal care, early detection, cancer prevention and family planning and 2) Expand Chronic Care Management to include disease self management. There was a match through an intergovernmental transfer (IGT) of \$146,041.98 approved by City Council on May 6, 2013. The term of the waiver is from September 1, 2012 through August 31, 2016. <b>(AS AMENDED)</b></p>
<p><b>INITIATED BY:</b> Cynthia Collazo Deputy City Manager</p>	<p><b>STAFF SOURCE:</b> Hector F. Gonzalez, M.D., M.P.H. Health Director</p>
<p><b>PREVIOUS COUNCIL ACTION:</b> On May 06, 2013, Council approved Motion to ratify payment of IGT in the amount of \$146,041.98.</p>	
<p><b>BACKGROUND:</b> Regional Healthcare Partnerships (RHPs) are required under the Texas Healthcare Transformation and Quality Improvement 1115 Waiver, formed around an anchor hospital district or County that serves as a single point of contact to coordinate RHP activities and the distribution of funds. By action of the Webb County Commissioners Court, Webb County developed a RHP with itself as an anchor entity and partnered with the City of Laredo Health Department through a Memorandum of Understanding (MOU) to join the RHP Region 20 anchored by Webb County. The IGT was approved by council on May 6, 2013.</p> <p>City of Laredo Health Department (CLHD) will:</p> <ul style="list-style-type: none"> <li>• Work to ensure a smooth transition with the implementation of the 1115 Waiver Program.</li> <li>• Coordinate with provider partners to offer transformational services or uncompensated care as basis of receiving sponsored payments and provide electronic transfer of IGT (match) funds to receive additional funds in the amount of \$3,146,734.00 over the next five (5) years.</li> <li>• Comply with all reporting requirements that may be mandated by the program.</li> <li>• Meet all performance metrics in the regional plan to improve preventive care and reduce unnecessary hospitalizations and help reduce complicated hospitalizations.</li> <li>• Enhance and improve preventive patient care capacity through Primary Care Expansion for preventive care in women’s health, STD/HIV, well child, prenatal care, early detection, cancer detection and family planning, and</li> <li>• Expand chronic care management to include disease self management to our primary care patients.</li> </ul> <p>Resources provided through this program include the creation of two (2) FTE Positions:</p> <ul style="list-style-type: none"> <li>• One (1) Medical Office Assistant, R28</li> <li>• One (1) Licensed Vocational Nurse II, R31</li> </ul>	
<p><b>FINANCIAL:</b> The revenue account 226-0000-321-6303 and expense account 226-6106 will increase by \$358,825.00.</p>	
<p><b>RECOMMENDATION:</b></p>	<p><b>STAFF:</b> Recommends that Council approve the Ordinance.</p>

Texas Health and Human Services Commission  
 Texas Healthcare Transformation and Quality Improvement 1115 Waiver  
 226-6106

**BUDGET**

<b>REVENUES</b>		
REVENUE	\$	358,825.00
<b>TOTAL REVENUES</b>	<b>\$</b>	<b>358,825.00</b>
<b>EXPENSES</b>		
PERSONNEL	\$	50,740.00
FRINGE BENEFITS		35,443.00
TRAVEL		1,000.00
EQUIPMENT		0.00
SUPPLIES		47,000.00
CONTRACTUAL		78,600.00
OTHER		146,042.00
<b>SUB-TOTAL</b>	<b>\$</b>	<b>358,825.00</b>

## ORDINANCE

**AMENDING THE FY 2012-2013 BUDGET BY APPROPRIATING REVENUES AND EXPENDITURES IN THE AMOUNT OF \$358,825.00 AND THE CITY OF LAREDO HEALTH DEPARTMENT (CLHD) FY 2012-2013 FULL TIME EQUIVALENT POSITIONS (FTE) BY CREATING TWO (2) FTE POSITIONS FUNDED BY THE TEXAS HEALTH AND HUMAN SERVICES COMMISSION UNDER THE TEXAS HEALTHCARE TRANSFORMATION AND QUALITY IMPROVEMENT 1115 WAIVER. THESE FUNDS ARE FOR THE DEVELOPMENT AND IMPLEMENTATION OF THE REGIONAL HEALTH PLAN FOR INDIGENT AND UNCOMPENSATED PREVENTIVE HEALTH CARE BY THE COUNTY WHO IS THE ANCHOR (LEAD), LAREDO MEDICAL CENTER, DOCTORS HOSPITAL OF LAREDO, BORDER REGION BEHAVIORAL HEALTH, MAVERICK (FT. DUNCAN HOSPITAL DISTRICT), ZAPATA AND JIM HOGG COUNTIES AND THE CITY OF LAREDO THROUGH THE HEALTH DEPARTMENT. THE CLHD WILL IMPLEMENT TWO (2) PROJECTS: 1) PRIMARY CARE EXPANSION IN PREVENTIVE CARE FOR WOMEN'S HEALTH, STD/HIV, WELL CHILD, PRENATAL CARE, EARLY DETECTION, CANCER PREVENTION AND FAMILY PLANNING AND 2) EXPAND CHRONIC CARE MANAGEMENT TO INCLUDE DISEASE SELF MANAGEMENT. THERE WAS A MATCH THROUGH AN INTERGOVERNMENTAL TRANSFER (IGT) OF \$146,041.98 APPROVED BY CITY COUNCIL ON MAY 6, 2013. THE TERM OF THE WAIVER IS FROM SEPTEMBER 1, 2012 THROUGH AUGUST 31, 2016. (AS AMENDED)**

**WHEREAS**, Regional Healthcare Partnerships (RHPs) are required under the Texas Healthcare Transformation and Quality Improvement 1115 Waiver, formed around an anchor hospital district or County that serves as a single point of contact to coordinate RHP activities and the distribution of funds. By action of the Webb County Commissioners Court, Webb County developed a RHP with itself as an anchor entity and partnered with the City of Laredo Health Department through a Memorandum of Understanding (MOU) to join the RHP Region 20 anchored by Webb County. The IGT was approved by council on May 6, 2013; and

**WHEREAS**, the City of Laredo Health Department (CLHD) will work to ensure a smooth transition with the implementation of the 1115 Waiver Program; coordinate with provider partners to offer transformational services or uncompensated care as basis of receiving sponsored payments and provide electronic transfer of IGT (match) funds to receive additional funds in the amount of \$3,146,734.00 over the next five (5) years;

comply with all reporting requirements that may be mandated by the program; meet all performance metrics in the regional plan to improve preventive care and reduce unnecessary hospitalizations and help reduce complicated hospitalizations; enhance and improve preventive patient care capacity through Primary Care Expansion for preventive care in women's health, STD/HIV, well child, prenatal care, early detection, cancer detection and family planning, and expand chronic care management to include disease self management to our primary care patients; and

**WHEREAS,** Resources provided through this program include the creation of two (2) FTE Positions (One (1) Medical Office Assistant, R28 and one (1) Licensed Vocational Nurse II, R31).

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:**

**Section 1:** The City Manager is hereby authorized to amend the FY 2012-2013 budget by appropriating revenues and expenditures in the amount of \$358,825.00 and the City of Laredo Health Department (CLHD) FY 2012-2013 full time equivalent positions (FTE) by creating two (2) FTE positions funded by the Texas Health and Human Services Commission under the Texas Healthcare Transformation and Quality Improvement 1115 Waiver. These funds are for the development of the regional health plan for indigent and uncompensated preventive health care by the county who is the anchor (lead), Laredo Medical Center, Doctors Hospital of Laredo, Border Region Behavioral Health, Maverick (FT. Duncan Hospital District), Zapata and Jim Hogg Counties and the City of Laredo through the Health Department. The CLHD will implement two (2) projects: 1) Primary Care Expansion in preventive care for women's health, STD/HIV, well child, prenatal care, early detection, cancer prevention and family planning and 2) Expand Chronic Care Management to include disease self management. There was a match through an intergovernmental transfer (IGT) of \$146,041.98 approved by City Council on May 6, 2013. The term of the waiver is from September 1, 2012 through August 31, 2016.

**Section 2:** The revenue account 226-0000-321-6303 and the expenditure division 226-6106 are hereby increased by \$358,825.00.

**Section 5:** The City Manager is hereby authorized to make transfers within the budget as allowable by the Texas Health and Human Services Commission to meet the necessary costs to accomplish the scope of work for the program.

**PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR**

**ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.**

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**RAUL G. SALINAS  
MAYOR**

**ATTEST:**

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**GUSTAVO GUEVARA, JR.  
CITY SECRETARY**

**APPROVED AS TO FORM:  
RAUL CASSO  
CITY ATTORNEY**

A handwritten signature in black ink, appearing to read "Kristina L. Hale", written over a horizontal line.

**KRISTINA L. HALE  
ASSISTANT CITY ATTORNEY**

**COUNCIL COMMUNICATION**

<p><b>DATE:</b>  06/17/2013</p>	<p><b>SUBJECT: PUBLIC HEARING AND INTRODUCTORY ORDINANCE</b></p> <p><b>AN ORDINANCE OF THE CITY OF LAREDO, TEXAS, AMENDING CHAPTER 15, "HEALTH AND SANITATION," ARTICLE IV, "TIRE BUSINESS REGISTRATION PROGRAM," OF THE CODE OF ORDINANCES AS HERETO AMENDED; PROVIDING CLARIFICATION ON DEFINITIONS, APPLICATION, REGISTRATION, RENEWAL, SUSPENSION AND REVOCATION OF TIRE BUSINESS PERMITS; ESTABLISHING NEW RULES AND REGULATIONS FOR MOBILE TIRE REPAIR ROAD SERVICE UNITS; REQUIRING AFFILIATION OF EACH MOBILE REPAIR UNIT WITH AN AUTHORIZED TIRE BUSINESS; REQUIRING COMPLIANCE BY EACH MOBILE REPAIR UNIT WITH APPLICABLE BUILDING CODES; PROVIDING FOR THE DISPOSAL OF RECORDS AND A TRANSMITTAL MANIFEST; ESTABLISHING A STANDARD \$150.00 FEE PER TIRE BUSINESSES AND MOBILE TIRE REPAIR ROAD SERVICE UNIT; PROVIDING FOR ENFORCEMENT AND CRIMINAL PENALTIES, PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.</b></p>
<p><b>INITIATED BY:</b></p> <p><b>Cynthia Collazo</b> <b>Deputy City Manager</b></p>	<p><b>STAFF SOURCE:</b></p> <p><b>HECTOR F. GONZALEZ, M.D., M.P.H.</b> <b>HEALTH DIRECTOR</b></p>
<p><b>PREVIOUS COUNCIL ACTION:</b></p> <p>On January 24, 2000, Council approved Ordinance 2000-O-021.</p>	
<p><b>BACKGROUND:</b></p> <p>In its effort to protect the public health, safety and welfare of its residents, to avoid the spread of disease, to prevent the creation of nuisances, and to enhance the quality of its environment, the City of Laredo created rules for the mandatory registration of local tire businesses that established standards for the proper destruction, storage and disposal of tires. Clarification of the existing regulations and the imposition of a standard fee will assist tire business with compliance and enforcement. The City of Laredo Health Department has also determined that it has become necessary to regulate Mobile Tire Repair Road Service Units and to require that these be affiliated with an authorized tire business for purposes of eliminating the fiscal and waste management problems that result from improper tire disposal.</p>	
<p><b>FINANCIAL IMPACT:</b></p> <p>Estimated additional revenues for tire business registration will be deposited into revenue line item 226-0000-311-1031.</p>	
<p><b>COMMITTEE RECOMMENDATION:</b></p> <p>N/A</p>	<p><b>STAFF RECOMMENDATION:</b></p> <p>Approval of this ordinance as presented.</p>

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF LAREDO, TEXAS, AMENDING CHAPTER 15, "HEALTH AND SANITATION," ARTICLE IV, "TIRE BUSINESS REGISTRATION PROGRAM," OF THE CODE OF ORDINANCES AS HERETO AMENDED; PROVIDING CLARIFICATION ON DEFINITIONS, APPLICATION, REGISTRATION, RENEWAL, SUSPENSION AND REVOCATION OF TIRE BUSINESS PERMITS; ESTABLISHING NEW RULES AND REGULATIONS FOR MOBILE TIRE REPAIR ROAD SERVICE UNITS; REQUIRING AFFILIATION OF EACH MOBILE REPAIR UNIT WITH AN AUTHORIZED TIRE BUSINESS; REQUIRING COMPLIANCE BY EACH MOBILE REPAIR UNIT WITH APPLICABLE BUILDING CODES; PROVIDING FOR THE DISPOSAL OF RECORDS AND A TRANSMITTAL MANIFEST; ESTABLISHING A STANDARD \$150.00 FEE PER TIRE BUSINESSES AND MOBILE TIRE REPAIR ROAD SERVICE UNIT; PROVIDING FOR ENFORCEMENT AND CRIMINAL PENALTIES, PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, tires provide habitats for rodents, insects, and other vermin and serve as excellent breeding grounds for mosquitoes that carry diseases and present a fire hazard; and

WHEREAS, tires continue to be improperly disposed of throughout the City of Laredo; and

WHEREAS, it is the intent of the City of Laredo to provide for the public health, safety and welfare of its residents as it relates to the improper disposal of tires in the City, and to eliminate the fiscal and waste management problem resulting from such improper activity; and

WHEREAS, the City of Laredo has established rules and regulations for the registration and permitting of tire businesses that provide for the proper destruction, storage and disposal of tires;

WHEREAS, the City Council of the City of Laredo deem it necessary to also require the registration and permitting of every Mobile Tire Repair Road Service Unit and for such to be affiliated with a tire business.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:**

**Section 1:** Chapter 15 "Health and Sanitation," Article IV "Tire Business Registration Program" of the City of Laredo Code of Ordinances, is hereby amended as follows:

**Sec. 15-59. - Definitions.**

As used in this article, the following words shall have the meaning herein ascribed to them:

"*Health director*" shall mean the person designated as being director of the health department of the City of Laredo or his authorized representative(s) [~~who are~~] empowered to enforce the provisions of this article.

“Health director” shall mean the person designated as being director of the health department of the City of Laredo or his authorized representative(s) [~~who are~~] empowered to enforce the provisions of this article.

“Manifest” shall mean a form or document used for identifying the quantity and the origin, routing, and destination of tires during transportation from the point of generation, through any intermediate points, to an end user, processor or disposer.

“Mobile tire repair road service unit” shall mean and include any motorized vehicle affiliated with a tire business and stationed at a permanent establishment that is occupied, used or maintained for the purpose of providing tire repair road services, and that includes selling, offering or exposing for sale, keeping with the intention to sell, generating, transporting, repairing, processing, storing, utilizing, and disposing of any and all types of tires.

“Scrap tire” shall mean a whole tire that can no longer be used for its original intended purpose. A whole used tire that can be used for its original intended purpose is not a scrap tire.

“Tire business” shall mean and include any place or establishment occupied, used or maintained for the purpose of offering or exposing for sale (for either retail or wholesale), keeping with the intention to sell, generating, transporting, repairing, processing, storing, utilizing, and disposing of any and all types of tires.

“Street or public right-of-way” shall mean the surface of, and the space above and below a public street, road, highway, freeway, land, path, public way or place, alley, court, boulevard, parkway, drive, or other easement now or hereafter held by or under the control of the city, to which the city holds the property rights in regard to the use for utilities, excluding easements not intended for public works or public utility facilities but shall not include property of city which is not a dedicated public right-of-way, street, highway, or alley. Neither the inclusion of this definition nor the provisions hereof shall be construed to grant any right or privilege to utilize or occupy the city rights-of-way absent an expressed agreement of the city or by authority expressly granted by state law.

“Tire business operator(s)” shall mean the individual(s) having supervisory or management responsibilities, as well as any other person working in a tire shop or [a] mobile tire repair road service units who may be the person in charge at any given time.

“Tire recycling facility” shall mean a state registered facility that processes, conducts energy recovery or recycles scrap tires.

“Tire” shall mean [all] a continuous solid or pneumatic rubber covering encircling the wheel of a motorcycle, automobile, truck, trailer, tractor or other vehicle.

#### **Sec. 15-60. - Tire business registration program.**

The [e]City, by and through [the] its [h]Health [d]Director, will institute a tire business registration program including all affiliated mobile tire repair road service units. All tire businesses and mobile tire repair road service units with permanent establishments located within the city limits shall be issued an

~~annual permit by the City by and through its Health Department, for a non-refundable fee. [The health department] The City Manager's designated representation will [establish and] conduct regular and random inspections [and annual registration of all] of such tire businesses and any affiliated mobile tire repair road service units [located within the city limits] for the sake of monitoring compliance with the foregoing requirement. [The tire business registration program shall be consistent with requirements established in Chapter 15, Health and Sanitation, Article V, Dengue Fever Prevention, and all applicable city ordinances.]~~ The police department is hereby authorized to stop and investigate all persons subject to the regulation requirements of this article in order to verify compliance with this article.

### **Sec. 15-61. - Tire business and mobile tire repair road service unit[s] application.**

Every person, firm, or corporation desiring to establish, maintain or operate a tire business ~~[or] and~~ a mobile tire repair road service unit in the City of Laredo shall make written application for registration thereof. ~~[The application shall be made on a] The City shall issue a permit to a tire business and mobile tire road repair service unit upon submission of the following information on a completed application form obtained from the City of Laredo Health Department [The following must be provided to the health director]:~~

- (1) The name, mailing address, ~~[county]~~ physical address, email address, telephone and facsimile number[s] of the applicant; ~~[and]~~
- (2) The name, mailing address, ~~[county]~~ physical address, email address, and telephone number of the ~~[property]~~ tire business owner ~~[where the tire business is located; and] if different than number 1 above;~~
- (3) ~~[The physical address where the tire business is located; and] The tax identification number or tax payer identification number;~~
- (4) ~~[The approximate number of tires that will be stored on site; and] The name, mailing address, physical address, email address, telephone and facsimile number of the owner of the property where the tire business is located (if different from number 1 and 2 above);~~
- (5) ~~[The existing zoning of the site and certified compliance with zoning laws by the City of Laredo zoning enforcement supervisor or designated representative; and] The physical address where the tire business is located;~~
- (6) ~~[Compliance with building codes and all applicable health and safety ordinances; and] Copy of the current certificate of occupancy issued by the building development services director or his designee for the tire business and compliance to all building and zoning laws;~~
- (7) ~~[The tax identification number or tax payer identification number; and] The approximate number of tires that will be stored on site;~~
- (8) ~~[Mobile tire repair road service units shall provide and demonstrate proof of vehicle license, current vehicle inspection sticker, current liability insurance and driver's license; and] Statement setting forth and describing the permanent establishment from which each mobile road repair services unit is stationed;~~
- (9) ~~[The required annual registration fee.] Proof of insurance as required by state law;~~
- (10) Such and other further information that as the city manager's designated representative may require.

## Sec. 15-62. - Terms of registration.

The health director or his authorized representative shall issue a permit to a tire business and [~~or~~] mobile tire shop road repair unit to any person who submits the required and completed application, pays to the city the fee as required in this article, and demonstrates compliance with this article and Chapter 15, Health and Sanitation, Article V, Dengue Fever Prevention, and all applicable city ordinances. Every person registered in accordance with the provisions of this article shall immediately post such registration(s) and inspection report(s) or cause same to be posted in a conspicuous place within the premises where such tire shop and [~~or~~] its mobile tire business road repair unit is thereby authorized to be established, maintained or operated.

The city may issue a permit service for a motorized mobile vehicle separate to the tire business permit. Such a permit will give the mobile tire road service the privilege of servicing any vehicle (commercial or passenger) over city streets, provided that no stop for displays or sales shall be longer than thirty (30) minutes at any one place. All tire repairs shall be done as safely as possible with minimum traffic obstruction. After any stop for services of thirty (30) minutes, the mobile tire service must proceed a distance of not less than two hundred fifty (250) feet before another stop for another service. If no service is in need in the nearby area, then mobile tire unit must leave premises. Mobile Tire unit must take un-repairable tires and charge the fee for disposing the tire at the city landfill. The mobile tire unit shall not be permitted to solicit while parked on public places street or public way or public right-of-way or public rights-of-way or obstruct traffic. Using a mobile tire service unit is only for emergency tire service which includes change, repair or replace tires. Mobile tire service are not allowed to do any mechanical work such as changing any fluids, repairing leaks, brake repair etc.

Tire Businesses and any affiliated mobile road repair service unit shall keep disposal records in the form of a transmittal manifest, as prescribed by the City, for a minimum of three (3) years. These transmittal manifests shall be made readily available upon request at reasonable hours for inspection by representatives of the City. The manifest required by this section shall at all times accompany tires while in transit. Any tire business directly delivering waste or used tires generated at its business location to a tire disposal or tire recycling facility must also utilize the transmittal manifest and make such manifest available for production or inspection by representatives of the City, upon request. A tire hauler contracted to deliver tires to a recycling facility or disposal facility must maintain a duplicate copy of the manifest reflecting the delivery of such tires for proper disposal. The tire recycling or tire disposal facility shall sign the manifest upon acceptance of the tires and also maintain a copy of the manifest for the facility's records. Notwithstanding the use of a tire hauler or direct delivery by the tire business, the original manifest shall be maintained by tire business evidencing the following information:

1. Name, address, telephone number, permit number and authorized signature of the tire hauler; and
2. Name, address, telephone number, and authorized signature of the tire business who is contracting for the removal of the tires along with the permit number for such business; and
3. Date of removal/transport and the number of tires being transported; and
4. Name, address, and telephone number of the location where the tires are to be delivered; and
5. Upon delivery, the name and signature of the person accepting the tires, including the date of acceptance.

**Sec. 15-63. - Denial of permit or renewal; suspension or revocation of permit.**

The health director may refuse to issue or renew a tire business and ~~[/or-a]~~ its mobile tire repair road service units permit(s) or may suspend or revoke such permit(s) if:

- (1) The applicant or permit holder refuses to permit entry into the tire business by the health director or his authorized representative or otherwise willfully obstructs the inspection of the tire business and or mobile tire repair road service unit; or
- (2) There are repeated or a serious violation(s) of any city ordinance by the tire business and or mobile tire repair road service units; or
- (3) The tire business and or mobile tire repair road service units fails to comply with any provisions of the Article, or Chapter 15, Health and Sanitation, Article V, Dengue Fever Prevention and or any applicable city ordinance.

**Sec. 15-64. - Fees.**

(a) All tire business and~~[/or]~~ its mobile tire repair road service units registration fees are due annually by June 1 of each calendar year at the City of Laredo Health Department; the annual registration fee shall be determined by the number of ~~[persons employed in connection with such tire business and/or]~~ mobile tire repair road service unit(s), including the applicant for such registration, and shall be paid in advance of the issuance of such registration as follows:

- (1) ~~[One (1) to five (5) persons .....\$50.00]~~ All Tire Businesses.....150.00
- (2) ~~[Six (6) to ten (10) persons .....100.00]~~  
Mobile tire repair road service unit, per mobile unit .....150.00
- ~~[(3) Eleven (11) or more persons .....200.00]~~
- ~~[(4) Mobile tire repair road service unit, per mobile unit .....100.00]~~

(b) A current valid tire business registration or a mobile tire repair road service unit registration may be replaced by the health director or his authorized representative(s) for a fee of ten dollars (\$10.00).

**Sec. 15-65. - Disposal of tires.**

Tires shall be disposed of in the following manner:

- (1) Individuals, tire businesses and mobile tire repair road service units may dispose of tires at the city landfill at a fee established by city ordinance, provided that the city landfill accepts the tires and/or signs a transmittal manifest. All landfill fees will be payable to the City of Laredo upon entrance to the city landfill; or
- (2) Tires may be disposed of by delivery and manifesting of tires through a registered tire transporter to a registered tire recycling facility or a tire disposal facility regulated and licensed by the state for the

disposal and/or processing of tires, provided said transporter signs transmittal manifest and authorized disposal facility accepts the tires and signs the transmittal manifest.

**Sec. 15-66. - Penalty for violation.**

~~[Any person who violates a provision of this article and/or Chapter 15, Health and Sanitation, Article V, Dengue Fever Prevention, or any applicable city ordinance, shall upon conviction by the municipal court of the city be subject to a minimum fine of five hundred dollars (\$500.00) or a fine not to exceed two thousand dollars (\$2,000.00) for each offense, and each day of violation of said article shall constitute a separate offense.]~~ A tire business or mobile tire repair road service that violates or fail to comply with any provision of this article shall be guilty of a misdemeanor, subject to a criminal penalty up to two thousand dollars (\$2,000.00) for each violation per day, as determined by the Municipal Court.

**Sec. 15-67. - Injunctive relief.**

In addition to and cumulative of all other penalties, the ~~health director~~ City of Laredo shall have the right to seek injunctive relief for any violation(s) of this article.

~~**Sec. 15-68. - Severability.**~~

~~If any provision, section, sentence, clause or phrase of this article or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid (or for any reason unenforceable), the validity of the remaining portion of this article, or its application to other persons or sets of circumstances, shall not be affected thereby, and it being the intent of the City Council of the City of Laredo in adopting and approving this article, that no portion hereof or provisions or regulations contained herein, shall become inoperative or fail by reason of any unconstitutionality or invalidity of any other portion of this ordinance.~~

**Secs. 15-69—15-74. - Reserved.**

**Section 2:** That if any of these sections, provisions, sentences, clauses, phrases or parts are held unconstitutional or void, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

**Section 3:** That all ordinances that are in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**Section 5:** That after its passage by City Council, this Ordinance shall be published one (1) time and become effective not less than sixty (60) days from the date of the public hearing on this Ordinance, in accordance with the City Charter.

**PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.**

\_\_\_\_\_  
**RAUL G. SALINAS  
MAYOR**

**ATTEST:**

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**GUSTAVO GUEVARA, JR.**  
**CITY SECRETARY**

**APPROVED AS TO FORM:**

**RAUL CASSO**  
**CITY ATTORNEY**



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**KRISTINA K. LAUREL HALE**  
**ASSISTANT CITY ATTORNEY**

## COUNCIL COMMUNICATION

<b>DATE:</b>  06/17/2013	<b>SUBJECT: PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE</b>  Amending Article VI [Investment Policy] of Chapter 2 [Administration] of the Code of Ordinances in order to: <ol style="list-style-type: none"><li>1. Insert new requirements due to Legislative changes in the Public Funds Investment Act;</li><li>2. Correct and insert minor punctuation and typing edits;</li><li>3. And provide for effective date.</li></ol>	
<b>INITIATED BY:</b> Horacio De Leon, Assistant City Manager	<b>STAFF SOURCE:</b> Rosario Camarillo-Cabello, Finance Director	
<b>PREVIOUS COUNCIL ACTION:</b>  Adoption of Investment Policy by Ordinance 95-O-228 and amended by Ordinance 97-O-225; Ordinance 98-O-279; Ordinance 2001-O-218; Ordinance 2002-O-256; Ordinance 2006-O-251, Ordinance 2007-O-243, Ordinance 2008-O-250; and Ordinance 2010-O-002 , Ordinance 2011-O-061, and Ordinance 2012-O-081. Public Hearing and Introduction of Ordinance held on June 17, 2013.		
<b>BACKGROUND:</b>  The Public Funds Investment Act, Chapter 2256 of the Texas Government Code requires that the Investment Policy for the City be reviewed at least annually and that the same be adopted by rule, order, ordinance or resolution stating that it has been reviewed and adopted any amendments to the policy. There are a few grammatical changes as well as deletions of un-necessary sections. The Investment Policy has been reviewed by the City's Investment Advisor and City Staff.		
<b>FINANCIAL IMPACT:</b>  None		
<b>RECOMMENDATION:</b>	<b>STAFF RECOMMENDATION:</b> Staff recommends the approval of Final Reading.	

**ORDINANCE NO. 2013-O-XXX**

**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;
3. And provide for effective date.

**WHEREAS**, the Code of Ordinance of the City of Laredo is hereby amended to correct and clarify allowable language under Section 2-259 of Article VI; and

**WHEREAS**, the Code of Ordinance of the City of Laredo is hereby amended to correct and insert minor punctuation and typing edits; and

**WHEREAS**, the Investment Policy was approved by Ordinance 1995-O-228 and amended by Ordinance 1997-O-225; Ordinance 1998-O-279; Ordinance 2001-O-218; Ordinance 2002-O-256; Ordinance 2006-O-251; Ordinance 2007-O-243, Ordinance 2008-O-250, Ordinance 2010-O-002; Ordinance 2011-O-061, Ordinance 2012-O-081, and

**WHEREAS**, the City Staff and Investment Advisor (Estrada Hinojosa & Company, Inc.) have reviewed the Investment Policy and investment strategy and acknowledges that said ordinance as adopted includes all changes made to either the investment policy or investment strategies; and

**WHEREAS**, The City of Laredo, Texas hereby approves and adopts the Investment Policy as presented in order to comply with the Public Funds Investment Act, Chapter 2256 of the Texas Government Code; and

**WHEREAS**, on June 17, 2013 the City Council held a public hearing and approved the proposed amendments to the investment policy.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:**

This ordinance shall become effective upon the final reading of this ordinance.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE \_\_\_\_  
DAY OF JUNE, 2013.

\_\_\_\_\_  
RAUL G. SALINAS, MAYOR

ATTEST:

APPROVED AS TO FORM

\_\_\_\_\_  
GUSTAVO GUEVARA JR.,  
CITY SECRETARY

  
\_\_\_\_\_  
RAUL CASSO,  
CITY ATTORNEY

ORDINANCE NO. 2013-O-XXX

AMENDING CHAPTER 2 “ADMINISTRATION” ARTICLE VI “INVESTMENT POLICY” OF THE CODE OF ORDINANCES IN ORDER TO:

1. CORRECT AND INSERT MINOR PUNCTUATION AND TYPING EDITS; AND
2. SUBSIDIARY EDITING IN ORDER TO HAVE ARTICLE IV OF CHAPTER 2 OF THE CODE OF ORDINANCE CONFORM WITH CHAPER 2256 OF THE GOVERNMENT CODE, POPULARLY KNOWN AS “THE PUBLIC INVESTMENT ACT” OF THE TEXAS GOVERNMENT CODE; AND
3. AND PROVIDING FOR EFFECTIVE DATE.

**WHEREAS**, the City’s investment policy is embodied in Article VI of Chapter 2 of the Code of Ordinance of the City of Laredo; and

**WHEREAS**, the Finance Director recommends that said Article VI be amended, first, to insert minor punctuation and typing edits; and

**WHEREAS**, the Finance Director recommends subsidiary editing in order to have Article VI of Chapter 2 of the Code of Ordinance conform with Chapter 2256 of the Government Code, popularly known as the Public Funds Investment Act.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

**Section 1.** Article VI “Investment Policy” of Chapter 2 “Administration” of the Code of Ordinances is amended as follows:

Chapter 2 – Administration

Article VI – Investment Policy

Sec. 2-250. Policy

It is the policy of the City of Laredo (“City”) to invest all available funds to the maximum extent possible at the risk appropriate rates obtainable at the time of investment with the maximum security while meeting the cash flow demands of the City and conforming with federal, state, and local laws governing the investment of public funds, including but not limited to, Government Code Chapter 2256 – The Public Funds Investment Act (“Act”).

Sec. 2-251. Scope

This Investment Policy applies to all funds of the City as accounted for in the City’s general ledger system and disclosed in the City’s Comprehensive Annual Financial Report, with the exception of the Laredo Firefighters Retirement System. The Policy applies to all funds

including but not limited to operating funds and proceeds from bond issues. The City's funds types include:

- General Fund
- Special Revenue Funds
- Capital Projects Funds
- Enterprise Funds, including Debt Service Reserves
- Trust and Agency Funds
- Debt Service Funds
- Any new fund created by the City, unless specifically exempted from this Policy by the City Council or by law.

Pooling of Funds. Except for cash in certain restricted funds, the City will consolidate cash balances from all funds to optimize investment earnings. Investment income will be allocated to the various funds based on their respective participation and in accordance with generally accepted accounting principles.

#### Sec. 2-252. Standard of Care

Investments shall be made with judgment and care-under prevailing circumstances-that a person of prudence, discretion, and intelligence would exercise in the management of the person's own affairs, not for speculation, but for investment, considering the probable safety of capital and the probable income to be derived.

The standard of prudence to be used by Investment Officers shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio. Investment Officers acting in accordance with written procedures and the Investment Policy and exercising due diligence shall be relieved of personal responsibility for an individual investment credit risk or market price changes, provided that deviations from expectations are reported in a timely fashion and an appropriate action is taken to control adverse developments.

#### Sec. 2-253. Objectives

Investment of funds shall be governed by the following investment objectives:

##### A. Preservation and safety of principal

Investments of the City shall be made in a manner that ensures preservation of capital in the overall portfolio. Each investment transaction shall be conducted in a manner to avoid principal losses, whether from investment defaults or erosion of market value. This will be attained through the diversification of the investment portfolio to mitigate credit risk and market risk.

##### B. Liquidity

The investment portfolio is an integral element in the City's cash management program.

As such, the portfolio will remain sufficiently liquid to enable the City to meet all operating requirements, which might be reasonably anticipated.

### C. Yield

The investment portfolio shall be designed with the objective of attaining an overall yield commensurate with the City's risk preference and the cash flow characteristics of the portfolio.

## Sec. 2-254. Delegation of Authority

### A. City of Laredo Investment Authority

City depository and investment authority is established within the office of the City Manager in the Charter of the City of Laredo, Texas (1995, Section 6.20). By the authority of the City Charter (Section 3.05(4)), the City Manager hereby designates, with the approval of City Council, the Finance Director and the Assistant Finance Director of the City as Investment Officers and, as such, are responsible for depositing funds, investing such funds, assuring that each investment has the proper and authorized collateral, monitoring investments, assuring the security of the City's principal and interest, receiving and reporting principal and interest at the maturity of each investment, and providing the proper documentation and reports on such investments to the City Manager and the City Council.

The Investment Officers shall attend an investment training session not less than once in a two-year period that begins on the first day of the City's fiscal year and consists of the two consecutive fiscal years after that date, and receive not less than ten (10) hours of instruction relating to the Act and this Policy. Authorized training sources are the Texas Municipal League, Government Finance Officers Association of Texas, Government Treasurers Organization of Texas, Government Finance Officers Association, Association of Public Treasurers of the United States and Canada, American Institute of Certified Public Accountants, and University of North Texas.

### B. Delegation and Restriction of Investment Authority

Responsibility and authority for the City's investment policies and procedures reside with the City Manager. Responsibility and authority for investment transactions reside with the City's Investment Officers and, as such, they are fully authorized to buy, sell, and trade investments in accordance with the City's Investment Policy and the Act.

Certain bonded officials share signatory responsibilities with the Financial Services Department for backup purposes. These officials are the City Manager, Deputy City Manager and Assistant City Manager(s). The persons holding these positions are also authorized to transact wire transfers. However, only the City's Investment Officers are authorized to transact investments.

Bonding of all Financial Services Department staff with signatory authority is required, and such bonding requirements will also apply to those individuals authorized to place, purchase, or sell investment instruments.

#### Sec. 2-255. Ethics and Conflict of Interest

The City's Investment Officers shall refrain from any personal business activity that could conflict with the administration of the investment program or which could compromise their ability to carry on the City's investment business impartially. In this respect, the Investment Officers shall file a statement disclosing any personal business relationship with a business organization (to include investment pools) offering to engage in an investment transaction with the City. At the same time, any relationship within the second degree by affinity or consanguinity as determined under Chapter 573 (Texas Government Code) to an individual seeking to sell investment products to the City shall be disclosed in a statements filed by the Investment Officers. These statements must be filed with the Texas Ethics Commission and the City Council.

For purposes of this section, an Investment Officer has a personal business relationship with a business organization if:

- A. The Investment Officer owns 10 percent or more of the voting stock or shares of the business organization or owns \$5,000 or more of the fair market value of the business organization;
- B. Funds received by the Investment Officer from the business organization exceed 10 percent of the Investment Officer's gross income for the previous year; or
- C. The Investment Officer has acquired from the business organization during the previous year investments with a book value of \$2,500 or more for the personal account of the Investment Officer.

#### Sec. 2-256. Authorized Financial Institutions and Broker/Dealers

The Finance Director will maintain a list of financial institutions, broker/dealers and local government pools that are authorized to provide investment services. The City Council shall, at least annually, review, revise, and adopt a list of qualified broker/dealers that are authorized to engage in investment transactions with the City. Authorization to join eligible Local Government Pools will be authorized by City Council through a resolution.

All broker/dealers must be registered and certified with the Texas State Securities Board, Financial Industry Regulatory Authority (FINRA), and Securities and Exchange Commission (SEC), as applicable. Repurchase Agreements will be transacted only with "primary" dealers or financial institutions doing business in this State.

All financial institutions and broker/dealers who desire to become qualified for the aforementioned list must supply the following, as appropriate: audited financial statements,

proof of registration and certification as noted above, completed broker/dealer questionnaire, and the Investment Policy certification. Current audited financial statements will be required on all entities that are included in the approved list, if and when requested by the City.

All investment transactions will be solicited on a competitive basis except for new securities that are being offered while they are still in syndication. Responses from other broker/dealers will also be documented. The authorized financial institutions and brokers/dealers will submit the bids in writing, by telephone, or facsimile.

All securities purchased shall be consummated on a delivery versus payment basis. The City will maintain a safekeeping account with the current depository banks and/or at a Federal Reserve Bank for delivery of securities.

A written copy of the Investment Policy shall be presented to any person offering to engage in an investment transaction with the City. The qualified representative of the business organization offering to engage in an investment transaction with the City shall execute a written instrument substantially to the effect that the business organization has received and reviewed the Investment Policy and acknowledged that the business organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the City and the organization that are not authorized by the City's Investment Policy, except to the extent that this authorization is dependent on an analysis of the makeup of the City's entire portfolio or requires an interpretation of subjective investment standards.

The Investment Officers may not acquire or otherwise obtain any authorized investment described in the Investment Policy from a person who has not delivered to the City the instrument required in this section. Nothing in this section relieves the City of the responsibility for monitoring the investments made by the City to determine that they are in compliance with the Investment Policy.

#### Sec. 2-257. Investment Advisors

Investment advisors shall adhere to the spirit, philosophy and specific terms of this Policy and shall advise within the same "Standard of Care". Selected investment advisors must be registered under the Investment Advisors Act of 1940 or with the State Securities Board. A contract with an investment advisor may not be for a term longer than two years and must be approved by the City's Council, including any renewals or extensions.

#### Sec. 2-258. Authorized Investments

The City is empowered by statute to invest in the following:

##### A. Obligations of, or Guaranteed by, Governmental Entities.

1. Except as provided by 2, the following are authorized investments under this section:
  - Obligations of the United States or its agencies and instrumentalities;

- Direct obligations of this state or its agencies and instrumentalities;
  - Collateralized mortgage obligations, or similar obligations, directly issued by a federal agency or instrumentality of the United States, the underlying security for which is guaranteed by an agency or instrumentality of the United States, and pass-through mortgage back securities directly issued by a federal agency or instrumentality of the United States;
  - Other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, this state or the United States or their respective agencies and instrumentalities, including obligations that are fully guaranteed or insured by the Federal Deposit Insurance Corporation or by the explicit full faith and credit of the United States; and
  - Obligations of states, agencies, counties, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating firm not less than A or its equivalent;
2. The following are not authorized investments under this section:
- Obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pay no principal;
  - Obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest;
  - Collateralized mortgage obligations that have a stated final maturity date of greater than 10 years; and
  - Collateralized mortgage obligations the interest rate of which is determined by an index that adjusts opposite to the changes in a market index.

#### B. Financial Institution Deposits.

A deposit is an authorized investment under this section if the deposit is with a state or national bank, a savings bank, or a state or federal credit union that has its main office or a branch office in this State and is:

- Guaranteed or insured by the Federal Deposit Insurance Corporation or its successor or the National Credit Union Share Insurance Fund or its successor;
- Secured by obligations as required by Sec. 2-259. Collateralization; or
- Executed through a depository institution or authorized broker that has a main office or a branch office in this State that participates in a programs that meet the requirements of the Act.

#### C. Repurchase Agreements.

1. A fully collateralized repurchase agreement is an authorized investment under this section if the repurchase agreement:
- Has a defined termination date;
  - Is secured by cash or obligations in compliance with the Act; and

- Requires the cash or securities being purchased by the City to be pledged to the City, held in an account in the City's name, and deposited at the time the investment is made with the City or with a third party selected and approved by the City; and
  - Is placed through a primary government securities dealer as defined by the Federal Reserve, or a financial institution doing business in this State.
2. In this section, "repurchase agreement" means a simultaneous agreement to buy, hold for a specified time, and sell back at a future date the eligible obligations, at a market value at the time the funds are disbursed of not less than the principal amount of the funds disbursed. The term includes a direct security repurchase agreement and a reverse security repurchase agreement.
  3. Notwithstanding any other law, the term of any reverse security repurchase agreement may not exceed 90 days after the date the reverse security repurchase agreement is delivered.
  4. Money received by the City under the terms of a reverse security repurchase agreement shall be used to acquire additional authorized investments, but the term of the authorized investments acquired must mature no later than the expiration date stated in the reverse security repurchase agreement.

#### D. Mutual Funds.

1. A no-load money market mutual fund is an authorized investment under this section if the mutual fund:
  - Is registered with and regulated by the Securities and Exchange Commission and provides the City with a prospectus and other information required by the Securities Exchange Act of 1934 (15 U.S.C. Section 78a et seq.) or the Investment Company Act of 1940 (15 U.S.C. Section 80a-1 et seq.); and
  - Includes in its investment objectives the maintenance of a stable net asset value of \$1 for each share.
2. The City shall not invest its funds or funds under its control, including bond proceeds and reserves and other funds held for debt service, in any one mutual fund in an amount that exceeds 10 percent of the total assets of the mutual fund.

#### E. Investment Pools.

The City may invest its funds and funds under its control through an eligible investment pool if the pool operates in compliance with the Act, invests in a manner consistent with the risk criteria of this Policy, and City Council by rule, order, ordinance, or resolution, as appropriate, authorizes investment in the particular pool.

#### F. Existing Investments.

The City is not required to liquidate investments that were authorized at the time of purchase.

#### G. Rating of Certain Investment Pools.

A public funds investment pool must be continuously rated no lower than AAA or AAA-m or at an equivalent rating by at least one nationally recognized rating agency.

#### H. Monitoring Credit Ratings and Effect of Loss of Required Rating.

Not less than quarterly, the Investment Officers will monitor the credit rating for each held investment that has an Act required minimum rating. An investment that requires a minimum rating under this section does not qualify as an authorized investment during the period the investment does not have the minimum rating. The City shall take all prudent measures that are consistent with its Investment Policy to liquidate an investment that does not have the minimum rating.

#### Sec. 2-259. Collateralization

In agreement with the requirements of the Act and the Public Funds Collateral Act, Chapter 2257 of the Texas Government Code, it is the Policy of the City that collateral will be required on financial institution deposits and repurchase agreements at 102% market value including accrued interest, for each investment amount. Acceptable forms of collateral are those included in the Public Funds Collateral Act.

The City reserves the right to accept or reject any form of collateral. The right of substitution will be granted, with the approval of an Investment Officer.

Collateral will be held and maintained as noted under the caption "Safekeeping and Custody".

#### Sec. 2-260. Safekeeping and Custody

All purchased securities shall be held in safekeeping by either the City, the City's account in a third party financial institution, or the City's safekeeping account at its designated depository bank. Signatures authorized on the safekeeping accounts are those identified in Sec. 2-254. Delegation of Authority B. Transfers of securities in safekeeping shall be processed with written confirmations. The confirmation will be used for documentation and retention purposes. Securities rendered for payment will always be sent Delivery versus Payment to the City's designated safekeeping bank.

Pledged collateral shall be held in custody by the City's Custodian,

#### Sec. 2-261. Diversification

The City will diversify its investments in terms of maturity as well as type and issuer pursuant to the list of authorized investments included herein. Investment in any one pool is limited to 50% of the City's total investment portfolio.

#### Sec. 2-262. Maximum Maturities

To the extent possible, the City will attempt to match its investments with projected cash flow requirements. Unless matched to a specific cash flow, the City's investment with maturities exceeding two (2) years will not exceed twenty-five percent (25%) of the total portfolio. The maximum maturity of any investment will not exceed the ten (10) years to maturity. However, the City may collateralize its repurchase agreements using approved collateral not to exceed ten (10) years to maturity.

#### Sec. 2-263. Internal Control

The external audit firm, as part of the City's annual financial audit, will perform a compliance audit of management controls on investments and adherence to the City's Investment Policy.

#### Sec. 2-264. Performance Benchmark

It is the Policy of the City to purchase investments, and hold them until maturity, with maturity dates coinciding with cash flow needs. Through this strategy, the City attempts to purchase the highest yielding allowable investments available on the market at that time, considering risk constraints. Market value will be calculated at least on a quarterly basis on all securities owned and compared to current book value of those securities. The City's portfolio shall be designed with the objective of regularly meeting or exceeding the average rate of return on U. S. Treasury Bills at a maturity level comparable to the City's weighted average maturity in days. "Weighted Average Yield to Maturity" shall be the performance measurement standard for the portfolio.

#### Sec. 2-265. Reporting

The City Manager, through the Finance Director, will prepare and submit to City Council on a quarterly basis a written report of investment transactions for all funds covered by this Policy for the preceding period. The report must:

- A. Describe in detail the investment position of the City on the date of the report;
- B. Be prepared jointly by all Investment Officers;
- C. Be signed by each Investment Officer;
- D. Contain a summary statement prepared for each pooled fund group that states the beginning market value for the reporting period, ending market value for the period, and fully accrued interest for the reporting period.

- E. State the book value and market value, of each separately invested asset at the beginning and end of the reporting period by the type of asset and fund type invested. In defining market value, sources independent of the investment providers will determine valuations and considerations will be given to GASB Statement No. 31.
- F. State the maturity date of each separately invested asset that has a maturity date;
- G. State the account or fund or pooled group fund in the City for which each individual investment was acquired; and
- H. State the compliance of the investment portfolio as it relates to: the Investment Strategy expressed in the City's Investment Policy and relevant provisions of the Act.

If the City invests in other than money market mutual funds, investment pools, or accounts offered by its depository bank in the form of certificates of deposit, money market accounts, or similar accounts, the reports prepared by Investment Officers, as included in this section, shall be formally reviewed at least annually by an independent auditor, in conjunction with the annual financial audit, and the result of the review shall be reported to the City Council by that auditor.

#### Sec. 2-266. Investment Policy Adoption

The City's Investment Policy shall be adopted by ordinance of the City Council.

The City Council shall review the Investment Policy and Investment Strategies annually, and it shall by ordinance state that it has reviewed the Investment Policy and Investment Strategies and that said ordinance so adopted includes any changes made to either the Investment Policy or Investment Strategies.

#### Sec. 2-267. Depository for City Funds

The City Council shall designate a banking institution as the primary depository for the funds of the City. The bank shall be selected through a formalized solicitation process in response to a City request for application outlining all services required. The banking services contract shall comply with the City Charter and any statutory requirements. The designation of the primary depository bank does not preclude the City from entering into other depository contracts for the purpose of receiving investment or other bank services.

Investment Policy adopted by City of Laredo Ordinance No. 95-O-228; Amended by Ordinance No. 97-O-225; Amended by Ordinance No. 98-O-279; Amended by Ordinance No. 2001-O-218; Amended by Ordinance No. 2002-O-256; Amended by Ordinance 2006-O-251; Amended by Ordinance No. 2007-O-243; Amended by Ordinance No. 2008-O-250; Amended by Ordinance No. 2010-O-002; Amended by Ordinance No. 2011-O-061;

Amended by Ordinance No. 2012-O-081.

Sec. 2-268. List of Authorized Broker / Dealers

- Deutsche Bank \*
- Bank of America Merrill Lynch \*
- Morgan Stanley \*
- Cantor Fitzgerald \*
- JP Morgan Chase \*
- Wells Fargo Brokerage
- First Empire Securities
- First Public
- SAMCO Capital Markets
- Frost Bank

\*Denotes Primary Dealer

Sec. 2-269. Investment Strategy

The City's Investment Portfolio is a combination of all the City funds with the exception of the Laredo Firefighters Retirement Fund. The following investment strategy applies to the City's Investment Portfolio. The portfolio is maintained to meet anticipated daily cash requirements for the City's operations, debt service payments and capital projects while investing at the maximum extent possible at risk-appropriate rates obtainable at the time of the investment. The City's portfolio shall be designed with the objective of regularly meeting or exceeding the average rate of return on U. S. Treasury Bills at a maturity level comparable to the City's weighted average maturity in days.

The overall objectives of the portfolio are:

A. Preservation and safety of principal

The investments of the City shall be made in a manner that ensures preservation of capital in the overall portfolio. This will be attained through the diversification of the portfolio and by investing in high-quality investments for which a strong secondary market exists, where applicable.

B. Liquidity

The portfolio is an integral element of the City's cash management program, and as such, the portfolio will remain sufficiently liquid to enable the City to meet all operating requirements, which might be reasonably anticipated. This will be accomplished by structuring the portfolio so that investments mature concurrent with cash need to meet anticipated demands. A portion of the portfolio also may be placed in stable-value investment options that offer same-day liquidity for short-term funds.

C. Yield

The investment portfolio shall be designed with the objective at attaining an overall return commensurate with the City's risk preference and the cash flow characteristics of the portfolio.

D. Diversification

The City will diversify its investments in terms of maturity as well as type and issuer pursuant to the list of Authorized Investments. Investment in any one pool is limited to 50% of the City's total investment portfolio.

Sec. 2-270. Investment Strategy by Fund Type

A. General and Enterprise Operating Funds

Operating Funds will have as their primary objective to assure that cash flows are matched while obtaining reasonable market yields. This will be accomplished by purchasing quality, short-term investments in a laddered structure, or utilizing other liquid alternatives.

The dollar weighted average will be 270 days or less to accomplish this goal. The portfolio shall be diversified to protect against credit and market risk in any one sector. No investment will be purchased with maturity over twenty-four (24) months.

B. Capital Project and Special Purpose Funds

Capital Project and Special Purpose Funds will have as their primary objective to ensure that anticipated cash flows are matched with adequate investment liquidity. No funds will be invested longer than the related anticipated expenditures.

These portfolios should have minimum liquid, stable-value investment options to allow for unanticipated project expenditures or accelerated project outlays. The dollar weighted average life of the portfolio should match the weighted average life of the expenditures. Funds invested for capital projects may be from bond proceeds that are subject to arbitrage rebate regulations.

The City will have an arbitrage rebate calculation performed annually to determine the income, if any, that has exceeded the arbitrage yield of bonds. Any positive arbitrage income will be rebated to the Federal Government according to arbitrage regulations. A secondary objective of these funds is to achieve a yield equal to or greater than the arbitrage yield on the applicable bond.

B. Debt Service Fund and Debt Service Reserve

Debt Service Funds shall have as the primary objective the guarantee of investment

liquidity adequate to cover the debt service obligation on the required payment date. Investments purchased will not have maturity dates that exceed the next debt service payment date until the next debt service payment is fully funded.

Debt Service Reserve will have as the primary objective the ability to generate a dependable revenue stream to the appropriate debt service fund within the limits set forth by the bond ordinance or debt covenants specific to each individual bond issue.

Section 2. This ordinance shall become effective upon the final reading of this ordinance.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE \_\_\_\_  
DAY OF JUNE, 2013.

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RAUL G. SALINAS, MAYOR

ATTEST:

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GUSTAVO GUEVARA, JR.  
CITY SECRETARY

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APPROVED AS TO FORM  
RAUL CASSO  
CITY ATTORNEY

**COUNCIL COMMUNICATION**

<p><b>Date:</b>  06/17/13</p>	<p><b>SUBJECT:</b> PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE</p> <p>Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning the North 2/3 of Lot 4 and the Northeast portion of Lot 3, Block 1020, Eastern Division, located at 3202 Buena Vista Avenue from B-1 (Limited Commercial District) to B-3 (Community Business District); providing for publication and effective date. Staff is in support of the application and the Planning and Zoning Commission recommends approval of the zone change.</p> <p align="right">ZC-35-2013</p>
<p><b>Initiated by:</b> Domitila &amp; Hugo A. Gonzalez</p>	<p><b>Staff source:</b> Horacio De Leon, Assistant City Manager Nathan R. Bratton, Planning Director</p>
<p><b>Prior action:</b> None.</p>	
<p><b>BACKGROUND</b></p> <p><b>Council District:</b> II – The Honorable Esteban Rangel</p> <p><b>Proposed use:</b> Auto Sales</p> <p><b>Site:</b> Vacant</p> <p><b>Surrounding land uses:</b> The land adjacent to the east of the site has single-family residences, manufactured homes and vacant lots. The land west of the site includes US Highway 83, vacant land and Sacred Heart Orphanage. South of the site includes single-family residential structures, Continental Auto Sales and Auto Sales Carmona. North of the site are single-family residences, Alfa/Omega Temple, a manufactured home, M&amp;D Creations and Solis Gas Station.</p> <p><b>Comprehensive Plan:</b> The Future Land Use Map recognizes this area as High Density Residential.</p> <p><b>Transportation Plan:</b> The Long Range Thoroughfare Plan identifies US Highway 83 as an Expressway and does not identify Buena Vista Avenue.</p> <p><b>Letters sent to surrounding property owners:</b> 13      In Favor: 0      Opposed: 0</p>	
<p><b>STAFF COMMENTS</b></p> <p>The proposed zone change is appropriate at this location. The proposed district is compatible with existing B-3 Districts to the north. The proposed use is consistent with the commercial developments along this corridor. The property abuts an Expressway.</p>	
<p><b>P&amp;Z COMMISSION RECOMMENDATION:</b> The P &amp; Z Commission, in a <u>5</u> to <u>0</u> vote, recommended <b>approval</b> of the zone change.</p>	<p><b>STAFF RECOMMENDATION:</b> Staff <b>supports</b> the proposed zone change</p>

## COUNCIL COMMUNICATION

### IMPACT ANALYSIS

**B-3 (Community Business District):** The purpose of the B-3 District is to provide for those businesses and services serving a trade area larger than a neighborhood, but smaller than the entire city and located primarily along minor or principal arterial streets, as classified in the Transportation Plan of the City of Laredo. It is intended for this zoning classification to exist primarily abutting minor or principal arterial streets while preserving established residential neighborhoods along such streets.

**Is this change contrary to the established land use pattern?**

No, there are other similar land uses in the area along U.S. Highway 83.

**Would this change create an isolated zoning district unrelated to surrounding districts?**

No, there is are B-3 districts to the north.

**Will change adversely influence living conditions in the neighborhood?**

No, there are already similar uses and zoning districts in the area.

**Are there substantial reasons why the property can not be used in accord with existing zoning?**

No, the existing zone allows for sufficient commercial uses.

**ORDINANCE NO. 2013-O-**

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY REZONING THE NORTH 2/3 OF LOT 4 AND THE NORTHEAST PORTION OF LOT 3, BLOCK 1020, EASTERN DIVISION, LOCATED AT 3202 BUENA VISTA AVENUE FROM B-1 (LIMITED COMMERCIAL DISTRICT) to B-3 (COMMUNITY BUSINESS DISTRICT); PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, a zone change has been requested by the owners of The North 2/3 of Lot 4 and the Northeast portion of Lot 3, Block 1020, Eastern Division, located at 3202 Buena Vista Avenue from B-1 (Limited Commercial District) to B-3 (Community Business District); and,

WHEREAS, the required written notices were sent to surrounding property owners at least ten (10) days before the public hearing held before the Planning and Zoning Commission on May 21, 2013, and,

WHEREAS, the Planning and Zoning Commission, after a public hearing, has recommended **approval** of the proposed zone change; and,

WHEREAS, notice of the zone change request was advertised in the newspaper at least fifteen (15) days prior to the public hearing held before the City of Laredo City Council on this matter; and,

WHEREAS, the City Council has held a public hearing on June 17, 2013, on the request and finds the zone change appropriate and consistent with the General Plan of the City of Laredo; and,

WHEREAS, the City Council does not consider the impact, if any, of private covenants and deed restrictions on the subject property with the adoption of this ordinance.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: The Zoning Map of the City of Laredo be and is hereby amended by rezoning The North 2/3 of Lot 4 and the Northeast portion of Lot 3, Block 1020, Eastern Division, located at 3202 Buena Vista Avenue from B-1 (Limited Commercial District) to B-3 (Community Business District).

Section 2: This ordinance shall be published in a manner provided by Section 2.09 (D) of the Charter of the City of Laredo.

Section 3: This ordinance shall become effective as and from the date of publication specified in Section 2.

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PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.

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RAUL G. SALINAS  
MAYOR

ATTEST:

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GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:



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KRISTINA L. LAUREL  
ASSISTANT CITY ATTORNEY

Melissa A. Vidal  
Assistant City Attorney



\*C=Conditional Use Permit (CUP)  
 \*S=Special Use Permit (SUP)



\*C=Conditional Use Permit (CUP)  
\*S=Special Use Permit (SUP)

1 inch = 75 feet

**ZC- 35 - 2013**

**3202 BUENA VISTA AVE**

**PROPOSAL: B-1 (LIMITED COMMERCIAL DISTRICT) TO B-3 (COMMUNITY BUSINESS DISTRICT)**



ZC- 35 - 2013

3202 BUENA VISTA AVE

PROPOSAL: B-1 (LIMITED COMMERCIAL DISTRICT) TO B-3 (COMMUNITY BUSINESS DISTRICT)



**ZC- 35 - 2013**

3202 BUENA VISTA AVE

PROPOSAL: B-1 (LIMITED COMMERCIAL DISTRICT) TO B-3 (COMMUNITY BUSINESS DISTRICT)



**ZC- 35 - 2013**

3202 BUENA VISTA AVE

PROPOSAL: B-1 (LIMITED COMMERCIAL DISTRICT) TO B-3 (COMMUNITY BUSINESS DISTRICT)



**COUNCIL COMMUNICATION**

<b>Date:</b>  06/17/13	<b>SUBJECT:</b> PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE  Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for an auto body shop, on Lots 7, 8 and 9, Block 428, Eastern Division, located at 202 East Saunders Street; providing for publication and effective date. Staff is in support of the application and the Planning and Zoning Commission recommends approval of the Conditional Use Permit.  <span style="float: right;">ZC-39-2013</span>
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<b>Initiated by:</b> Olga L. Gonzalez Carlos J. Gonzalez	<b>Staff source:</b> Horacio De Leon, Asst. City Manager Nathan R. Bratton, Planning Director
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**Prior action:** None.

**BACKGROUND**

**Council District:** IV – The Honorable Juan Narvaez

**Proposed use:** Auto sales and body shop

**Site:** Auto sales and body shop

**Surrounding land uses:** The properties to the north include single-family residences, Manufactured homes Estrada Tire Shop, D’Elegance Salon and Carlos Ibarra Barber Shop. The properties to the east include Felipe’s auto Tint and Windshield repair, Mago Auto Sales, Alfa Auto Sales, Lezcano Fuel Injection and J&S Auto Plex. West of the site includes a warehouse, Garcia’s Auto Shop & General Mechanics, Celina Pro of San Antonio, a tire shop, manufactured homes and single-family residences. Properties to the south include Palm’s Receptions Hall, Oscar’s Garage, Legacy Sales, Ruby Auto Sales, vacant lots, Laredo Autoplex, Mockick Car Audio, warehouse sales, single-family residences and manufactured homes.

**Comprehensive Plan:** The Comprehensive Plan identifies this area as Light Commercial

**Transportation Plan:** The Long Range Thoroughfare Plan identifies Saunders Street as a Modified Major Arterial and does not identify Sanders Avenue.

**Letters sent to surrounding property owners:** 39                      In Favor: 0                      Opposed: 0

**STAFF COMMENTS**

The Laredo Land Development Code (Section 24.63: Permitted Uses) permits auto body shops in zones B-4, M-1, M-2 and MXD. This property is currently zoned B-3. The applicant is applying for a Conditional Use Permit. Section 24.94.5(A) (3): Conditional Use Permit Application Submittal Criteria states that “Applications for properties currently zoned, B-1, B-1R, CBD, B-3, or B-4, may only seek conditional use status for those uses permitted by zones B-1R, CBD, B-3, B-4 or M-1 of higher intensity.”

**(Continued on next page)**

<b>P&amp;Z COMMISSION RECOMMENDATION:</b> The P & Z Commission, in a <u>5</u> to <u>0</u> vote, recommended <b>approval</b> of the Conditional Use Permit	<b>STAFF RECOMMENDATION:</b> Staff <b>supports</b> the proposed Conditional Use Permit.
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## COUNCIL COMMUNICATION

### IMPACT ANALYSIS

Staff suggest the following conditions:

1. The C.U.P. shall be issued to Olga L. and Carlos J. Gonzalez, and it is nontransferable.
2. The C.U.P. is restricted to the activities described in letter, Exhibit "A" which is made part hereof of all purposes.
3. The C.U.P. is restricted to the Site Plan, Exhibit "B" which is made part hereof for all purposes.
4. The hours of operation shall be limited to 10 a.m. to 7 p.m.
5. Signage is limited to what is permitted in a B-3 District.
6. Access to the property is limited to one entrance along Sanders Avenue.
7. Outdoor music and speakers are prohibited.
8. Banners and window signs are prohibited.
9. Owner shall provide parking spaces in compliance with Section 24.78 of the Laredo Land Development Code.
10. Owner shall provide Trees and shrubs in compliance with Section 24.83 of the Laredo Land Development Code
11. Owner shall comply with all Building, Fire and Life Safety Code Regulations as required.

**ORDINANCE NO. 2013-O-**

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR AN AUTO BODY SHOP, ON LOTS 7, 8 AND 9, BLOCK 428, EASTERN DIVISION, LOCATED AT 202 EAST SAUNDERS STREET; PROVIDING FOR EFFECTIVE DATE AND PUBLICATION.

WHEREAS, a request has been received for the issuance of a Conditional Use Permit for an auto body shop, on Lots 7, 8 and 9, Block 428, Eastern Division, located at 202 East Saunders Street; and,

WHEREAS, the required written notices were sent to surrounding property owners at least ten (10) days before the public hearing held before the Planning and Zoning Commission on November 20, 2012; and,

WHEREAS, the Planning and Zoning Commission, after a public hearing, has recommended **approval** of the Conditional Use Permit; and,

WHEREAS, notice of the zone change request was advertised in the newspaper at least fifteen (15) days prior to the public hearing held before the City of Laredo City Council on this matter; and,

WHEREAS, the City Council has held a public hearing on June 17, 2013, on the request and finds the Conditional Use Permit amendment appropriate and consistent with the General Plan of the City of Laredo; and,

WHEREAS, all conditions imposed by the Conditional Use Permit, and all pertinent requirements the Laredo Land Development Code shall be met before the activity sanctioned by the Conditional Use Permit may commence; and,

WHEREAS, the City Council does not consider the impact, if any, of private covenants and deed restrictions on the subject property with the adoption of this ordinance; and,

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: The Zoning Map of the City of Laredo be and is hereby amended by authorizing the issuance of a Conditional Use Permit for an auto body shop, on Lots 7, 8 and 9, Block 428, Eastern Division, located at 202 East Saunders Street.

Section 2: The Conditional Use Permit is further restricted to the following provision herewith adopted by the City Council:

1. The C.U.P. shall be issued to Olga L. and Carlos J. Gonzalez, and it is nontransferable.
2. The C.U.P. is restricted to the activities described in letter, Exhibit "A" which is made part hereof of all purposes.
3. The C.U.P. is restricted to the Site Plan, Exhibit "B" which is made part hereof for all purposes.
4. The hours of operation shall be limited to 10 a.m. to 7 p.m.

5. Signage is limited to what is permitted in a B-3 District.
6. Access to the property is limited to one entrance along Sanders Avenue.
7. Outdoor music and speakers are prohibited.
8. Banners and window signs are prohibited.
9. Owner shall provide parking spaces in compliance with Section 24.78 of the Laredo Land Development Code.
10. Owner shall provide Trees and shrubs in compliance with Section 24.83 of the Laredo Land Development Code
11. Owner shall comply with all Building, Fire and Life Safety Code Regulations as required.

Section 3: This ordinance shall be published in a manner provided by Section 2.09 (D) of the Charter of the City of Laredo.

Section 4: This ordinance shall become effective as and from the date of publication specified in Section 3.

Section 5: The Conditional Use Permit authorized by this ordinance shall be revoked pursuant to the Laredo Land Development Code, section 24.94.10, entitled "Revocation," according to the criteria and procedures described therein and below:

#### 1. Criteria

Any Conditional Use Permit, authorized by City Council, shall be considered in noncompliance and shall be revoked and removed from the City of Laredo Zoning Map, in the event a court of law finds the use in violation of any of the following conditions:

- A. The use established on site does not conform, at any time, with any or all permit condition(s) approved by the City Council and or any local, state, or federal law.
- B. The activity authorized by the Conditional Use Permit commences prior to the institution of all conditions imposed by the Conditional Use Permit.
- C. Discontinuance of the Council approved conditional use for a period of six (6) consecutive months.
- D. The use of which the Conditional Use Permit was authorized does not commence within six months of City Council's final approval date.

#### 2. Procedures

Should City of Laredo Enforcement Official inspection reveal noncompliance with Laredo Land Development Code, Subsection 24.94.10, Conditional Use Permit revocation procedures shall commence as below stipulated:

- A. A Zoning Officer shall, upon discovery of conditional use permit noncompliance as per Subsection 24.94.10, issue a written warning, granting a grace period of a minimum of ten (10) working days, within which time the use may be brought into compliance with the current City Council approved Conditional Use Permit for that location.
- B. If noncompliance persists after the conclusion of the warning grace period, a Zoning Enforcement Official shall issue a written citation.

- C. Should the citation result in a guilty verdict, the City of Laredo shall consider the Conditional Use Permit revoked and proceed with its removal from the City of Laredo Zoning Map.
- D. The Planning Director shall then issue the permit holder written notification of the Conditional Use Permit's official revocation and removal from the City of Laredo Zoning Map.
- E. In the event of discontinuance or failure to commence as stipulated in Subsection 24.94.10.1 D and E of this Ordinance, Zoning Enforcement Staff will issue written notification of same. Ten days after issuance of Zoning Enforcement notification of discontinuance or failure to commence, the Planning Director shall then issue the permit holder written notification of the Conditional Use Permit's official revocation and removal from the City of Laredo Zoning Map.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.

\_\_\_\_\_  
RAUL G. SALINAS  
MAYOR

ATTEST:

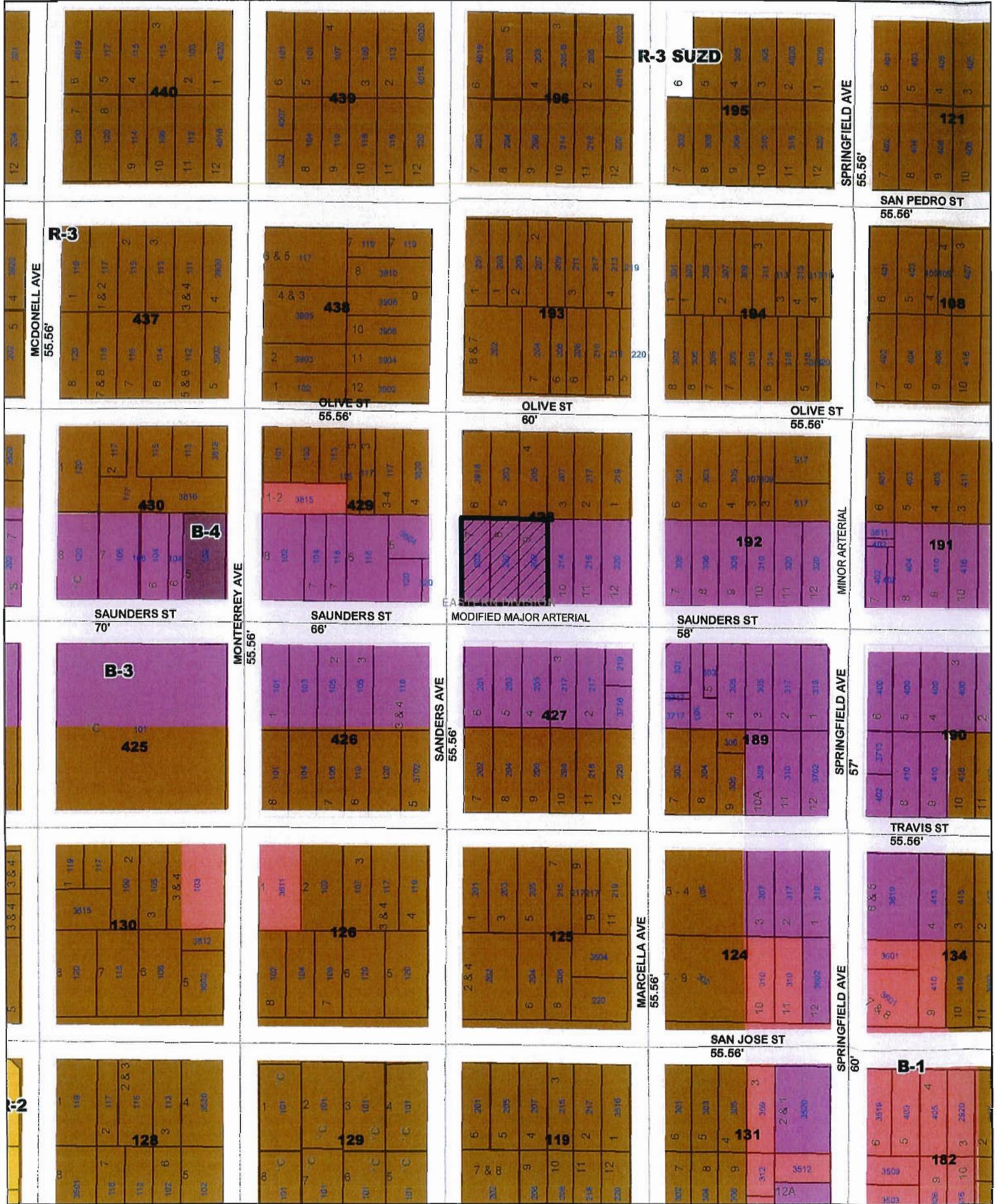
\_\_\_\_\_  
GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:



\_\_\_\_\_  
KRISTINA LAUREL HALE  
ASSISTANT CITY ATTORNEY

Melissa A. Vidal  
Assistant City Attorney



\*C=Conditional Use Permit (CUP)  
 \*S=Special Use Permit (SUP)



\*C=Conditional Use Permit (CUP)  
\*S=Special Use Permit (SUP)

DBA = C.J. Gonzalez Auto Sales, Carlos Gonzalez, & Olga Gonzalez (owners)

To whom it may concern:

In correspondence to this letter, this is to inform you that the location of lots 7-8-9 of blk 428 ED has been used for over 10 years exclusively for business purposes. This is a used car lot and the cars are bought through the means of auctions. Some cars require mechanical and body repairs. The front area of the property is primarily used for cars that are ready to sell. The rear area of the property is the body shop. Hours of operations are Monday thru Saturday, 10am to 7pm. There are two employees, one is in charge of sales and the other works in the body shop. Any questions or inquiries, please don't hesitate to contact me at 956-324-5600.

Thank you,  
Olga Gonzalez





③ TREES

③ Small Trees

36 Shrubs

LOT-7 - 428ed  
BLOCK 46.30'

LOT-8 - 428ed  
BLOCK 46.30'

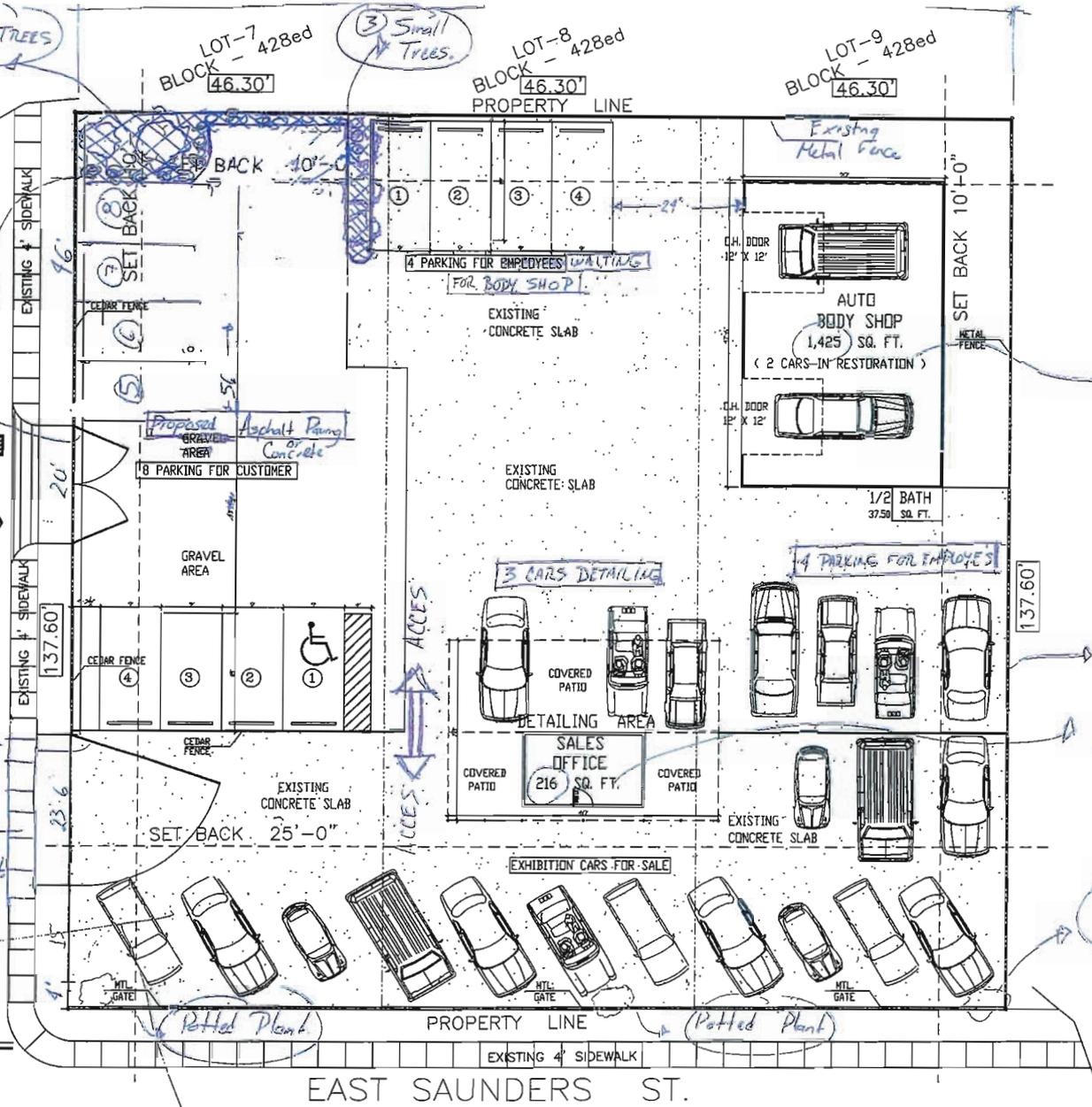
LOT-9 - 428ed  
BLOCK 46.30'

**LEGAL DESCRIPTION**  
ADDRESS: #202 EAST SAUNDERS  
LOT: 7.8 y 9.  
BLOCK: 428ed  
SUBDIVISION: EASTERN DIVISION

1  
A1

SCALE: 1/16" = 1'-0"

### PROPOSED SITE PLAN



1 Per Cada 4005

1 Per Cada Empleados

1 Per Cada 9005

Potted Plant

Pedro Aula  
(956)  
333-3459

ZC - 39 - 2013

202 E SAUNDERS ST

PROPOSAL: B-3 (COMMUNITY BUSINESS DISTRICT) TO C.U.P. (CONDITIONAL USE PERMIT)



ZC - 39 - 2013

202 E SAUNDERS ST

PROPOSAL: B-3 (COMMUNITY BUSINESS DISTRICT) TO C.U.P. (CONDITIONAL USE PERMIT)



**ZC - 39 - 2013**  
202 E SAUNDERS ST  
PROPOSAL: B-3 (COMMUNITY BUSINESS DISTRICT) TO C.U.P. (CONDITIONAL USE PERMIT)





**COUNCIL COMMUNICATION**

<p><b>Date:</b>  06/17/13</p>	<p><b>SUBJECT: PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE</b>  Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 10, Block 1657, Eastern Division, located at 2702 Stewart Street from B-1 (Limited Commercial District) to B-3 (Community Business District); providing for publication and effective date. Staff is in support of the application and the Planning and Zoning Commission recommends _____ of the zone change. ZC-34-2013</p>	
<p><b>Initiated by:</b> Fernando Laurel</p>	<p><b>Staff source:</b> Horacio De Leon, Asst. City Manager Nathan R. Bratton, Planning Director</p>	
<p><b>Prior action:</b></p>		
<p><b>BACKGROUND</b></p> <p><b>Council District:</b> IV – The Honorable Juan Narvaez</p> <p><b>Proposed use:</b> Commercial</p> <p><b>Site:</b> The site is currently use for parking for adjacent commercial plaza.</p> <p><b>Surrounding land uses:</b> The properties to the west are primarily single-family residential structures. The properties to the south include Crosscreek Apartments and single-family residential structures. To the north include vacant lots, single-family residential structures, La Tremenda Restaurant, a hair studio, E.J.'s Tadoo &amp; Body Piercing and E.R. Cell Phones. To the east includes Mattress Co., Scissors Palace, Aqui Es Taekwondo, Alegio Event Hall, Wresling Shop, Home Locators, single-family residential structures, Speedy Tax, and a mechanic shop.</p> <p><b>Comprehensive Plan:</b> The Comprehensive Plan identifies this area as Light Commercial</p> <p><b>Transportation Plan:</b> The Long Range Thoroughfare Plan does not identify Stewart Street and identifies Arkansas Avenue as a Minor Arterial, east of the property.</p> <p><b>Petition outside 200 foot notification area:</b> <span style="float: right;">Opposed: 10</span></p> <p><b>Letters sent to surrounding property owners:</b> 15 <span style="margin-left: 100px;">In Favor: 0</span> <span style="float: right;">Opposed: 4</span></p>		
<p><b>STAFF COMMENTS</b></p> <p>The proposed zone change is appropriate at this location. The proposed B-3 district is an extension of the existing adjacent zone and provides parking for the adjacent commercial development. The area is following a similar zoning and land use pattern. The request is in conformance with the Comprehensive Plan’s designation for this area as Light Commercial.</p>		
<p><b>P&amp;Z COMMISSION RECOMMENDATION:</b> The P &amp; Z Commission, in a ___ to ___ vote, recommended _____ of the Zone Change.</p>	<p><b>STAFF RECOMMENDATION:</b> Staff <b>supports</b> the proposed zone change.</p>	

## COUNCIL COMMUNICATION

### IMPACT ANALYSIS

**B-3 (Community Business District):** The purpose of the B-3 District (Community Business District) is to provide for those businesses and services serving a trade area larger than a neighborhood, but smaller than the entire city and located primarily along minor or principal arterial streets, as classified in the Transportation Plan of the City of Laredo. It is intended for this zoning classification to exist primarily abutting minor or principal arterial streets while preserving established residential neighborhoods along such streets.

**Is this change contrary to the established land use pattern?**

No, the existing land use pattern to the east is commercial in nature.

**Would this change create an isolated zoning district unrelated to surrounding districts?**

No, the adjacent zoning district to the east along Arkansas Avenue is B-3.

**Will change adversely influence living conditions in the neighborhood?**

No, the neighborhood already has primarily commercial development to the east.

**Are there substantial reasons why the property cannot be used in accord with existing zoning?**

No. The current B-1 allows for sufficient commercial uses.

**ORDINANCE NO. 2013-O-**

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY REZONING LOT 10, BLOCK 1657, EASTERN DIVISION, LOCATED AT 2702 STEWART STREET FROM B-1 (LIMITED COMMERCIAL DISTRICT) TO B-3 (COMMUNITY BUSINESS DISTRICT); PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, a zone change has been requested by the owners of Lot 10, Block 1657, Eastern Division, located at 2702 Stewart Street from B-1 (Limited Commercial District) to B-3 (Community Business District); and,

WHEREAS, the required written notices were sent to surrounding property owners at least ten (10) days before the public hearing held before the Planning and Zoning Commission on June 6, 2013, and,

WHEREAS, the Planning and Zoning Commission, after a public hearing, has recommended \_\_\_\_\_ of the proposed zone change; and,

WHEREAS, notice of the zone change request was advertised in the newspaper at least fifteen (15) days prior to the public hearing held before the City of Laredo City Council on this matter; and,

WHEREAS, the City Council has held a public hearing on June 17, 2013, on the request and finds the zone change appropriate and consistent with the General Plan of the City of Laredo; and,

WHEREAS, the City Council does not consider the impact, if any, of private covenants and deed restrictions on the subject property with the adoption of this ordinance.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: The Zoning Map of the City of Laredo be and is hereby amended by rezoning Lot 10, Block 1657, Eastern Division, located at 2702 Stewart Street from B-1 (Limited Commercial District) to B-3 (Community Business District).

Section 2: This ordinance shall be published in a manner provided by Section 2.09 (D) of the Charter of the City of Laredo.

Section 3: This ordinance shall become effective as and from the date of publication specified in Section 2.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.

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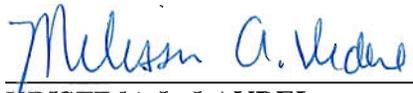
RAUL G. SALINAS  
MAYOR

ATTEST:

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GUSTAVO GUEVARA, JR.  
CITY SECRETARY

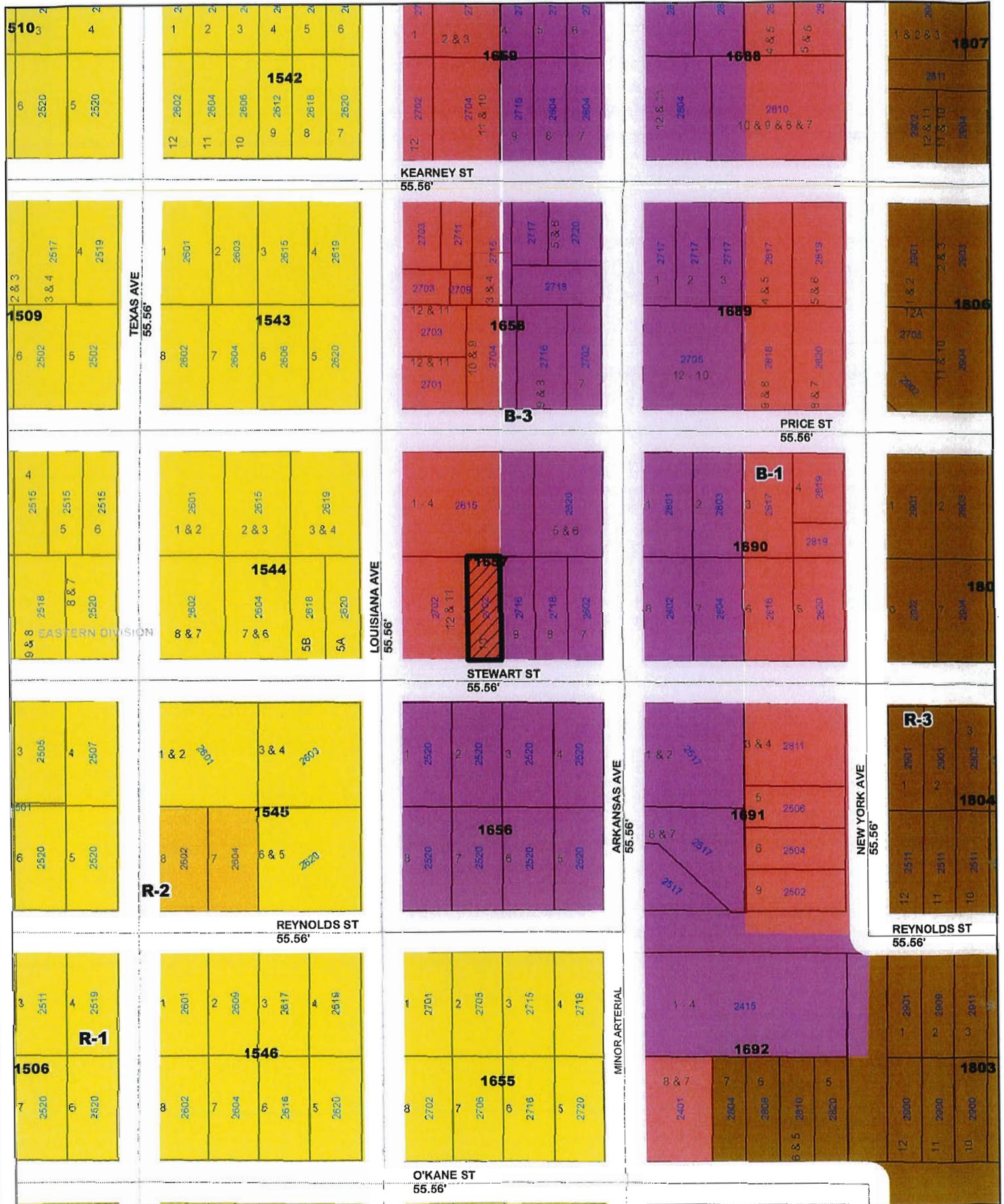
APPROVED AS TO FORM:



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KRISTINA L. LAUREL  
ASSISTANT CITY ATTORNEY

Melissa A. Vidal  
Assistant City Attorney



\*C=Conditional Use Permit (CUP)  
\*S=Special Use Permit (SUP)



ZC - 34 - 2013

2702 STEWART ST

PROPOSAL: B-1 (LIMITED COMMERCIAL DISTRICT) TO B-3 (COMMUNITY BUSINESS DISTRICT)



ZC - 34 - 2013

2702 STEWART ST

PROPOSAL: B-1 (LIMITED COMMERCIAL DISTRICT) TO B-3 (COMMUNITY BUSINESS DISTRICT)



**ZC – 34 – 2013**

**2702 STEWART ST**

**PROPOSAL: B-1 (LIMITED COMMERCIAL DISTRICT) TO B-3 (COMMUNITY BUSINESS DISTRICT)**



**COUNCIL COMMUNICATION**

<b>Date:</b>  06/17/13	<b>SUBJECT:</b> PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE  Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit for a restaurant selling alcohol on Lot 1, Block 9, Crownridge Subdivision, Phase 1, located at 416 Shiloh Drive, Suites 3, 4 and 5, Building A; providing for publication and effective date; Staff is in support of the application and the Planning & Zoning Commission recommends approval of the Special Use Permit. <span style="float: right;">ZC-33-2013</span>
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<b>Initiated by:</b> Yoon Park Falcon International Bank	<b>Staff source:</b> Horacio De Leon, Asst. City Manager Nathan R. Bratton, Planning Director
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**Prior action:** None.

**BACKGROUND**

**Council District:** VI – The Honorable Charlie San Miguel

**Proposed use:** Restaurant selling alcohol

**Site:** Commercial Plaza

**Surrounding land uses:** East of the site is vacant land and multi-family residences. South of the site are multi-family complexes, law offices, Gateway Air Conditioning, single-family residences and apartments under construction. West of the site are Le Mule, Taquitos Ravi, the Potter’s House, Alta Vista Wellness Center, Saito Martial Arts and Blanca’s Comida Tapatia. North of the site are the Shiloh Trails.

**Comprehensive Plan:** The Comprehensive Plan identifies this area as Light Commercial.

**Transportation Plan:** The Long Range Thoroughfare Plan identifies Shiloh Drive as a Modified Major Arterial and does not identify Livingston Drive.

**Letters sent to surrounding property owners:** 39            In Favor: 1            Opposed: 0

**STAFF COMMENTS**

A Special Use Permit (SUP) is used for those types of uses that warrant individual attention on a case by case basis and should not be categorized in a zoning district. A Special Use Permit is basically an overlay on top of the existing zoning designation and can be limited in many respects such as time, fencing, setbacks, landscaping, etc.

**(Continued on next page)**

<b>P&amp;Z COMMISSION RECOMMENDATION:</b> The P & Z Commission, in a <u>5</u> to <u>0</u> vote, recommended <b>approval</b> of the Special Use Permit.	<b>STAFF RECOMMENDATION:</b> Staff <b>supports</b> the proposed Special Use Permit.
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## COUNCIL COMMUNICATION

### Staff Comments (cont.)

1. The Special Use Permit is issued to Yoon Park and Falcon International Bank, and is non-transferable.
2. The Special Use Permit is restricted to the site plan, Exhibit "A", which is made part hereof for all purposes.
3. The Special Use Permit is restricted to the activities described in the letter, Exhibit "B", which is made part hereof for all purposes.
4. The establishment must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.
5. Signage shall be consistent with the City's Sign Ordinance and TABC rule or regulation.
6. Off-street parking shall be provided in accordance with the City of Laredo Land Development Code.
7. There shall be no ground vibrations created or sustained on the site which are perceptible without instruments at any point on any property adjoining the subject property.
8. At all times the restaurant is open to the public for business, it shall continually maintain and serve food from its full service menu.
9. The restaurant shall not exceed the "Occupant Load" as set forth in the Certificate of Occupancy with Occupant Load.
10. The restaurant shall, during all hours of operation, maintain, free from obstruction or impediment to full instant use in the case of fire or other emergency, all exit accesses, exits or exit discharges.
11. The restaurant shall undergo an annual Fire Inspection.
12. All permits, licenses, certifications and inspections required by the codes and ordinances of the City of Laredo shall be kept up to date and current including but not limited to Food Manager License (annual), Food handler's Permit (annual), and Certificate of Occupancy with Occupant Load, Occupant Load being the approved capacity of a building or portion thereof.
13. Landscaping of property shall be provided in accordance with the City of Laredo Land Development Code.
14. Lighting of property shall be screened to avoid adverse impact on adjacent residential neighborhoods.

9 2013

**CITY OF LAREDO ORDINANCE NO. 2012-O-**

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY AUTHORIZING A SPECIAL USE PERMIT FOR A RESTAURANT SELLING ALCOHOL ON LOT 1, BLOCK 9, CROWNRIIDGE SUBDIVISION, PHASE 1, LOCATED AT 416 SHILOH DRIVE, SUITES 3, 4 AND 5, BUILDING A; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, the owner of Lot 1, Block 9, Crownridge Subdivision, Phase 1, located at 416 Shiloh Drive, Suites 3, 4 and 5, Building A, has requested a Special Use Permit for a restaurant selling alcohol; and,

WHEREAS, the required written notices were sent to surrounding property owners at least ten (10) days before the public hearing held before the Planning and Zoning Commission on May 21, 2013; and,

WHEREAS, the Planning and Zoning Commission, after a public hearing, has recommended **approval** of the Special Use Permit request; and,

WHEREAS, notice of the request was advertised in the newspaper at least fifteen (15) days prior to the public hearing held before the City of Laredo City Council on this matter; and,

WHEREAS, the City Council has held a public hearing on June 17, 2013, on the request and finds the proposed Special Use Permit appropriate and consistent with the General Plan of the City of Laredo; and,

WHEREAS, the City Council does not consider the impact, if any, of private covenants and deed restrictions on the subject property with the adoption of this ordinance; and,

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: A Special Use Permit is granted for a restaurant selling alcohol on Lot 1, Block 9, Crownridge Subdivision, Phase 1, located at 416 Shiloh Drive, Suites 3, 4 and 5, Building A.

Section 2: The Special Use Permit is restricted to the following provisions:

1. The Special Use Permit is issued to Yoon Park and Falcon International Bank, and is non-transferable.
2. The Special Use Permit is restricted to the site plan, Exhibit "A", which is made part hereof for all purposes.
3. The Special Use Permit is restricted to the activities described in the letter, Exhibit "B", which is made part hereof for all purposes.
4. The establishment must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.

5. Signage shall be consistent with the City's Sign Ordinance and TABC rule or regulation.
6. Off-street parking shall be provided in accordance with the City of Laredo Land Development Code.
7. There shall be no ground vibrations created or sustained on the site which are perceptible without instruments at any point on any property adjoining the subject property.
8. At all times the restaurant is open to the public for business, it shall continually maintain and serve food from its full service menu.
9. The restaurant shall not exceed the "Occupant Load" as set forth in the Certificate of Occupancy with Occupant Load.
10. The restaurant shall, during all hours of operation, maintain, free from obstruction or impediment to full instant use in the case of fire or other emergency, all exit accesses, exits or exit discharges.
11. The restaurant shall undergo an annual Fire Inspection.
12. All permits, licenses, certifications and inspections required by the codes and ordinances of the City of Laredo shall be kept up to date and current including but not limited to Food Manager License (annual), Food handler's Permit (annual), and Certificate of Occupancy with Occupant Load, Occupant Load being the approved capacity of a building or portion thereof.
13. Landscaping of property shall be provided in accordance with the City of Laredo Land Development Code.
14. Lighting of property shall be screened to avoid adverse impact on adjacent residential neighborhoods.

Section 3: This ordinance shall be published in a manner provided by Section 2.09 (D) of the Charter of the City of Laredo.

Section 4: This ordinance shall become effective as and from the date of publication specified in Section 2.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.

\_\_\_\_\_  
RAUL G. SALINAS  
MAYOR

ATTEST:

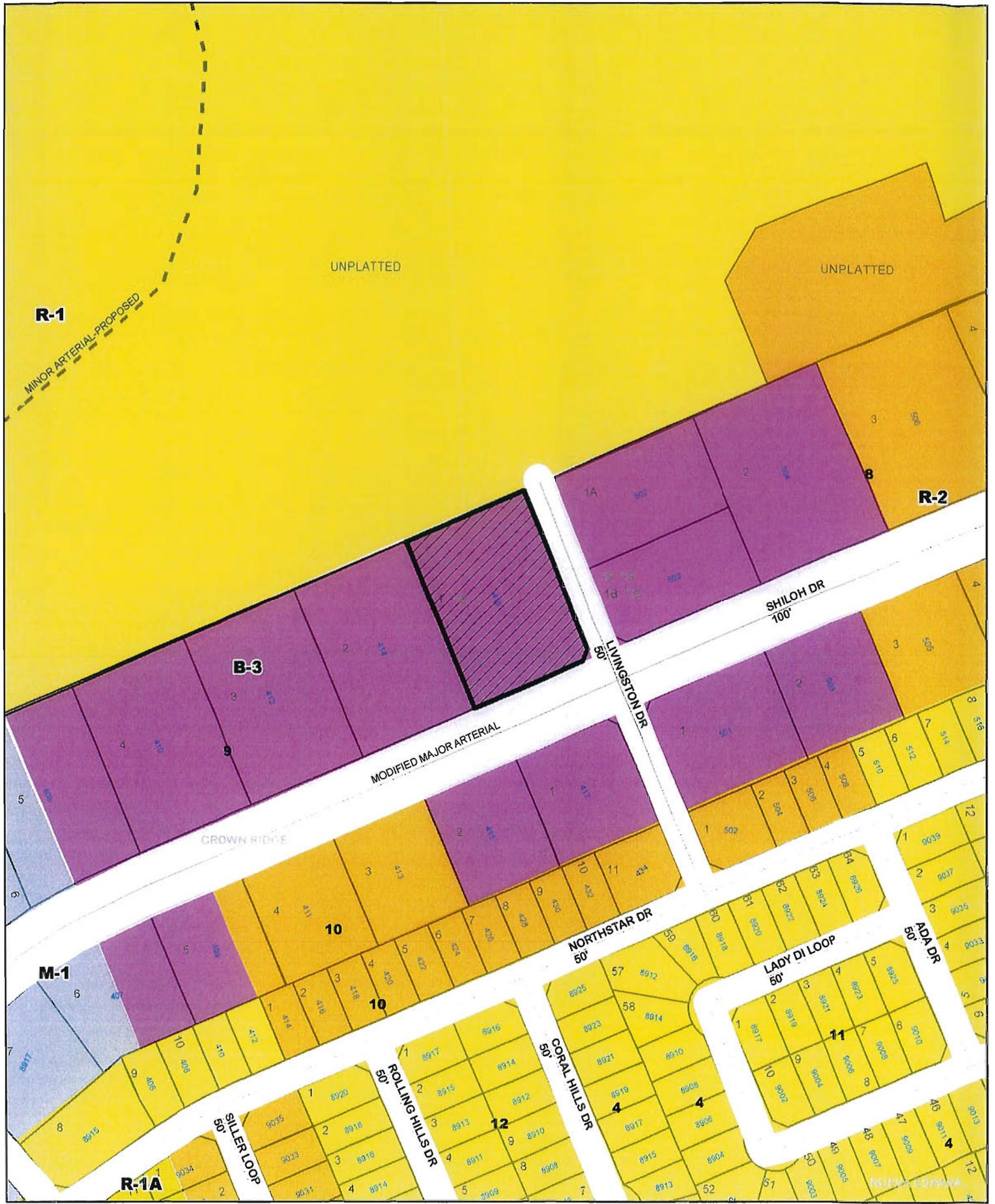
\_\_\_\_\_  
GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:

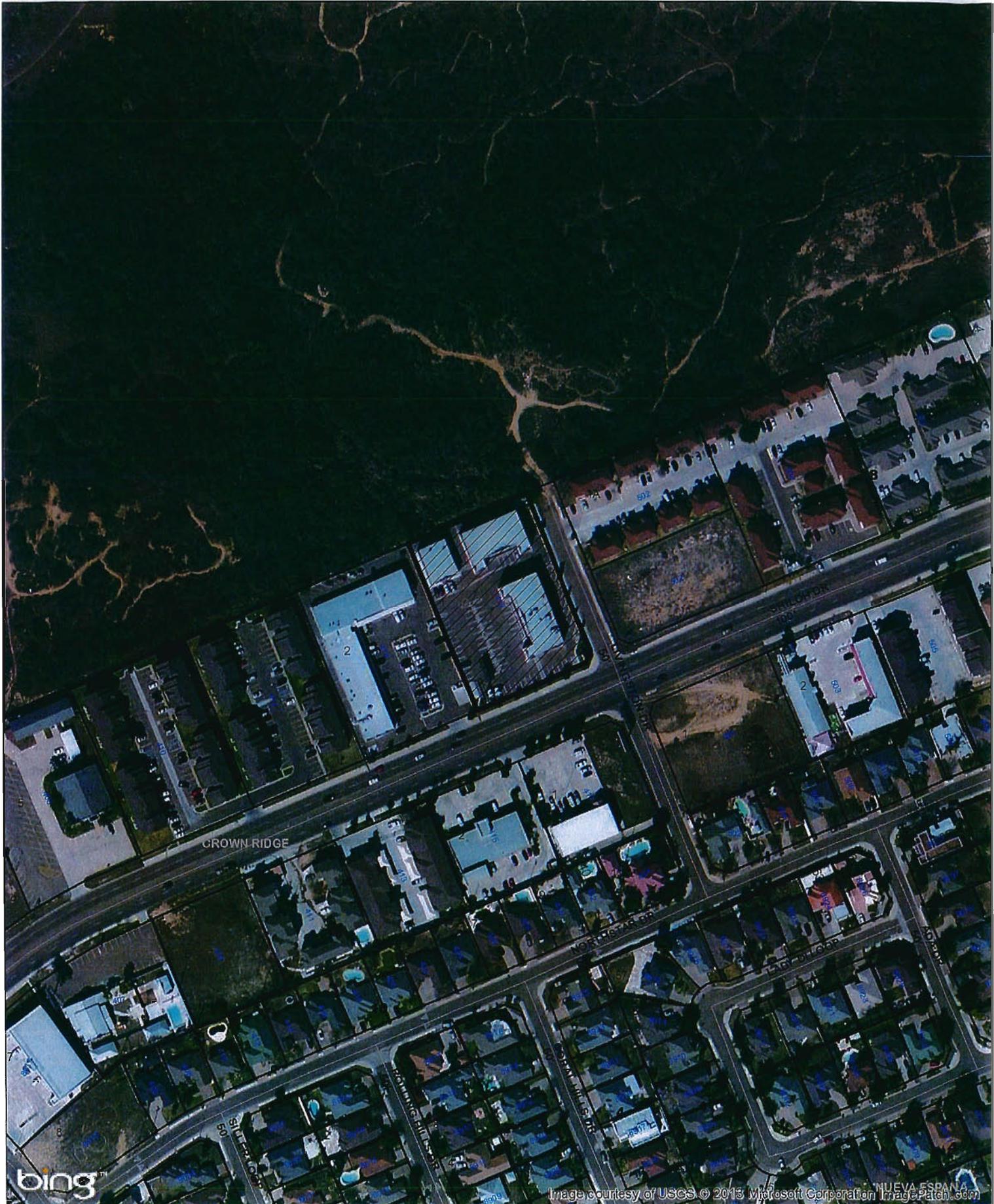
  
\_\_\_\_\_  
KRISTINA LAUREL HALE  
ASSISTANT CITY ATTORNEY

Melissa A. Vidal  
Assistant City Attorney





\*C=Conditional Use Permit (CUP)  
\*S=Special Use Permit (SUP)



\*C=Conditional Use Permit (CUP)  
\*S=Special Use Permit (SUP)

1 inch = 200 feet

**ZC - 33 - 2013**

416 SHILOH DR, SUITE 3-5, BUILDING A

PROPOSAL: B-3 (COMMUNITY BUSINESS DISTRICT) TO S.U.P. (SPECIAL USE PERMIT)



**ZC - 33 - 2013**

416 SHILOH DR, SUITE 3-5, BUILDING A

PROPOSAL: B-3 (COMMUNITY BUSINESS DISTRICT) TO S.U.P. (SPECIAL USE PERMIT)



ZC - 33 - 2013

416 SHILOH DR, SUITE 3-5, BUILDING A

PROPOSAL: B-3 (COMMUNITY BUSINESS DISTRICT) TO S.U.P. (SPECIAL USE PERMIT)



**ZC – 33 – 2013**

416 SHILOH DR, SUITE 3-5, BUILDING A

PROPOSAL: B-3 (COMMUNITY BUSINESS DISTRICT) TO S.U.P. (SPECIAL USE PERMIT)



**COUNCIL COMMUNICATION**

<b>Date:</b>  06/17/13	<b>SUBJECT: PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE</b>  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 Lots 11 and 12, Block 11, El Portal Industrial Park, Unit 7, located at 11918 Hayter Road; providing for publication and effective date. Staff is in support of the application and the Planning and Zoning Commission recommends approval of the Special Use Permit. <span style="float: right;">ZC-37-2013</span>
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<b>Initiated by:</b> Ryan Companies, US Inc.	<b>Staff source:</b> Horacio De Leon, Asst. City Manager Nathan R. Bratton, Planning Director
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**Prior action:** None.

**BACKGROUND**

**Council District:** VII – The Honorable Jorge Vera

**Proposed use:** Storage of Flammable and/or Explosive Products

**Site:** The site is currently vacant and under construction

**Surrounding land uses:** South of the property are Grupo E-D Transfer, Freight Service, Ceva and future site of Dancore. East of the property are Sanmina Sei, vacant land, vacant warehouses and Group Inc. Forwarding Agency. West of the property are Averitt Express, Universal Distribution, Impex and Galvan Distribution Center. North of the site are warehouse and distribution uses.

**Comprehensive Plan:** The Comprehensive Plan identifies this area as Light Industrial.

**Transportation Plan:** The Long Range Thoroughfare Plan does not identify Hayter Road or El Gato Road.

**Letters sent to surrounding property owners:** 6      In Favor: 1      Opposed: 0

**STAFF COMMENTS**

A Special Use Permit (SUP) is used for those types of uses that warrant individual attention on a case by case basis and should not be categorized in a zoning district. A Special Use Permit is basically an overlay on top of the existing zoning designation and can be limited in many respects such as time, fencing, setbacks, landscaping, etc.

**(Continued on next page)**

<b>P&amp;Z COMMISSION RECOMMENDATION:</b> The P & Z Commission, in a <u>5</u> to <u>0</u> vote, recommended <b>approval</b> of the Special Use Permit.	<b>STAFF RECOMMENDATION:</b> Staff recommends <b>approval</b> of the proposed Special Use Permit.
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## COUNCIL COMMUNICATION

### Staff Comments (cont.)

1. The Special Use Permit is issued to Ryan Companies, US Inc., and is non-transferable.
2. The Special Use Permit is restricted to the site plan, Exhibit "A", which is made part hereof for all purposes.
3. The Special Use Permit is restricted to the activities described in the tank specifications and MSDS document, Exhibit "B", which is made part hereof for all purposes.
4. The Special Use Permit shall comply with all Fire, Life Safety and Building Code requirements including the location and treatment of the premises.
5. Must provide MSDS sheet for fuel type, size and location of fire extinguisher and location of emergency fuel stop.
6. Provide specifications for fuel dispensers for impact protection.

**CITY OF LAREDO ORDINANCE NO. 2013-O-**

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 LOTS 11 AND 12, BLOCK 11, EL PORTAL INDUSTRIAL PARK, UNIT 7, LOCATED AT 11918 HAYTER ROAD; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, the owner of Lots 11 and 12, Block 11, El Portal Industrial Park, Unit 7, located at 11918 Hayter Road, has requested a Special Use Permit for the storage of flammable and explosive products; and,

WHEREAS, the required written notices were sent to surrounding property owners at least ten (10) days before the public hearing held before the Planning and Zoning Commission on May 21, 2013; and,

WHEREAS, the Planning and Zoning Commission, after a public hearing, has recommended **approval** of the Special Use Permit request; and,

WHEREAS, notice of the request was advertised in the newspaper at least fifteen (15) days prior to the public hearing held before the City of Laredo City Council on this matter; and,

WHEREAS, the City Council has held a public hearing on June 17, 2013, on the request and finds the proposed Special Use Permit appropriate and consistent with the General Plan of the City of Laredo; and,

WHEREAS, the City Council does not consider the impact, if any, of private covenants and deed restrictions on the subject property with the adoption of this ordinance; and,

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: A Special Use Permit is granted for the storage of flammable and explosive products on Lots 11 and 12, Block 11, El Portal Industrial Park, Unit 7, located at 11918 Hayter Road.

Section 2: The Special Use Permit is restricted to the following provisions:

1. The Special Use Permit is issued to Ryan Companies, US Inc., and is non-transferable.
2. The Special Use Permit is restricted to the site plan, Exhibit "A", which is made part hereof for all purposes.
3. The Special Use Permit is restricted to the activities described in the tank specifications and MSDS document, Exhibit "B", which is made part hereof for all purposes.
4. The Special Use Permit shall comply with all Fire, Life Safety and Building Code requirements including the location and treatment of the premises.

5. Must provide MSDS sheet for fuel type, size and location of fire extinguisher and location of emergency fuel stop.
6. Provide specifications for fuel dispensers for impact protection.

Section 3: This ordinance shall be published in a manner provided by Section 2.09 (D) of the Charter of the City of Laredo.

Section 4: This ordinance shall become effective as and from the date of publication specified in Section 2.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.

---

RAUL G. SALINAS  
MAYOR

ATTEST:

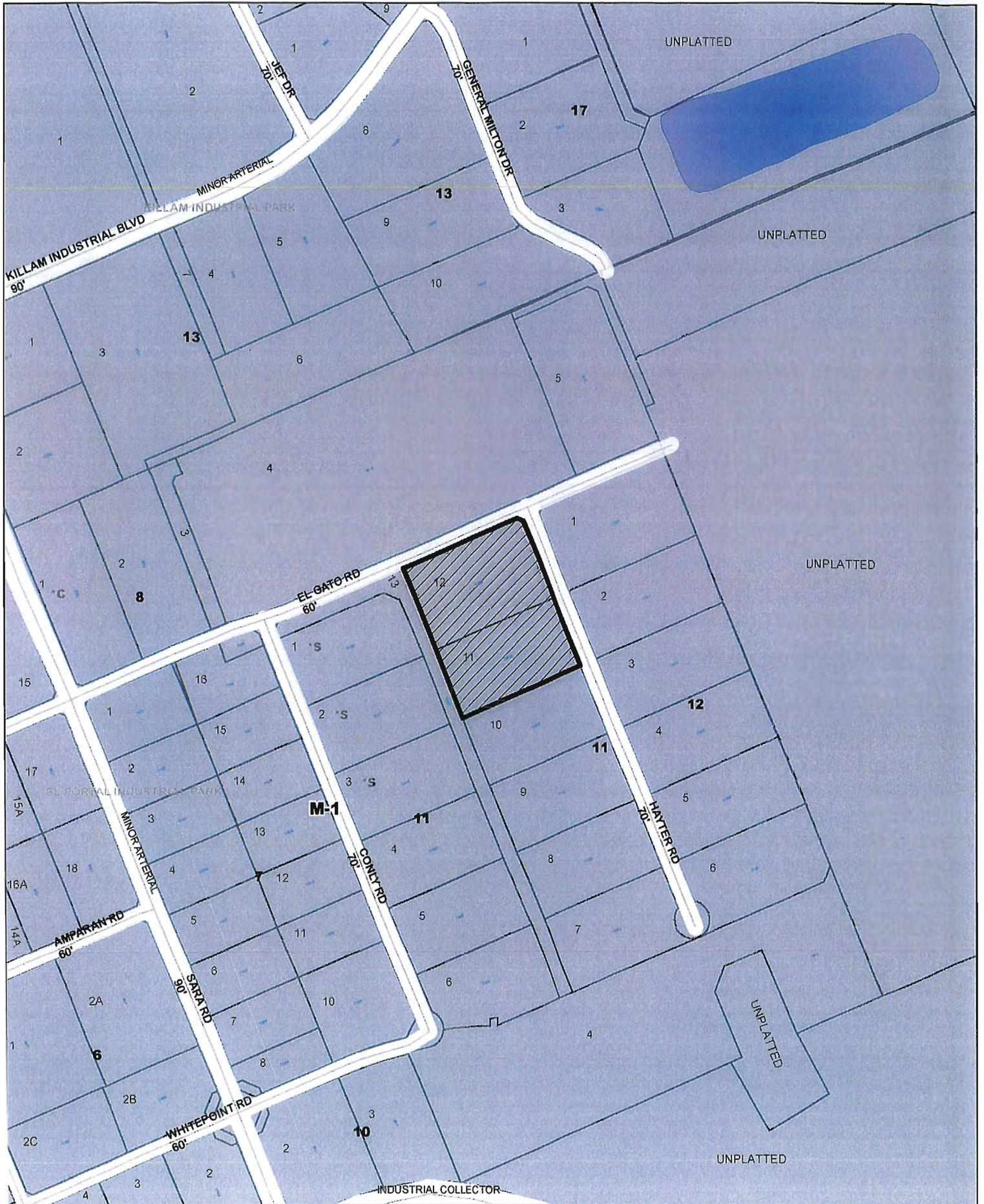
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GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:

  
KRISTINA LAUREL HALE  
ASSISTANT CITY ATTORNEY

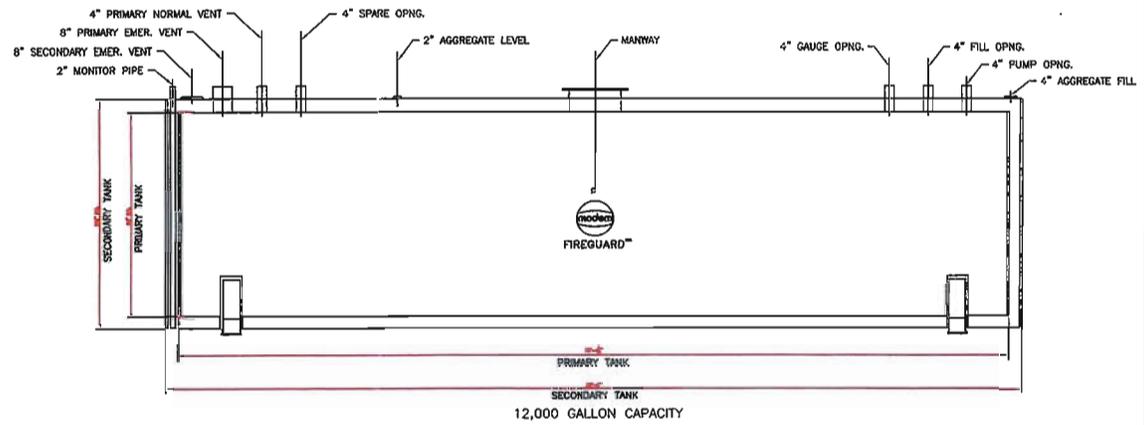
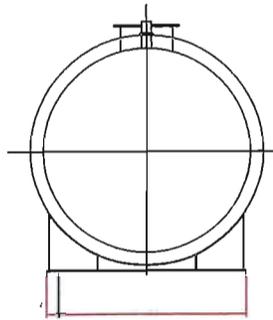
Melissa A. Vidal  
Assistant City Attorney



\*C=Conditional Use Permit (CUP)  
\*S=Special Use Permit (SUP)



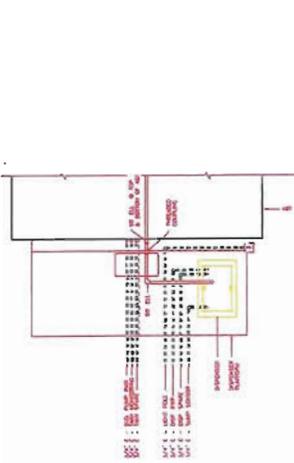
\*C=Conditional Use Permit (CUP)  
\*S=Special Use Permit (SUP)



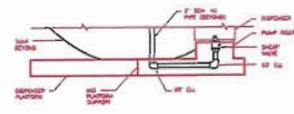
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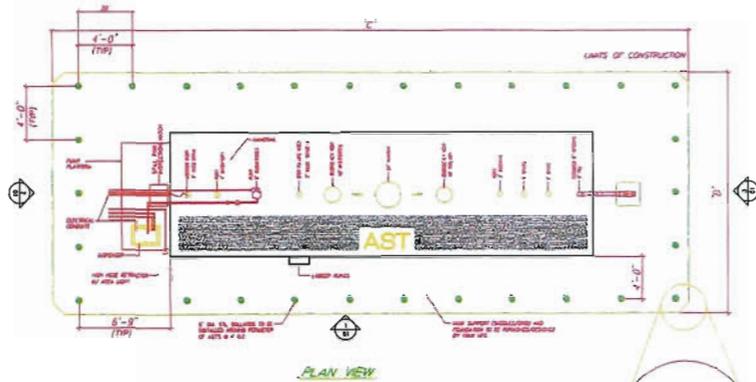
NO. 10270		REV. NO.	
<b>modern welding company, inc.</b>			
2980 New Hartford Road Owensboro, KY. 42302		Corporate Office (270) 685-4400	
<b>"FIREGUARD" INSULATED SECONDARY CONTAINMENT ABOVEGROUND STORAGE TANK</b>			
REV. 01	DATE	SCH. NO.	▲
REV. 02	ISS. NO.	REV. NO.	
REV. 03	P.G. NO.	SHT. NO. 01	



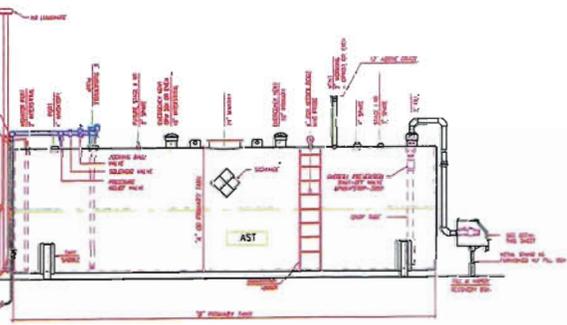
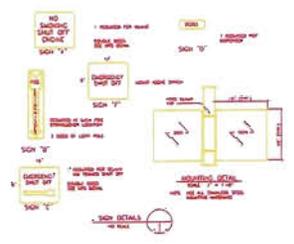
PLAN VIEW  
SCALE 1/4" = 1'-0"



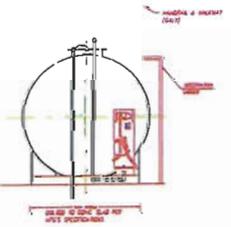
SECTION  
SCALE 1/4" = 1'-0"



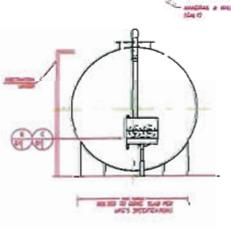
PLAN VIEW



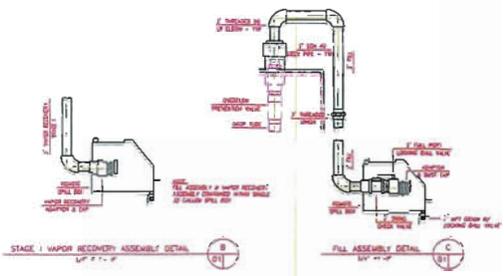
SIDE ELEVATION  
SCALE 1/4" = 1'-0"



LEFT SIDE VIEW  
SCALE 1/4" = 1'-0"



RIGHT SIDE VIEW  
SCALE 1/4" = 1'-0"



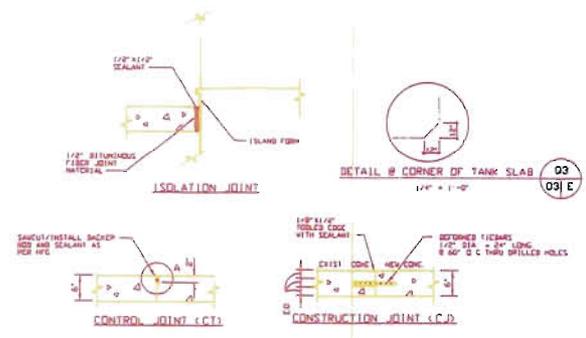
- NOTES:**
- AST TO BE INSTALLED WITH SLOPE
  - WELD TO BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S REQUIREMENTS FOR AUTOMATIC WELDING AND QUALIFICATION OF PERSONNEL PERFORMING
  - WELD TO BE WELDED TO CONCRETE SLAB PER AISC'S SPECIFICATIONS
  - WELDS TO BE REWORKED WITH LOCAL FIRE INSULATION
  - VERIFY ALL DIMENSIONS, COMPONENT REQUIREMENTS AND WELDING REQUIREMENTS
  - NO ADDITIONAL FILL & DISPENSER SHALL BE ADDED OR IN ANY MANNER

AST - CHART SPECIFICATION							
APPROX. CAPACITY (GALLONS)	DI. DIA.	DI. LENGTH	DI. HEIGHTS (INCHES)	DI. WIDTH (INCHES)	DI. DIA. APPROX.	DI. DIA. APPROX.	DI. DIA. APPROX.
12,000	56"	32'-0"	12'-0"	27'-0"	42"	31'-0"	18'-0"

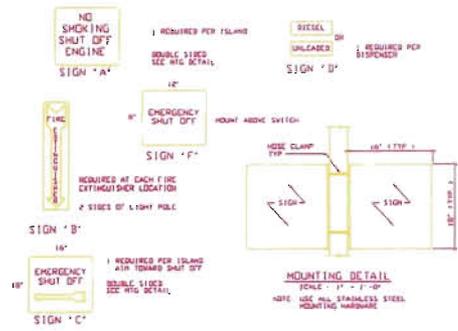
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REV	REVISION REQUIRED	BY	DATE
01	ISSUED FOR CONSTRUCTION	JMB	05/15/08
<p>1 AST MOUNTED DISPENSER W/ ABOVE GROUND STANDAR TANK</p>			
DWG NO	AST-01	0	

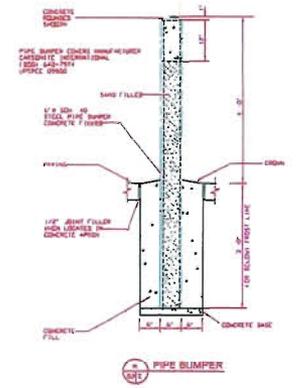
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01 CONCRETE PAVING JOINT DETAIL  
ASTM 02/ASTM 01 SCALE 1/2" = 1'-0"



03 SIGN DETAILS  
ASTM 02/ASTM 01 SCALE 1/2" = 1'-0"



02 PIPE BUMPER AT FUEL ISLAND  
ASTM 02/ASTM 01 SCALE 1/2" = 1'-0"

REV	REVISION	BY	DATE
01	ISSUE FOR CONSTRUCTION	HTW	04/15/08
02	REVISED PER COMMENTS	HTW	04/15/08
03	REVISED PER COMMENTS	HTW	04/15/08

Lubbock, TX	
ABOVE-GROUND STORAGE TANK	
DETAILS	
DATE	SCALE
04/15/08	NTS
BY	CHECKED BY
HTW	PB
APPROVED BY	PB
DWG NO.	0
REV	0

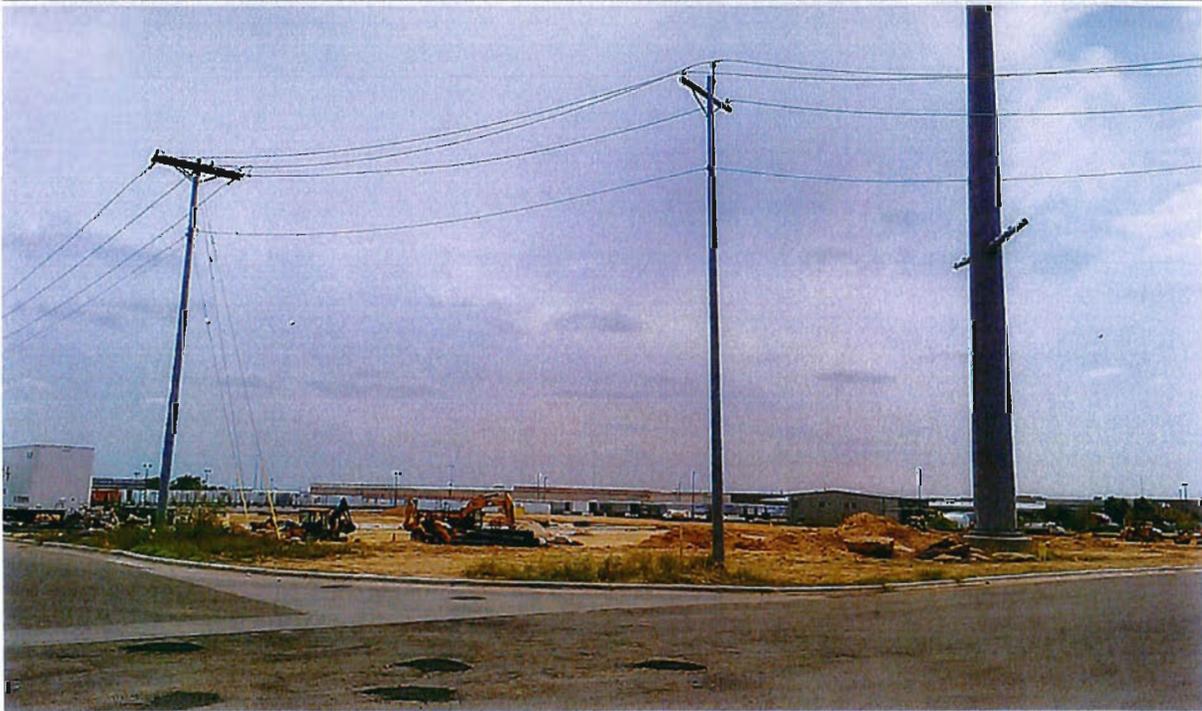
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**ZC - 37 - 2013**

**11918 HAYTER RD**

**PROPOSAL: M-1 (LIGHT MANUFACTURING DISTRICT) TO S.U.P. (SPECIAL USE PERMIT)**



**ZC - 37 - 2013**

**11918 HAYTER RD**

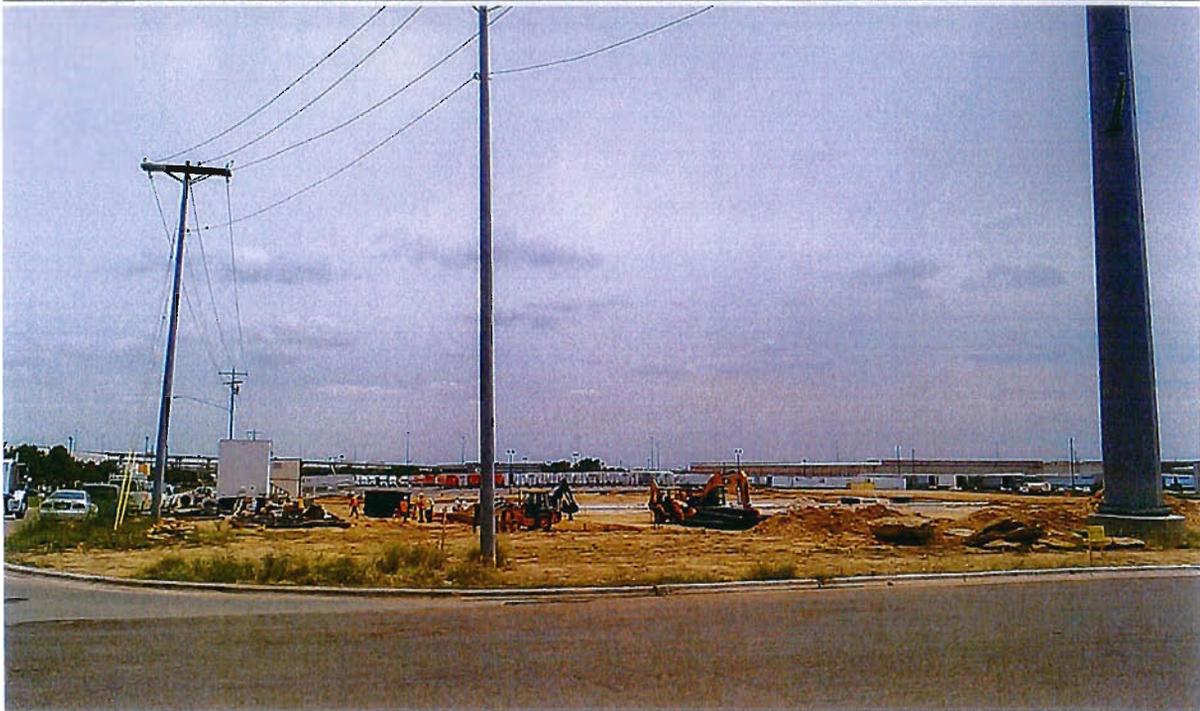
**PROPOSAL: M-1 (LIGHT MANUFACTURING DISTRICT) TO S.U.P. (SPECIAL USE PERMIT)**



**ZC - 37 - 2013**

**11918 HAYTER RD**

**PROPOSAL: M-1 (LIGHT MANUFACTURING DISTRICT) TO S.U.P. (SPECIAL USE PERMIT)**



ZC - 37 - 2013

11918 HAYTER RD

PROPOSAL: M-1 (LIGHT MANUFACTURING DISTRICT) TO S.U.P. (SPECIAL USE PERMIT)



ZC - 37 - 2013

11918 HAYTER RD

PROPOSAL: M-1 (LIGHT MANUFACTURING DISTRICT) TO S.U.P. (SPECIAL USE PERMIT)



## SECTION 434116

# FUEL DISPENSING SYSTEMS FOR ABOVEGROUND STORAGE TANKS

### PART 1 - GENERAL

#### 1.1 SUMMARY

- A. Provide the following:
  - 1. Installation of aboveground fuel storage tanks (AST).
  - 2. Piping, flexible connectors and connector jackets, pumps, piping sumps, dispensers, accessories, manholes, automatic overfill prevention system, observation wells and all other component parts reasonably incidental to providing a complete fuel dispensing system.

#### 1.2 REFERENCES:

- A. National Fire Protection Association (NFPA)  
NFPA 30 – Flammable and Combustible Liquids Code
- B. International Fire Code Institute (IFCI)
- C. Petroleum Equipment Institute  
PEI RP200 – Recommended Practices for Installation of Aboveground Storage Systems for Motor-Vehicle Fueling  
PEI RP300 – Recommended Practices for Installation and Testing of Vapor Recovery Systems at Vehicle Fueling Sites
- D. Steel Tank Institute (STI)
- E. Underwriters Laboratories, Inc. (U.L.)  
UL142 – UL Standard for Safety Steel Aboveground Tanks for Flammable and Combustible Liquids  
UL 2085 – UL Standard for Safety Protected Aboveground Tanks for Flammable and Combustible Liquids
- F. American Society for Testing of Materials  
ASTM D 1586 – Standard Test method for Standard Penetration Test (SPT) and Split –Barrel Sampling of Soils
- G. Unified Facilities Criteria
- H. The Society for Protective Coatings/NACE  
SSPC – SP-6 /NACE No. 3– Commercial Blast Cleaning
- I. California Air Resources Board

CARB Executive Order G-70-52-AM – Certificate of Components for Red jacket, Hirt, and Balance Phase II Vapor Recovery Systems

**1.3 SUBMITTALS**

- A. Product Data: Submit manufacturer's product data and installation instructions for the following items:
  - 1. Tanks
  - 2. Primary and secondary containment piping.
  - 3. Flexible connectors.
  - 4. Pumps and accessories.
  - 5. Dispensers and accessories.
  - 6. Accessories.
  - 7. Automatic overflow prevention system.
  - 8. Manufacturer's testing and installation data.
  - 9. Installer Certificate of Training from tank manufacturer.
  - 10. Monitoring system and related components
  
- B. Manufacturer's Certification: Submit Certification of Installation on form included at end of this Section, signed and countersigned by Contractor and Fuel Facility Installer.

**1.4 QUALITY ASSURANCE**

- A. Perform work with installer specializing in aboveground storage tank installations with a minimum of five years successful experience, approved in aboveground storage tank installation by tank manufacturer.
- B. Schedule a pre-installation conference with all subcontractors; include Installer's on site Foreman. Coordinate with UPS project engineer.

**1.5 WARRANTY**

- A. Provide warranty in accordance with the General Conditions and Section 017000.
- B. Guarantee tanks against cracking, breakup, and collapse for 30 years from date of installation.

**1.6 MAINTENANCE/OPERATION**

- A. Deliver 3 copies of calibration chart and 1 dipstick, calibrated in 1/8 inch increments, for each size of AST tank to UPS Project Engineer.

**1.7 SETTING OF TANKS**

- A. AST's must be located/positioned in accordance with setback requirements from buildings, property lines, potable wells, adjacent tanks, and other site features in accordance with all jurisdictions (local, state, federal, fire, etc.) Spacing between adjacent AST's should never be less than 3 ft.

- B. AST's should be placed on adequately cured, reinforced concrete foundations appropriately sized to support the weight of the tank, all appurtenances, and the full capacity of product. The AST foundation should be installed in an area of the site containing suitable soils (i.e. sand, bedrock, gravel, etc. containing no debris, and less than 5% organic fines), which have been adequately compacted. The area of suitable/compacted soils should extend a minimum of 5 feet beyond the perimeter of the AST foundation. To evaluate soil conditions, a Standard Penetration Test (SPT) should be conducted in accordance with ASTM Standard D 1586 to a minimum depth of 10 feet in the proposed AST area. Unconsolidated soils and any imported fill material below a minimum depth of 4 feet below the proposed AST area should be compacted until a density of 95% of the modified Proctor maximum dry density is achieved. Compaction, if required, should be conducted in lifts not exceeding 1 foot.

## **PART 2 - PRODUCTS**

### **2.1 GENERAL:**

- A. The Contractor will furnish all specified items as listed in the drawings and specifications. Contractor will furnish appurtenant accessories not listed in the drawings and specifications as required to complete the entire installation.
- B. The Contractor will install all equipment.
- C. The Contractor will contact local agency with environmental jurisdiction and Fire Marshal prior to installation of tank as required by local code.
- D. All secondary containment systems shall pass a post-installation test, which meets the approval of the local agencies with jurisdiction.
- E. Contractor shall certify that the installation of the tanks and piping meets the following conditions below.
  - 1. The installer has been adequately trained as evidenced by a certificate of training issued by the tank and piping manufacturers.
  - 2. The installer has been certified or licensed by the Contractors State License Board.
  - 3. The aboveground storage tank, any primary piping and any secondary containment, was installed according to applicable voluntary consensus standards and any manufacturer's written installation instructions.
  - 4. All work listed in the manufacturer's installation checklist has been completed.
  - 5. The installation has been inspected and approved by the local agencies, or, if required by the local agencies, inspected and certified by a registered professional engineer who has education in and experience with aboveground storage tank system installation.

### **2.2 ACCEPTABLE MANUFACTURERS**

- A. Acceptable Tank Manufacturers: Modern Welding Company Inc., or Highland Tank. (Other manufacturers registered with the Steel Tank Institute, and having a minimum of 5 years experience in petroleum AST manufacturing may be considered).
- B. Acceptable Piping Transition Sump Manufacturers: OPW Fueling Components

- C. Acceptable Piping Manufacturers: Ameron Fiberglass Pipe or NOV Fiberglass Systems.
- D. Acceptable Flexible Connector Manufacturers: Dana-Everflex Corp., Resistoflex Co., Teleflex Fluid Systems, or Titeflex Corp.
- E. Acceptable Submersible Pumps and Leak Detector Manufacturers: Red Jacket Pumps (Veeder Root), FE Petro, or Vaporless Manufacturing, Inc. (leak detector only).
- F. Acceptable Diesel Dispenser Manufacturers: Gasboy International, Inc., or Dresser Wayne, Inc.
- G. Acceptable Gasoline Dispenser Manufacturers: Gasboy International, Inc., or Dresser Wayne, Inc.
- H. Acceptable Dispenser Filter Manufacturers: Central Illinois Mfg. Co. (Cim-Tek) or Velcon Filters, Inc.
- I. Acceptable Nozzle Manufacturer: OPW Fueling Components or EMCO Wheaton Inc.
- J. Acceptable Coaxial Hose Manufactures (Stage II Vapor Recovery only): DAYCO Products, Inc., and Goodyear Tire & Rubber, Co.
- K. Acceptable Hose Swivel Manufacturer: OPW Fueling Company.
- L. Acceptable Breakaway Coupling Manufacturer: Richards Industries or OPW Fueling Company.
- M. Acceptable Safety Shut-Off Valve Manufacturer: OPW Fueling Components.
- N. Acceptable Dispenser Containment System Manufacturers: OPW Fueling Components.
- O. Acceptable Hose Retractor Manufacture: Pomeco Corporation; Model 100.
- P. Acceptable Tank Accessories Manufacturers: OPW Fueling Components, A Dover Corp., or Universal Valve Co., Inc. (observation well cap only).
- Q. Acceptable Automatic Overfill Prevention System Manufacturers: OPW Fueling Components or Emco-Wheaton.

### **2.3 ABOVEGROUND STORAGE TANKS**

- A. Loading Conditions: Tank shall meet the following design criteria.
  - 1. Internal Load: Tank(s) shall withstand an air pressure test of 3 - 5 psi.
  - 2. Tank shall be designed to support accessory equipment such as ladders, pumps, etc. when installed according to manufacturer's instructions and limitations.
  - 3. Tank shall be provided with suitably designed and located lifting lugs which have a 2:1 safety factor.
- B. General
  - 1. Tank(s) shall be capable of storing liquids with a specific gravity up to 1.1.
  - 2. Tank(s) is designed for operation at atmospheric pressure only. Tank(s) shall have openings of sufficient size to meet normal and emergency venting requirements for both primary and secondary containments as stated in UL 142, UFC, and NFPA 30.

3. Tank(s) shall be capable of storing gasoline, gasohol, jet fuel, avgas, diesel fuel or methanol at ambient temperature or used for fuel oil at temperatures not to exceed 120 degrees Fahrenheit. Tank shall include integral steel secondary containment and provide a minimum two-hour fire rating.
  4. Tank shall comply with the latest edition of National Fire Protection Association NFPA 30 Flammable and Combustible Liquids Code. The tank's secondary containment must be tested for tightness in the factory and in the field before commissioning.
  5. Inner and Outer Tank shall be manufactured in accordance with UL142 Standard for Safety Steel Aboveground Tanks for Flammable and Combustible Liquids. Entire tank shall be labeled for Underwriters Laboratories UL 2085 "Fire Resistant Tanks for Flammable and Combustible Liquids."
  6. Tank shall be of double wall construction and provide complete secondary containment of the primary storage tank's contents by an impervious steel outer wall.
- C. Exterior Protective Coating
1. Surface Preparation: Grit blast - SSPC-SP-6 White Blast.
  2. Finish: White finish paint system 5-7 DFT on the shell and heads.
- D. Accessories
1. Certification Plate: Underwriters Laboratories label shall be affixed to each tank.
  2. Fittings: Threaded/NPT
    - a. All threaded fittings shall be of a material of construction consistent with the requirements of the Underwriters Laboratories label. All fittings shall be protected using threaded plugs or suitable closure caps.
  3. Manways
    - a. Manways shall conform to Underwriters Laboratories UL 142 standards with regard to construction, bolting and gaskets.
  4. Ladders and Walkways
    - a. Shall be of steel construction and designed using accepted engineering practices.
  5. Support Saddles
    - a. Design and quantity of the steel support saddles shall be such as to safely support the weight of the tank filled to capacity.
    - b. The saddles shall be less than 12 inches high at their lowest point.
  6. Emergency Vents
    - a. The ASTs shall have emergency vents for both the primary (inner) tank and secondary (interstitial) tank, each supplied and appropriately sized by the AST manufacturer.
  7. One (1) 2" - Interstitial Monitoring.
  8. One (1) 2" - Normal Vent, Primary Tank.
  9. One (1) 4", 6", or 8" - Emergency Vent, Primary Tank.
  10. One (1) 4", 6", or 8" - Emergency Vent, Secondary Tank.

11. One (1) 6" - Product Fill.
12. One (1) 2" or 4" - Product Pump or Supply.
13. One (1) 4" - Product Return or Auxiliary (3,000 gal. and larger).
14. One (1) 2" or 4" - Liquid Level Gauge.
15. One (1) 4" - Stage 1 Vapor Recovery, Electronic Level Stage 1 Gauge, or Auxiliary
16. One (1) 18" Manway (min.) with emergency vent (4,000 gallons and larger).

## **2.4 TANK ANCHOR MATERIALS**

- A. Installation shall be in strict accordance with the most recent installation instructions provided by the tank manufacturer, PEI/RP200, UFC, NFPA 30, local ordinance, and other applicable codes. ASTs shall be anchored such that minimum local wind-load requirements are met.

## **2.5 COATINGS**

- A. Dielectric Coating: Coal tar epoxy, polyurethane or polyester resin or 10-mil thick tape, double wrapped.

## **2.6 FLEXIBLE CONNECTORS**

- A. Connector: Two (2) inches I.D.; UL listed and labeled; polytetrafluorethylene (Teflon), one piece, convoluted liner; stainless steel wire outer braid; 2 inches non-re-attachable couplings with corrosion resistant plating.

## **2.7 PUMPS AND ACCESSORIES**

- A. Pump: UL listed and labeled; submersible;  $\frac{3}{4}$  hp, single phase, 60 hertz, 208-230 volt.
- B. Leak Detector: UL listed and labeled; automatic electronic line (piping) leak detection by restricting or shutting off the flow of product through piping; product (thermal) contraction compensating, piston type; capable of detecting leaks of 3 gph at 10 psi line pressure within one (1) hour.

## **2.8 DISPENSERS AND ACCESSORIES**

- A. Master Diesel Dispenser: Rain-tight enclosure; dual sided, 999.9 gallon mechanical interlock register with accumulative 1,000,000 gallon totalizer; two-piston meter accurate at any delivery and pressure; electric reset; dispenser must deactivate in order to hang up nozzle; 1 inch, dual-stage electric solenoid valve located inside the cabinet and on the discharge side of the meter; internal 1 inch satellite port; integral junction box for field connections; product inlet must be centered to facilitate easy retrofit; 1 inch diameter by five (5) feet long, UL listed hardwall hose section with a 1 inch breakaway coupling installed approximately one (1) foot from a 1 inch UL approved automatic nozzle without a hold open clip. Dispenser must be capable of at least 17 GPM flow rate at the nozzle. UL listed and labeled.
  1. Dresser Wayne /G6201D/2GJK/W1 or Gasboy 9153KX-FS supplied with Gasboy M0676K001 Atlas centering kit.
- B. Nozzles: Aluminum body, automatic shut-off; replaceable spout, UL listed and labeled.

1. Diesel: 1-3/16 inches o.d., OPW OPW 7H-0100
  2. Diesel (Satellite Only): OPW 7HB-0100
  3. Gasoline: 13/16 inch o.d., OPW 11BP-0400
  4. Gasoline (Stage II): OPW 11VF-0427 or Emco Wheaton A4005
- C. Diesel Filter: Capable of 17-gpm flow; 10-micron filter for UPS Plant Engineering domiciled facilities, 30-micron filter for all other facilities; spin-on type.
- D. Hose Swivel: 45 degree design; OPW 45-5060 (3/4" x 3/4") for unleaded gasoline, OPW 45-5075 (1" x 1") for diesel; UL listed and labeled.
- E. Flow Limiter (for gasoline only): OPW 44-0044, zinc/aluminum body, ceramic filled plastic piston, steel spring and steel zinc plated adapter; designed to limit maximum fuel flow to 10 gpm.
- F. Breakaway Coupling: Field repairable type; Coupling separation at 200 pounds maximum pulling force; integral, [coaxial for Stage II vapor recovery], flow preventing, seals or valves activated upon coupling separation; UL listed and labeled, retains UL listing after separation and reassembly.
1. Diesel: OPW 66RB or Richards T-2000B
  2. Gasoline: OPW 66REC or Richards 930
  3. Gasoline (Stage II): OPW 66CL-0250 or Richards CX-41
- G. Safety Shut-Off Valve:
1. OPW 10 Series for OPW dispenser containment.

## 2.9 ACCESSORIES

- A. Cap (for fill assembly): OPW 634TT-7085; corrosion resistant body; 4 inches; toggle lever type; top seal, buna-n gasket; hole for padlock.
- B. Cap (for vent/vapor recovery assembly): OPW 1711T-7085; corrosion resistant body; 3 inches; toggle lever type; top seal, buna-n gasket; hole for padlock.
- C. Vent (for diesel vent piping at island): OPW 23-0033; 2 inches; aluminum body; 40 mesh brass screen; open type; vapors directed upward; set screw installation to vent riser pipe.
- D. Vent (for gasoline vent piping at island): OPW 523V-1150; 2 inches; Duratuff body; pressure-vacuum type; 8 oz. pressure setting, 1/2 oz. vacuum setting; set screw installation to vent riser pipe; gasketed; OPW 523V-2253; 2 inches; Duratuff body; pressure-vacuum type; 3 inch wc pressure setting, 8 inches wc vacuum setting; set screw installation to vent riser pipe; gasketed.
- E. Adapter (for vent/vapor recovery assembly): OPW 61VSA-1020-EVR; bronze; swivel.
- F. Adapter (for fill assembly): OPW 633AST.
- G. Flexible Entry Boots Environ boots with vulcanized mounting studs; stainless steel hardware and band clamp.
1. FEB-3075: 3/4 inch conduit penetration into piping/dispenser sump.
  2. CEB-3075: 3/4 inch conduit penetration into dispenser pan [bottom penetration only].

3. FEB-3100: 1 inch conduit penetration into turbine enclosure [piping sump].
  4. FEB-6200: 2 inch fiberglass piping penetration into piping/dispenser sump]
  5. FEB-6300: 3 inch fiberglass piping penetration into piping/dispenser sump.
- H. Dispenser Adapter: OPW 38C (0038), adapts conventional dispenser to Stage II vapor recovery.

## **2.10 AUTOMATIC OVERFILL PREVENTION VALVE**

- A. OPW 61fStop-3050 designed to automatically shut-off flow into the tank when the tank is 95 percent full.

## **2.11 MONITORING SYSTEM**

- A. System Description: TLS-350 UST monitoring system with inventory monitoring, in-tank leak detection and interstitial leak sensing for interstitial spaces of double wall tank and piping sump.
- B. System Components:
1. TLS 350R Console with integral printer.
  2. In-tank probe module(s).
  3. Interstitial/Sump liquid sensor module(s).
  4. Relay module(s).
  5. Magnetostrictive Plus digital sensing probe (form number 846390), with probe riser cap and ring kit. Add the AST installation kit (form number 312020-984).
  6. Sump float sensor (form number 794380).
  7. Dual float hydrostatic tank sensor (form number 794380-303).
  8. Dispenser sump sensor if underground piping and remote dispensers are installed (non-discriminating, form number 847990-001).
  9. Site fax modem.
- C. Provide "system start-up" as described in manufacturer's Technical Manual for System Start-Up and Operating Instructions.

## **PART 3 - EXECUTION**

### **3.1 HANDLING OF ABOVEGROUND STORAGE TANKS (AST):**

- A. The Contractor is responsible for off-loading the tanks from the delivery vehicle. A crane or backhoe of sufficient lifting capacity must be used. Actual weights shall be verified with manufacturer prior to submitting a bid.
- B. Lifting and Moving: When lifting or moving an AST always use properly sized equipment and lift by lifting lug(s). On large tanks, greater than 8' diameter, use a spreader bar to ensure a lift angle of at least 45 degrees at each lifting lug. Never roll or use cables or chains around tank. Set on smooth ground, free of rocks and foreign objects.
- C. Exception: Tank can be rolled up to 90 degrees on smooth clean surface when performing the "pre-installation" pressure test.

- D. Chocking: Tanks are to be chocked in accordance with manufacturer's recommendation until ready for installation. If windy conditions exist or are expected, anchor tanks using minimum 1/2" nylon or hemp rope over each tank and secure to stakes of adequate size to prevent movement of the tanks.
- E. Openings: All tanks are shipped with dust covers in each opening. Dust covers are to remain in each opening until ready for the pre-installation pressure test. All tanks must have either a dust cap in place or a 5 psi pressure relief valve in place at all times.
- F. Damage:
  - 1. Inspect all tanks carefully for signs of damage upon receipt and prior to off-loading from the delivery truck. Note any damage on the shipping documents and notify the Owner's inspector. Contact the tank manufacturer for additional information.
  - 2. If tank is damaged, do not attempt repairs or off-loading. Owner's inspector is to be notified and will determine the course of action that will be followed.
  - 3. Contractor is responsible for verifying that vacuum gauge on secondary tank wall maintains a constant reading. Do not attempt repairs or off-loading.

### **3.2 INSTALLATION QUALITY CONTROL:**

- A. Pre-Installation Testing: All tanks must be tested for leaks prior to installation. Use the visual air/soap test.
- B. Visual Air/Soap Test:
  - 1. Warm weather soap solution - 5 gallons of water with 8 oz. of household dishwashing detergent.
  - 2. Freezing conditions soap solution - substitute 1 gallon of automotive windshield washer solution for 1 gallon of water.
  - 3. Cover all fittings with soap solution.
  - 4. Carefully inspect for leaks as indicated by bubbles.

### **3.3 OUTER WALL TEST FOR DOUBLE WALL TANKS:**

- A. Inspect tank bottom by lifting tank. After inspection of tank bottom, replace tank on bumper pads.
- B. Connect air compressor line to primary tank fitting. Use a pressure relief valve. Pressurize tank to 5 psi maximum.
- C. Apply a soapy water solution to all fittings and manways. Check for leaks as indicated by bubbles. If bubbles are present, tighten the plugs or bolts and retest.

### **3.4 INNER WALL TEST FOR MONITORED DOUBLE WALL TANKS:**

- A. Release pressure from primary tank.
- B. Remove primary tank fitting plug.
- C. Replace and tighten fitting plug.
- D. Loosen plug to vent annular space.

### 3.5 INSTALLATION

- A. Insure soils are suitable and adequately compacted in the selected AST area; form/pour reinforced AST concrete foundation of minimum 3,500 psi compressive strength; following curing of concrete foundation to a minimum of 90% compressive strength, set ASTs on foundation using adequately sized crane, with lifting cables/harnesses supplied by crane contractor.
- B. Install tanks level on the slab foundation; anchor ASTs to slab
- C. Install AST monitoring and leak detection probes, check valves, overfill valve, emergency vents, primary vent, and all other appurtenances pursuant to site plans.
- D. Route electrical conduit away from piping. Ensure minimum 6 inches clearance between conduit and piping.
- E. Identify probe and sensor locations at monitoring system console. Tag probes and sensors with numbers corresponding to those on console.
- F. Install fuel dispensing systems free of leaks.
- G. Interstitial Monitor: An electronic sensor shall be provided to monitor the interstitial space as specified in the equipment list section of this specification.
- H. Installing the Containment Sump:
  - 1. The containment sump must be watertight to prevent liquid ingress or egress. Sand and clean all joint areas and apply adhesive to tank collar and turbine containment sump. Install as shown on plans.
  - 2. Securely plug all unused tank openings with screw type galvanized steel plugs. Unused openings outside the containment sump must have a fiberglass hat cap epoxy glued over the plug to provide a secondary type containment and seal.
  - 3. Cut all openings through the containment sumps and install compression or boot type fittings for all lines (product and electrical conduit).
  - 4. Liquid sensing probes shall be installed in each sump where fuel may be present.
  - 5. Double wall piping must have drainage openings that drain into the sump area and test boots to verify piping integrity.
  - 6. Hydrostatic Water Test: Test the piping containment sump by filling sump with water above all penetration fittings. Mark level in sump with grease pencil and inspect outside of sump for leaks at penetration fittings. Maintain water in sump for 24 hours.
- I. Install submersible pumps after product has been added to tank. Do not operate submersible pumps without leak detectors installed and operating.
- J. Identify probe and sensor locations at monitoring system console. Tag probes and sensors with numbers corresponding to those on console.
- K. [Adjust operating force and travel of hose retractor so that the hose drapes no more than 10" below the insertion of the hose into the nozzle, when the nozzle is mounted in dispenser. Installation shall comply with CARB executive order G-70-52-AM, Exhibit 5.]
- L. Install fuel dispensing systems free of leaks.

### **3.6 FIELD QUALITY CONTROL**

#### **A. Contractor Furnished Testing:**

1. Tighten all fittings and pneumatically test AST to 5 psi pressure in accordance with manufacturer's installation instructions.
2. After completion of primary piping and prior to completion of secondary containment piping on the product supply piping, test primary piping to 50 psi in accordance with manufacturer's installation instructions. Notify the Project Engineer in advance of when such test is to take place.
  - a. After testing, reduce pressure to 25 psi and monitor piping daily until after the paving is placed, to ensure 25 psi pressure is maintained.
3. After completion of both primary and secondary containment piping and prior to backfilling the piping, test the secondary containment piping to 10 psi in accordance with the manufacturer's installation instructions. Notify the Project Engineer in advance of when such test is to take place.
  - a. After testing, reduce pressure to 5 psi and monitor piping daily until after the paving is placed, to ensure 5 psi pressure is maintained.
  - b. After paving has been placed, move test reducer in piping sump to an open position.
4. [After completion of installation, test the integrity and performance of the Stage II vapor recovery system. Perform a Pressure Decay/Leak Test, Liquid Blockage Test and Dynamic Back Pressure Test as described in the EPA Technical Guidance document; Stage II Vapor Recovery Systems for Control of Vehicle Refueling Emissions at Gasoline Dispensing Facilities, (Volume 2, Appendices). Perform any other tests required by the local regulatory authority].

#### **B. Owner Furnished Testing:**

1. After paving has been placed over underground piping and connectors, the Owner will engage a precision line tester to test for leaks.

**FUEL FACILITY  
CERTIFICATION OF INSTALLATION**

Fuel facility installer (FFI) and general Contractor (GC) shall complete this certification by checking and initialing beside true statements and items completed. Explain statements or items not checked and initialed in the space provided. Identify explanations with corresponding numbers. Use back side if additional space needed. Sign and date the completed certification.

<b>Check:</b>	<b>Initial:</b>
	<b>FFI GC</b>
1. <input type="checkbox"/> Fuel Facility installed in accordance with PEI/RP200 Recommended Practices for Installation of Aboveground Storage Systems for Motor-Vehicle Fueling.	____ _
2. <input type="checkbox"/> Fuel Facility installed in accordance with Contract Documents.	____ _
4. <input type="checkbox"/> Installer has been certified by the piping manufacturer and documentation of certification is attached.	____ _
5. <input type="checkbox"/> Installer has been certified or licensed by the applicable State AST Program Office or other state authority and documentation of certification or licensing is attached.	____ _
6. <input type="checkbox"/> Fuel Facility installed in accordance with product manufacturers' installation instructions.	____ _
7. <input type="checkbox"/> All work listed in tank manufacturer's installation checklist has been completed, checklist has been filled-out, and copy of checklist is attached.	____ _
8. <input type="checkbox"/> All work listed in piping manufacturer's installation checklist has been completed, checklist has been filled-out, and copy of checklist is attached.	____ _
17. <input type="checkbox"/> Overfill prevention valve installed in product fill pipe, to shut off flow into the tank when tank is 95 percent full.	____ _
18. <input type="checkbox"/> Spill container installed on product fill and vapor recovery riser.	____ _
19. <input type="checkbox"/> Island containment boxes installed under dispensers.	____ _
20. <input type="checkbox"/> Safety shut-off valve installed under dispenser, with shear section of valve installed level with top of island.	____ _
21. <input type="checkbox"/> Underground piping sloped minimum 1/8" per foot down to piping sump, as applicable.	____ _
22. <input type="checkbox"/> Flexible connectors installed in product piping for connection as noted on the drawings.	____ _
25. <input type="checkbox"/> Stage II vapor recovery piping installed for gasoline facility in accordance with PEI RP 300.	____ _
27. <input type="checkbox"/> If underground piping exists, containment sump installed with piping sump sensor, and a line leak detector is installed on the submersible pump.	____ _
28. <input type="checkbox"/> Dispensers installed with appropriate nominal hose length, breakaway	____ _

**Check:**

**Initial:  
FFI GC**

- coupling, hose swivel and automatic nozzle as per drawings.
- 30.  Fuel Facility installed free of leaks, and verified with testing documentation as specified in section 3.6. \_\_\_\_\_
- 31.  Monitoring system installed and functioning, including:
  - Piping sump sensor. \_\_\_\_\_
  - Flexible test reducer pulled away from piping sump wall to allow flow of leaked product into piping sump. \_\_\_\_\_
  - Interstitial tank monitor. \_\_\_\_\_
  - In-tank probe. \_\_\_\_\_
  - Console and printer. \_\_\_\_\_
- 32.  Dispenser timer relay installed to stop flow of product after 3/5 minutes of dispensing. \_\_\_\_\_
- 33.  Leak detection shutdown relay installed to interrupt power to pump if monitoring system senses product in piping sump. \_\_\_\_\_

IN WITNESS WHEREOF,

We set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

By: \_\_\_\_\_

Title: \_\_\_\_\_  
For Fuel Facility Installer

By: \_\_\_\_\_

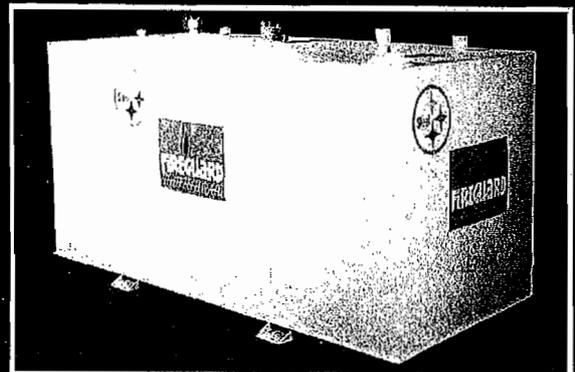
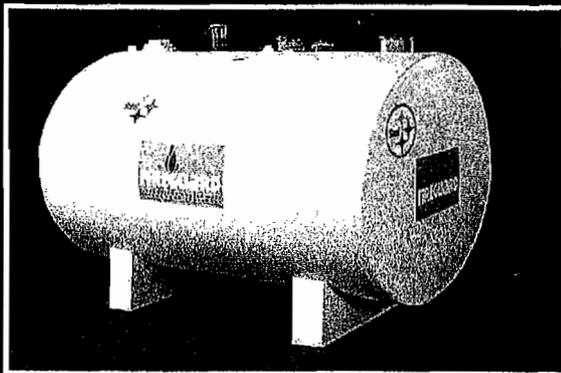
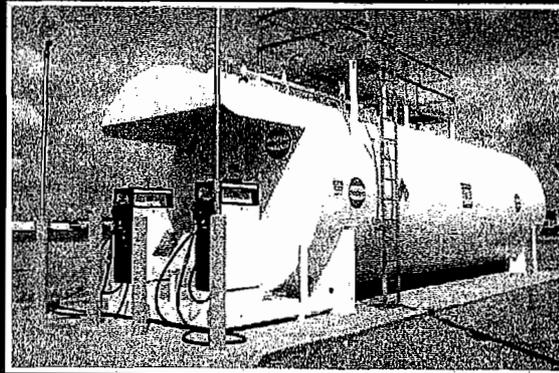
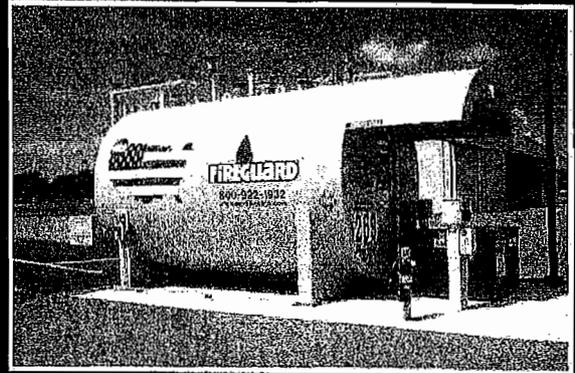
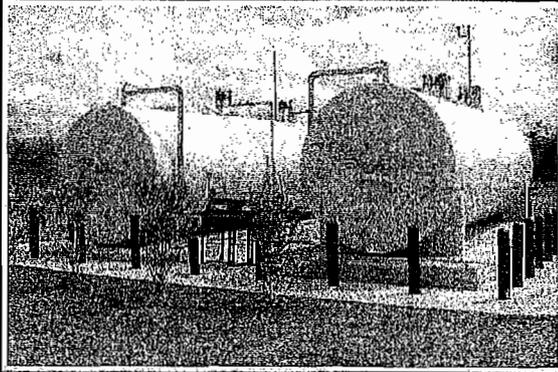
Title: \_\_\_\_\_  
For General Contractor

End of Section



# FIREGUARD®

## FIRE-RATED ABOVEGROUND TANKS



U.S. Patent #5695089 & #5809650



UL 2085 Protected AST

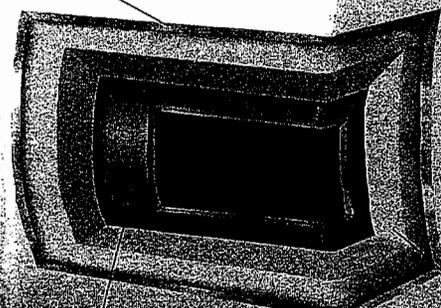
Visit our Web Site: [www.modweldco.com](http://www.modweldco.com)  
Email us at: [modern@modweldco.com](mailto:modern@modweldco.com)

# **FIREGUARD<sup>®</sup>** is the New Generation of fire-rated ASTs, going far beyond those "first generation" tanks which were merely enclosed in concrete.

- Fireguard<sup>®</sup> was the first AST of its design to obtain a UL Listing for secondary containment.
- Fireguard<sup>®</sup>'s secondary containment can be tightness tested on-site with standard testing procedures!
- Fireguard<sup>®</sup>'s exterior steel wall provides superior weatherability and low-cost maintenance. Unlike concrete, cracking or spalling will never be a problem!
- Fireguard<sup>®</sup>'s unique thermal insulating material is 75% lighter than concrete... shipping, installation and relocation costs are reduced!
- The Fireguard<sup>®</sup> technology is patented under U.S. Patent #5695089 and #5809650 for "Lightweight Double Wall Storage Tank".
- Fireguard<sup>®</sup> is a UL approved component for the 2244 system listing.



Steel Secondary Tank  
built to UL standards



Steel Primary Tank  
built to UL standards

## **FIREGUARD<sup>®</sup> TANKS ACCOMMODATE EVERY SITE REQUIREMENT:**

- Significantly more size options than most competitive brands
- Capacities range from 186 to 50,000 gallons
- Cylindrical or rectangular design
- Compartmentalized configurations
- Ballistics resistant
- Impact resistant
- Support designs available for seismic zones 0 through 4

## **Lightweight thermal insulation**

- Unique feature that helped Fireguard<sup>®</sup> exceed the UL 2-hour fire test!
- Sufficiently porous to facilitate quick emergency venting and/or leak detection

### **IS YOUR ABOVEGROUND TANK EVERYTHING IT'S CRACKED UP TO BE?**



- Secondary containment is testable on-site using standard, economical testing procedures.
- Fireguard<sup>®</sup>'s steel outer wall provides low-cost maintenance and protects the insulation material from weathering.
- An average 12,000 gallon Fireguard<sup>®</sup> weighs under 30,000 pounds - well within the legal load limit for trucking.

- The secondary containment on certain designs may require elaborate and expensive procedures to be tested on-site.
- Exposed concrete outer wall is susceptible to cracking, spalling and weathering - problems that are expensive to correct and are usually not covered by warranty.
- An average 12,000 gallon concrete-encased tank weighs upwards of 100,000 pounds - imagine the hassles involved in handling that tank.



Contract Number: GS-07E-0134K  
FSC Group 24, Part III  
Aboveground Storage Tanks/Systems  
FSC Classes: 5430

## FIREGUARD® SPECIFICATIONS CYLINDRICAL DESIGN

SAMPLE OUTER TANK DIMENSIONS, ALL DIAMETERS AND LENGTHS ARE NOMINAL			
GALLONS	DIAMETER	LENGTH	APPROX. WEIGHT (lbs.)
186	48	54	2,119
250	48	68	2,513
300	50	72	2,821
500	54	70	2,413
560	54	78	2,606
1,000	54	134	5,338
1,000	70	78	5,005
1,500	70	114	6,537
2,000	70	150	8,309
2,500	70	186	9,644
3,000	70	222	10,979
4,000	78	233	13,523
4,000	90	175	14,072
5,000	79	290	18,998
5,000	103	169	17,149
6,000	79	347	21,961
6,000	103	199	19,206
8,000	103	259	23,319
10,000	103	331	28,256
12,000	103	391	32,370
15,000	127	313	35,821
20,000	127	415	44,506
25,000	127	517	55,891
30,000	127	619	64,575

Please note that all dimensions and weights are approximate. Individual tanks may vary from these values.

## FIREGUARD® SPECIFICATIONS RECTANGULAR DESIGN

SAMPLE OUTER TANK DIMENSIONS, ALL DIAMETERS AND LENGTHS ARE NOMINAL				
GALLONS	LENGTH	WIDTH	HEIGHT	APPROX. WEIGHT (lbs.)
186	45	45	56	2,256
250	118	37	37	3,305
250	79	51	37	2,916
500	141	52	37	4,991
750	141	73	37	6,513
1,000	128	73	37	4,607
1,000	89	73	51	4,102
1,500	125	89	45	5,772
2,000	141	87	51	6,679
2,000	141	73	61	6,486
2,500	141	89	61	7,453
3,000	251	73	51	11,572
3,000	118	103	73	9,379
4,000	332	73	51	14,990
4,000	155	103	73	11,640
5,000	337	73	61	16,615
5,000	192	103	73	13,901
6,000	403	73	61	19,631
6,000	229	103	73	16,162
8,000	371	103	61	22,872
8,000	303	103	73	20,684
10,000	461	103	61	27,992
10,000	377	103	73	25,205
12,000	452	103	73	29,788
15,000	387	103	103	38,510
18,000	463	103	103	45,290
24,700	466	138	103	54,539

## FIREGUARD®: THE ONLY TANK THAT MEETS ALL OF THESE STANDARDS

- UL-2080 Listed "Fire Resistant" Tanks for Flammable and Combustible Liquids
  - UL-2085 Listed "Protected" Aboveground Tanks for Flammable and Combustible Liquids
  - Both inner and outer tanks built per UL-142 Standard for Steel Aboveground tanks for Flammable and Combustible Liquids
  - Uniform Fire Code, 2000 Edition Article 79 and UFC Standard 79-7 "Protected Tank"
  - UL-2244, Aboveground Flammable Liquid Tank Systems, The Fireguard tank can be used as the primary storage containment
  - NFPA 30 and 30A, 2000 Edition, National Fire Protection Association
  - NFPA 1, Uniform Fire Code™, of the National Fire Protection Association, 2003 Edition Section 3.3.199.5, "Protected Aboveground Tank"
  - International Fire Code (IFC), 2000 – Chapter 34
  - ULC-S655 Underwriters Laboratories of Canada Standard for Aboveground Tanks for Flammable and Combustible Liquids
- Other Standards...
- Ballistics protection per UFC Article 79, and per UL-2085
  - Vehicle impact protection per UFC Article 79, and per UL-2085
  - California Air Resources Board (CARB) testing requirements for air emissions
  - Steel Tank Institute (STI) Standard F941 for Thermally Insulated Aboveground Storage Tanks
  - Many fire codes and environmental regulations will accept Fireguard® Secondary Containment Tanks as an alternate to diking requirements

MODERN WELDING COMPANY OF GEORGIA, INC.  
300 Prep Phillips Dr., Augusta, GA 30901  
Phone: (706) 722-3411 Fax: (706) 724-8133

MODERN WELDING COMPANY OF TEXAS, INC.  
715 Sakowitz Street, Houston, TX 77020  
Phone: (713) 675-4211 Fax: (713) 673-4062  
200 North Main, Rhome, TX 76078  
Phone: (817) 636-2215 Fax: (817) 636-2680

MODERN WELDING COMPANY OF FLORIDA, INC.  
1801 Atlanta Avenue, Orlando, FL 32806  
Phone: (407) 843-1270 Fax: (407) 423-8187



MODERN WELDING COMPANY OF CALIFORNIA, INC.  
4141 North Brawley Avenue, Fresno, CA 93722  
Phone: (559) 275-9353 Fax: (559) 275-4381

MODERN WELDING COMPANY OF IOWA, INC.  
2818 Mt. Pleasant Road, Burlington, IA 52601  
Phone: (319) 754-6577 Fax: (319) 754-8428

MODERN WELDING COMPANY OF OHIO, INC.  
One Modern Way, Newark, OH 43055  
Phone: (740) 344-9425 Fax: (740) 344-6018

MODERN WELDING COMPANY OF OWENSBORO, INC.  
1450 East Parrish Avenue, Owensboro, KY 42303  
Phone: (270) 683-5323 Fax: (270) 684-5245

Visit our Web Site: [www.modweldco.com](http://www.modweldco.com)

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**COUNCIL COMMUNICATION**

<b>Date:</b> 06/17/13	<b>SUBJECT: PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE</b> Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 1.34 acres as further described by metes and bounds in attached Exhibit "A", located at F.M. 1472 and Coal Mine Road, from AG (Agricultural District) to M-1 (Light Manufacturing District); providing for publication and effective date. Staff is in support of the application and the Planning and Zoning Commission recommends approval of the zone change.  ZC-40-2013
--------------------------	---

<b>Initiated by:</b> Rene A. Nava Peua Consulting LLC, Oscar Castillo	<b>Staff source:</b> Horacio De Leon, Asst. City Manager Nathan R. Bratton, Planning Director
---	---

**Prior action:** None.

**BACKGROUND**

**Council District:** VII – The Honorable Jorge Vera

**Proposed use:** Commercial

**Site:** vacant

**Surrounding land uses:** The property to the north includes vacant land, Ron Grant Equipment and Transmaritime Inc. The property to the east includes Lone Star Transportation and vacant land. South of the property includes single-family residences, manufactured homes, vacant land and Wheeler. West of the property is vacant land.

**Comprehensive Plan:** The Comprehensive Plan identifies this area as Light Industrial.

**Transportation Plan:** The Long Range Thoroughfare Plan identifies F.M. 1472 as an Expressway.

**Letters sent to surrounding property owners:** 4      In Favor:      Opposed: 0

**STAFF COMMENTS**

The proposed zone change is appropriate at this location. The change is consistent with the Comprehensive Plan’s designation for this area as Light Industrial, and is compatible with the surrounding industrial uses in the area. This area of F.M. 1472 is following a pattern of light industrial development. The property is located along F.M. 1472 which is designated as an Expressway.

<b>P&amp;Z COMMISSION RECOMMENDATION:</b> The P & Z Commission, in a <u>5</u> to <u>0</u> vote, recommended <b>approval</b> of the zone change.	<b>STAFF RECOMMENDATION:</b> Staff <b>supports</b> the proposed zone change.
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## COUNCIL COMMUNICATION

### IMPACT ANALYSIS

**M-1 (Light Manufacturing District):** The purpose of the M-1 is to encourage the development of manufacturing and wholesale business establishments which are clean, quiet and free of hazardous or objectionable elements such as noise, odor, dust, smoke or glare. Research activities are encouraged. This district is further designed to act as a transitional use between heavy industrial uses and other less intense and residential uses.

**Is this change contrary to the established land use pattern?**

No, there are other industrial uses in the vicinity.

**Would this change create an isolated zoning district unrelated to surrounding districts?**

No, there are other adjacent M-1 districts to the east and west of the property.

**Will change adversely influence living conditions in the neighborhood?**

No, this area is primarily developed with similar uses..

**Are there substantial reasons why the property can not be used in accord with existing zoning?**

Yes, the existing zoning allows for only agricultural uses.

**ORDINANCE NO. 2013-O-**

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY REZONING 1.34 ACRES AS FURTHER DESCRIBED BY METES AND BOUNDS IN ATTACHED EXHIBIT "A", LOCATED AT F.M. 1472 AND COAL MINE ROAD, FROM AG (AGRICULTURAL DISTRICT) TO M-1 (LIGHT MANUFACTURING DISTRICT); PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, a zone change has been requested by the owners of 1.34 acres as further described by metes and bounds in attached Exhibit "A", located at F.M. 1472 and Coal Mine Road, from AG (Agricultural District) to M-1 (Light Manufacturing District); and,

WHEREAS, the required written notices were sent to surrounding property owners at least ten (10) days before the public hearing held before the Planning and Zoning Commission on May 21, 2013, and,

WHEREAS, the Planning and Zoning Commission, after a public hearing, has recommended **approval** of the proposed zone change; and,

WHEREAS, notice of the zone change request was advertised in the newspaper at least fifteen (15) days prior to the public hearing held before the City of Laredo City Council on this matter; and,

WHEREAS, the City Council has held a public hearing on June 17, 2013, on the request and finds the zone change appropriate and consistent with the General Plan of the City of Laredo; and,

WHEREAS, the City Council does not consider the impact, if any, of private covenants and deed restrictions on the subject property with the adoption of this ordinance.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: The Zoning Map of the City of Laredo be and is hereby amended by rezoning 1.34 acres as further described by metes and bounds in attached Exhibit "A", located at F.M. 1472 and Coal Mine Road, from AG (Agricultural District) to M-1 (Light Manufacturing District).

Section 2: This ordinance shall be published in a manner provided by Section 2.09 (D) of the Charter of the City of Laredo.

Section 2: This ordinance shall be published in a manner provided by Section 2.09 (D) of the Charter of the City of Laredo.

Section 3: This ordinance shall become effective as and from the date of publication specified in Section 2.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.

---

RAUL G. SALINAS  
MAYOR

ATTEST:

---

GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:



---

KRISTINA L. LAUREL  
ASSISTANT CITY ATTORNEY

Melissa A. Vidal  
Assistant City Attorney

Rezone n AG (Agricultural District)  
to M-1 (Light Manufacturing District)



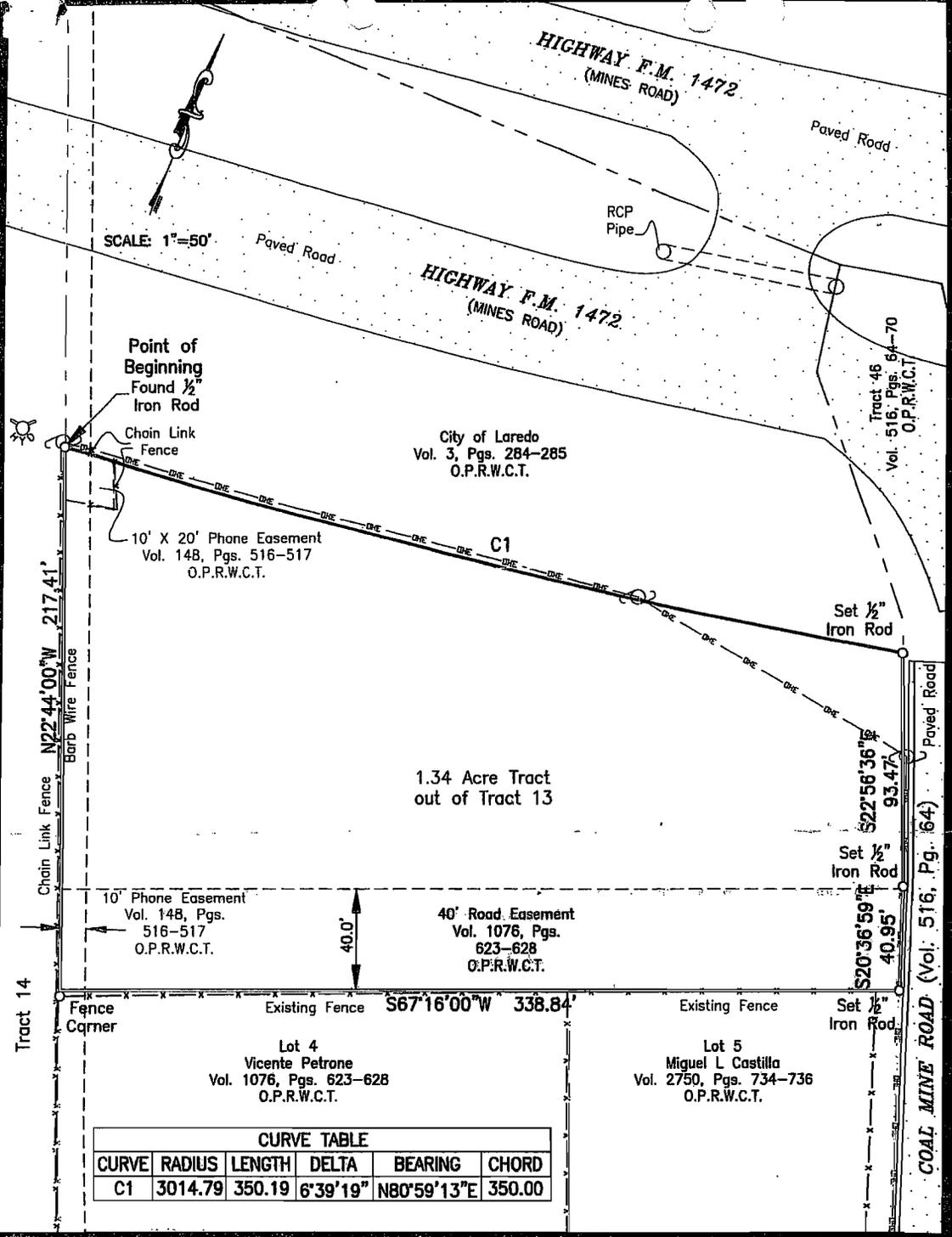
\*C=Conditional Use Permit (CUP)  
\*S=Special Use Permit (SUP)



Image courtesy of USGS © 2013 Microsoft Corporation ImagePatch.com

\*C=Conditional Use Permit (CUP)  
\*S=Special Use Permit (SUP)

1 inch = 250 feet



**LEGEND**

= Fire Hydrant

= Power Pole

= Overhead Power



STATE OF TEXAS:  
COUNTY OF WEBB:

I, THE UNDERSIGNED A REGISTERED PROFESSIONAL SURVEYOR IN THE STATE OF TEXAS, HEREBY STATE THAT THIS SURVEY IS TRUE AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION, ON THE GROUND, THAT THE CORNER MONUMENTS SHOWN WERE PROPERLY PLACED OR LOCATED UNDER MY SUPERVISION.

*E.A. Mejia III* 10-3-12  
Enrique A. Mejia III, R.P.L.S. No. 5653 DATE

**BASIS OF BEARINGS:**  
A FOUND 1/2 IRON ROD AT THE NORTHWEST CORNER OF TRACT 11 AND 1/2 IRON ROD AT THE NORTHWEST CORNER OF TRACT 7.

CALLED TO BE: N 67°16'00" E, 1320.00'  
MEASURED: N 67°16'00" E, 1320.24'

Survey of  
A 1.34 acre tract out of Tract 13,  
Ranchitos IV - Los Minerales, Porcion 10, Tomas Sanchez  
original grantee, Abstract 280, Webb County, Texas.

**Blue Top  
Land Surveying**  
101 West Hillside, Suite 10  
Laredo, Texas 78041  
Phone: (956) 724-8423  
Fax: (956) 724-7208



SURVEY BASED ON  
GF# 051816

DRAWN BY: A.T.

CHECKED BY: E.A.M.

DATE: 10-03-12

JOB NO. 120254

FILE: 120254 Tract 13 Ranchitos IV - Los Minerales



**Blue Top Land Surveying**

101 W. Hillside, Suite 10  
Laredo, Texas 78041  
956-724-8423 724-7208 fax

**Field Notes**

**For a 1.34 Acre tract of land, more or less, out of Tract No. 13, a tract of land conveyed by deed to Tomas Lares, situated in Porcion 10, Original Grantee, Tomas Sanchez, Abstract 280, Webb County, Texas**

Being a tract of land containing 1.34 Acres, more or less, out of Tract No. 13 of Ranchitos IV – Los Minerales (unrecorded), a tract of land conveyed by deed to Tomas Lares, recorded in Volume 598, Pages 112-114, Deed Records, Webb County, Texas, situated in Porcion 10, Original Grantee, Tomas Sanchez, Abstract 280, and being partially out of Lots 6,7,8 and 10 as shown in survey sketch, recorded in Volume 1076, Pages 623-628, Official Public Records, Webb County, Texas, being more particularly described by metes and bounds as follows:

**BEGINNING** at a ½" iron rod found on the South Right-of-Way line of Highway F.M. 1472 (Mines Road), the most southerly corner of a tract of land conveyed by deed to the City of Laredo, recorded in Volume 3, Pages 284-285, Official Public Records, Webb County, Texas, also being the point of curvature for a curve turning left, for the northwest corner of the herein described tract;

Thence, along the arc of the curve left a distance of *350.19 feet*, said curve having a radius of *3014.79 feet*, a delta of *06 degrees 39 minutes and 19 seconds*, with a chord and chord bearing of *350.00 feet* and *North 80 degrees 59 minutes and 13 seconds East* to a ½" iron rod set, at a non-tangent point, for the northeast corner of the herein described tract;

Thence, along the most westerly line of Tract 46 (Coal Mine Road) of Ranchitos IV – Los Minerales, *South 22° 56' 36" East*, a distance of *93.47 feet* to a ½" iron rod set, to a point of deflection right of the herein described tract;

Thence, along the most westerly line of said Tract 46, *South 20° 36' 59" East*, a distance of *40.95 feet* to a ½" iron rod set, for the southeast corner of the herein described tract;

Thence, along the north lines of said Lots 4 and 5, *South 67° 16' 00 West*, a distance of *338.84 feet* to a fence corner found on the east line of Tract 14, Ranchitos IV – Los Minerales, for the southwest corner of the herein described tract;

Thence, along the east line of said Tract 14, *North 22° 44' 00" West*, a distance of *217.41 feet* to return and close at the **POINT OF BEGINNING** of this 1.34 Acre tract of land, more or less.

**Basis of Bearings:**

G.P.S., Texas Coordinate System, Texas South Zone, (NAD 1983)

**State of Texas:**

**County of Webb:**

I, **Enrique A. Mejia III**, a Registered Professional Land Surveyor, do hereby state that the above captioned "Field Notes" and attached "Plat of Survey" is true and was prepared from an actual

**ZC - 40 - 2013**

FM 1472 & COAL MINE RD

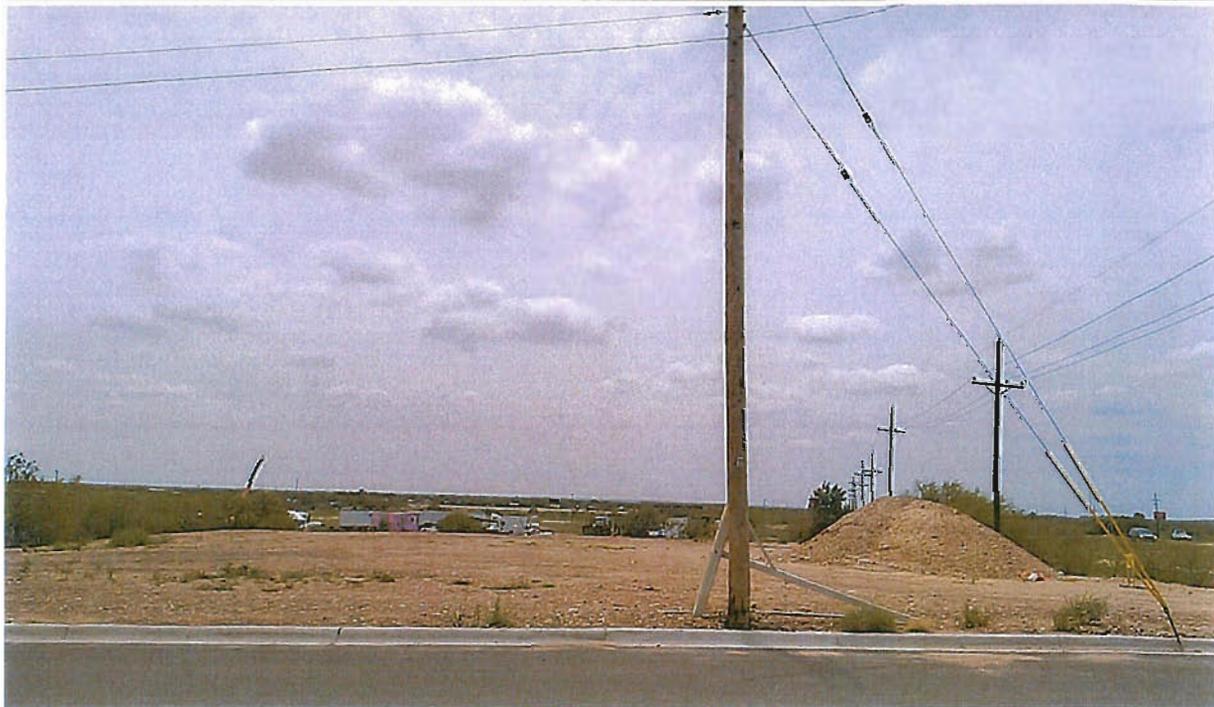
PROPOSAL: AG (AGRICULTURAL DISTRICT) TO M-1 (LIGHT MANUFACTURING DISTRICT)



**ZC-40-2013**

**FM 1472 & COAL MINE RD**

**PROPOSAL: AG (AGRICULTURAL DISTRICT) TO M-1 (LIGHT MANUFACTURING DISTRICT)**



**ZC - 40 - 2013**

FM 1472 & COAL MINE RD

PROPOSAL: AG (AGRICULTURAL DISTRICT) TO M-1 (LIGHT MANUFACTURING DISTRICT)



**COUNCIL COMMUNICATION**

<p><b>Date:</b> 06/17/2013</p>	<p><b>SUBJECT: PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE</b> Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing the issuance of a Conditional Use Permit for a Bus Terminal on the south 75 feet of Lot 1, the south 75 feet of the west 49 feet of Lot 2, and the north 36.11 feet of Lots 1 and 2, Block 59, Western Division, located at 801 and 803 Flores Avenue; providing for publication and effective date. Staff does not support the application and the Planning and Zoning Commission recommends approval of the Conditional Use Permit. District VIII</p> <p align="right">ZC-42-2013</p>	
<p><b>Initiated by:</b> Arguindegui Real Estate, Ltd. Turimex, LLC</p>	<p><b>Staff source:</b> Horacio A. de Leon, Jr., Asst. City Manager Nathan R. Bratton, Planning Director</p>	
<p><b>Prior action:</b> At their regular meeting of February 7, 2000, City Council approved an ordinance issuing a Conditional Use Permit for a bus charter service at this location. Ordinance 2000-O-037 received a final reading at the Council meeting of February 22, 2000.</p>		
<p><b>BACKGROUND</b></p> <p><b>Council District:</b> VIII – The Honorable Cynthia Liendo Espinoza</p> <p><b>Proposed use:</b> Bus Terminal</p> <p><b>Site:</b> The site is currently occupied by a vacant commercial structure (formerly a bus terminal for the above applicant; originally a gas station constructed c1930).</p> <p><b>Surrounding land uses:</b> To the south are HEB, Subway Sandwiches, a police substation, TD Toys, Sanborn’s, parking lots, EZ Pawn, the back side of the Plaza Theater, Central Loan Co., and Texas Mexican Food Restaurant. Southeast of the site are professional offices, BBVA Compass Bank with parking for the bank, a single family residence, Shell Gas Station &amp; Food Mart, and Falcon International Bank with parking for the bank. To the east are a vacant commercial building (formerly a bus terminal), Webb County Courthouse Annex (vacant), IBC Bank and bank parking, City of Laredo Parking Enforcement and 9-1-1 Offices with parking lot, Red Top Taxi, Red Fox Taxi, China Border Restaurant, Autobuses Americanos, vacant commercial office, and Casa de Cambio/Seguros TX/MX. Northeast of the site are TRG 5 Center, J&amp;E Bail Bonds, vacant commercial suites, apartments, Hickey Peña Architects, The Ronald Rodriguez Law Center, FAI Architects and Urban Design, vacant commercial (formerly Hunan Chinese Buffet), El Expreso Bus and Tornado Bus station, a law office (5 attorneys), and the Central Internacional de Autobuses (Omnibus &amp; El Conejo bus lines). West and northwest of the site are Wells Fargo Bank, City Hall and the Web County Administration Building. To the north are the Webb County Courthouse, the County Jail and County Sheriff’s Office.</p> <p><b>Comprehensive Plan:</b> The Comprehensive Plan identifies this area as Light Commercial.</p> <p><b>Transportation Plan:</b> The Long Range Thoroughfare Plan does not identify Flores Avenue; Matamoros Street is identified as a major arterial.</p> <p><b>Letters sent to surrounding property owners:</b> 15                      In Favor: 1                      Opposed: 0</p>		
<p><b>STAFF COMMENTS</b></p> <p>A bus charter service operated at this location under Conditional Use Permit Ordinance No. 2000-O-037. There were no zoning violations issued against this property under the C.U.P. Upon further review between the Planning and Zoning Commission meeting and the public hearing and introduction of the ordinance before City Council, staff does not support the proposed Conditional Use Permit at this location. If City Council would like to approve issuing the C.U.P., staff recommends the following provisions be attached:</p> <p align="right"><b>(Continued on next page)</b></p>		
<p><b>P&amp;Z COMMISSION RECOMMENDATION:</b> The P &amp; Z Commission, in a <u>5</u> to <u>0</u> vote, recommended <b>approval</b> of the Conditional Use Permit.</p>	<p><b>STAFF RECOMMENDATION:</b> Staff <b>does not support</b> the proposed Conditional Use Permit.</p>	

## COUNCIL COMMUNICATION

### Staff Comments, cont'd.

1. The C.U.P. shall be issued to Arguindegui Real Estate, Ltd. and Turimex, LLC, and is nontransferable.
2. The C.U.P. is restricted to the site plan, Exhibit "B", which is made part hereof for all purposes.
3. The C.U.P. is restricted to the activities described in letter, Exhibit "A", which is made part hereof for all purposes.
4. No buses shall be parked, stopped, stationed, or allowed to load/unload within the public right-of-way along Flores Avenue or Matamoros Street.
5. All property shall be kept in an attractive fashion with landscaping properly maintained.
6. All trash, garbage, and other waste shall be kept in sanitary containers, which at all times must be concealed from public view.
7. Owner shall comply with all Building, Fire, and Life Safety Codes Regulations as required.
8. Signage must comply with the City of Laredo Code of Ordinances.
9. The C.U.P. shall be issued for five years from date of issuance.

**ORDINANCE NO. 2013-O-**

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR A BUS TERMINAL ON THE SOUTH 75 FEET OF LOT 1, THE SOUTH 75 FEET OF THE WEST 49 FEET OF LOT 2, AND THE NORTH 36.11 FEET OF LOTS 1 AND 2, BLOCK 59, WESTERN DIVISION, LOCATED AT 801 AND 803 FLORES AVENUE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, a request has been received for the issuance of a Conditional Use Permit for a Bus Terminal on the south 75 feet of Lot 1, the south 75 feet of the west 49 feet of Lot 2, and the north 36.11 feet of Lots 1 and 2, Block 59, Western Division, located at 801 and 803 Flores Avenue; and,

WHEREAS, the required written notices were sent to surrounding property owners at least ten (10) days before the public hearing held before the Planning and Zoning Commission on May 21, 2013; and,

WHEREAS, the Planning and Zoning Commission, after a public hearing, has recommended **approval** of the Conditional Use Permit; and,

WHEREAS, notice of the zone change request was advertised in the newspaper at least fifteen (15) days prior to the public hearing held before the City of Laredo City Council on this matter; and,

WHEREAS, the City Council has held a public hearing on June 17, 2013, on the request and finds the Conditional Use Permit amendment appropriate and consistent with the General Plan of the City of Laredo; and,

WHEREAS, all conditions imposed by the Conditional Use Permit, and all pertinent requirements the Laredo Land Development Code shall be met before the activity sanctioned by the Conditional Use Permit may commence; and,

WHEREAS, the City Council does not consider the impact, if any, of private covenants and deed restrictions on the subject property with the adoption of this ordinance; and,

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: The Zoning Map of the City of Laredo be and is hereby amended by authorizing the issuance of a Conditional Use Permit for a Bus Terminal on the south 75 feet of Lot 1, the south 75 feet of the west 49 feet of Lot 2, and the north 36.11 feet of Lots 1 and 2, Block 59, Western Division, located at 801 and 803 Flores Avenue.

Section 2: The Conditional Use Permit is further restricted to the following provision herewith adopted by the City Council:

1. The C.U.P. shall be issued to Arguindegui Real Estate, Ltd. and Turimex, LLC, and is nontransferable.
2. The C.U.P. is restricted to the site plan, Exhibit "B", which is made part hereof for all purposes.

3. The C.U.P. is restricted to the activities described in letter, Exhibit “A”, which is made part hereof for all purposes.
4. No buses shall be parked, stopped, stationed, or allowed to load/unload within the public right-of-way along Flores Avenue or Matamoros Street.
5. All property shall be kept in an attractive fashion with landscaping properly maintained.
6. All trash, garbage, and other waste shall be kept in sanitary containers, which at all times must be concealed from public view.
7. Owner shall comply with all Building, Fire, and Life Safety Codes Regulations as required.
8. Signage must comply with the City of Laredo Code of Ordinances.
9. The C.U.P. shall be issued for five years from date of issuance.

Section 3: This ordinance shall be published in a manner provided by Section 2.09 (D) of the Charter of the City of Laredo.

Section 4: This ordinance shall become effective as and from the date of publication specified in Section 3.

Section 5: The Conditional Use Permit authorized by this ordinance shall be revoked pursuant to the Laredo Land Development Code, section 24.94.10, entitled “Revocation,” according to the criteria and procedures described therein and below:

#### 1. Criteria

Any Conditional Use Permit, authorized by City Council, shall be considered in noncompliance and shall be revoked and removed from the City of Laredo Zoning Map, in the event a court of law finds the use in violation of any of the following conditions:

- A. The use established on site does not conform, at any time, with any or all permit condition(s) approved by the City Council and or any local, state, or federal law.
- B. The activity authorized by the Conditional Use Permit commences prior to the institution of all conditions imposed by the Conditional Use Permit.
- C. Discontinuance of the Council approved conditional use for a period of six (6) consecutive months.
- D. The use of which the Conditional Use Permit was authorized does not commence within six months of City Council’s final approval date.

#### 2. Procedures

Should City of Laredo Enforcement Official inspection reveal noncompliance with Laredo Land Development Code, Subsection 24.94.10, Conditional Use Permit revocation procedures shall commence as below stipulated:

- A. A Zoning Officer shall, upon discovery of conditional use permit noncompliance as per Subsection 24.94.10, issue a written warning, granting a grace period of a minimum of ten (10) working days, within which time the use may be brought into compliance with the current City Council approved Conditional Use Permit for that location.
- B. If noncompliance persists after the conclusion of the warning grace period, a Zoning Enforcement Official shall issue a written citation.

- C. Should the citation result in a guilty verdict, the City of Laredo shall consider the Conditional Use Permit revoked and proceed with its removal from the City of Laredo Zoning Map.
- D. The Planning Director shall then issue the permit holder written notification of the Conditional Use Permit's official revocation and removal from the City of Laredo Zoning Map.
- E. In the event of discontinuance or failure to commence as stipulated in Subsection 24.94.10.1 D and E of this Ordinance, Zoning Enforcement Staff will issue written notification of same. Ten days after issuance of Zoning Enforcement notification of discontinuance or failure to commence, the Planning Director shall then issue the permit holder written notification of the Conditional Use Permit's official revocation and removal from the City of Laredo Zoning Map.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.

\_\_\_\_\_  
RAUL G. SALINAS  
MAYOR

ATTEST:

\_\_\_\_\_  
GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:

  
\_\_\_\_\_  
KRISTINA L. HALE  
ASSISTANT CITY ATTORNEY  
Melissa A. Vidal  
Assistant City Attorney



***Turimex Internacional***

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To whom it may concern,

The purpose of Turimex relocating to 801 Flores as our new drop off location is based on Safety issues. Currently we are operating our drop off site at 802 Santa Ursula, and we are Concerned about this location. Why? Due to the situation that our buses have to reverse in Order to enter this location and this area is of high traffic.

Due to his major safety issues we would like to return to our former office where we had Worked for 10 consecutive years providing excellent transportation services for the community of Laredo TX , and its tourists.

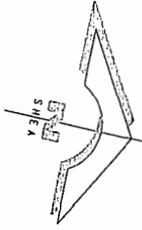
This office will be open 24/7 with a total of 6 employees with a flow of 30 to 35 buses daily. Each vehicle will remain at the drop site for no more than 10 minutes which then it will continue To our main facility located at 8915 San Dario Ave.

This location of 801 Flores will be supervised by our Regional Supervisor Gilberto Medrano. Any questions please feel free to call 956-729-8639 or 832-453-2867

Thank you

**GILBERTO MEDRANO  
JEFE DE OFICINA  
LAREDO TEXAS  
TURIMEX LLC  
GRUPO SENDA**

EXHIBIT "A"

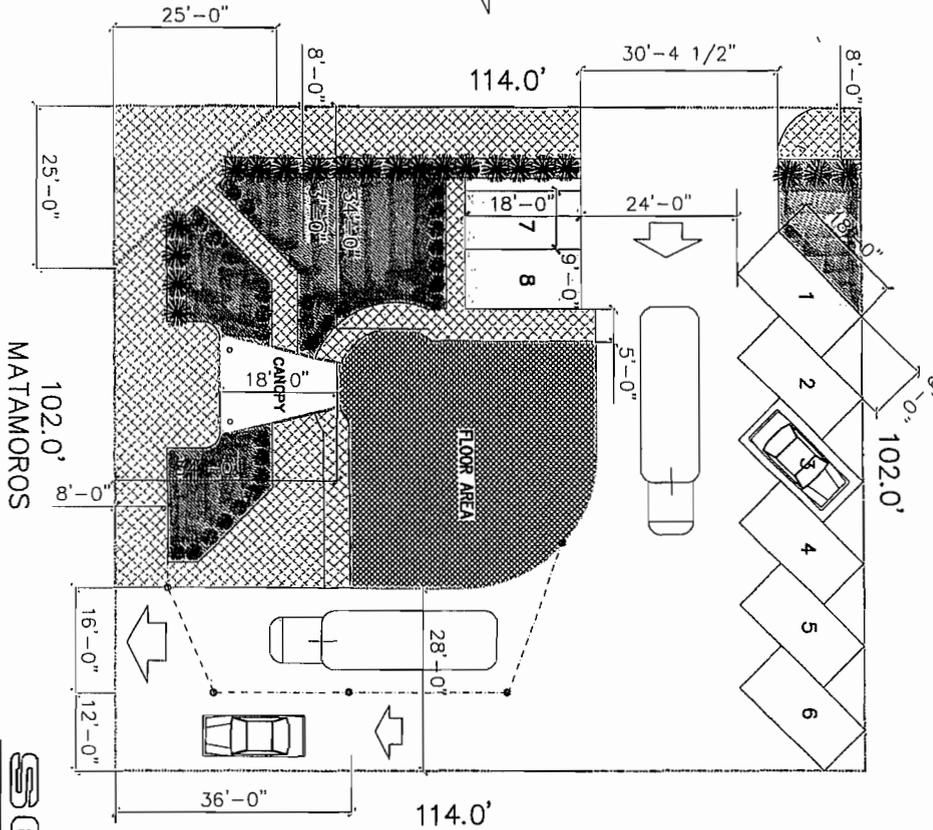


**PLOT PLAN**  
NO SCALE

AREAS			
FLOOR AREA	1,378.00	SQ. FT.	
CANOPY	208.00	SQ. FT.	
TOTAL	1,586.00	SQ. FT.	



FLORES



MATAMOROS  
102.0'

**GRUPPO**  
**senda**  
AUTOTRANSPORTES

SHEET No.

DATE:  
12/08/99  
PLAN No.

OF:

DRAWN BY:

**SHEA**  
CONSTRUCTION  
4300 N. 23 RD. McALLEN, TEXAS. 78504



EXHIBIT "B"



\*C=Conditional Use Permit (CUP)  
 \*S=Special Use Permit (SUP)



\*C=Conditional Use Permit (CUP)  
\*S=Special Use Permit (SUP)

ZC - 42 - 2013

801-803 FLORES AVE

PROPOSAL: CBD (CENTRAL BUSINESS DISTRICT) TO C.U.P. (CONDITIONAL USE PERMIT)



ZC - 42 - 2013

801-803 FLORES AVE

PROPOSAL: CBD (CENTRAL BUSINESS DISTRICT) TO C.U.P. (CONDITIONAL USE PERMIT)



ZC - 42 - 2013

801-803 FLORES AVE

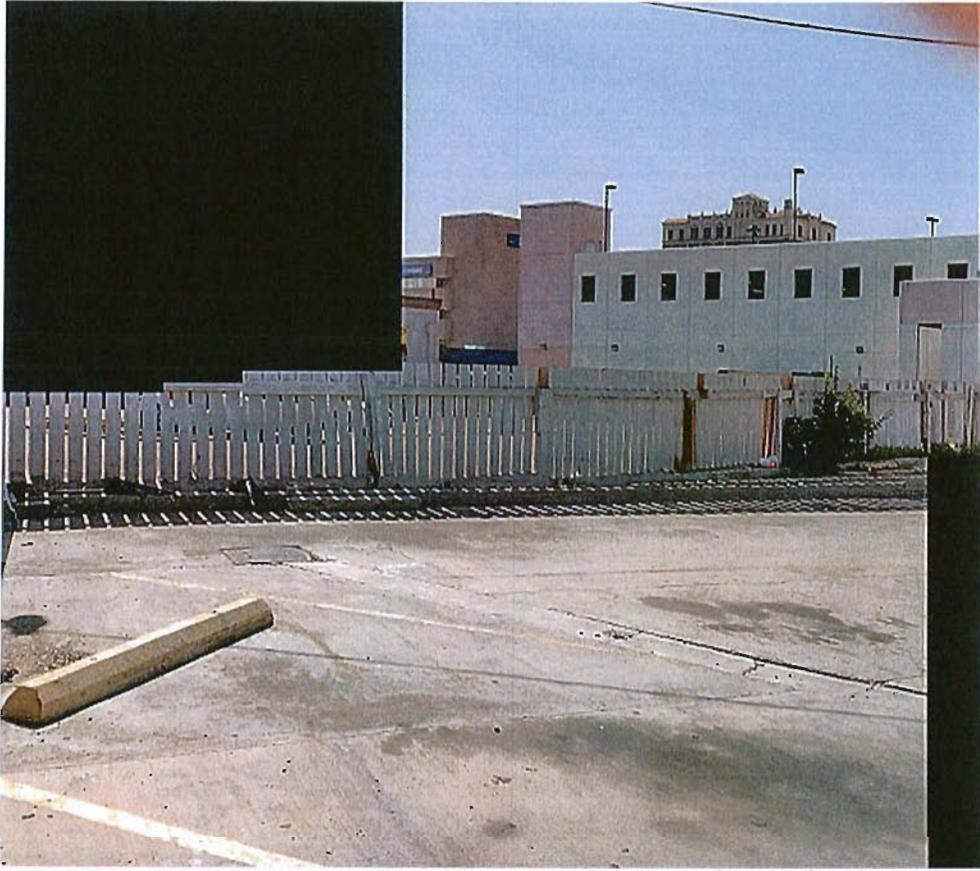
PROPOSAL: CBD (CENTRAL BUSINESS DISTRICT) TO C.U.P. (CONDITIONAL USE PERMIT)



ZC - 42 - 2013

801-803 FLORES AVE

PROPOSAL: CBD (CENTRAL BUSINESS DISTRICT) TO C.U.P. (CONDITIONAL USE PERMIT)



ZC - 42 - 2013

801-803 FLORES AVE

PROPOSAL: CBD (CENTRAL BUSINESS DISTRICT) TO C.U.P. (CONDITIONAL USE PERMIT)



ZC - 42 - 2013  
801-803 FLORES AVE  
PROPOSAL: CBD (CENTRAL BUSINESS DISTRICT) TO C.U.P. (CONDITIONAL USE PERMIT)



**ZC - 42 - 2013**

**801-803 FLORES AVE**

**PROPOSAL: CBD (CENTRAL BUSINESS DISTRICT) TO C.U.P. (CONDITIONAL USE PERMIT)**



ZC - 42 - 2013

801-803 FLORES AVE

PROPOSAL: CBD (CENTRAL BUSINESS DISTRICT) TO C.U.P. (CONDITIONAL USE PERMIT)



**COUNCIL COMMUNICATION**

<b>Date:</b> 06/17/13	<b>SUBJECT:</b> PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 7, Block 2070, Eastern Division, located at 3319 Santa Clara Street, from R-1 (Single Family Residential District) to R-2 (Multi-Family Residential District); providing for publication and effective date. Staff is not in support of the application and the Planning and Zoning Commission recommends approval of the zone change. ZC-38-2013
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<b>Initiated by:</b> Hugo Seca	<b>Staff source:</b> Horacio De Leon, Asst. City Manager Nathan R. Bratton, Planning Director
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**Prior action:** None.

**BACKGROUND**

**Council District:** I– The Honorable Mike Garza

**Proposed use:** Multi-family Residential.

**Site:** The site is currently vacant.

**Surrounding land uses:** West of the site are manufactured homes, vacant lots and single-family residential structures. To the south of the site are single-family residences and manufactured homes. To the north are single-family residential structures, manufactured homes, vacant lots and Macias Drive-thru. To the east are single-family residences.

**Comprehensive Plan:** The Future Land Use Map recognizes this area as Low Density Residential.

**Transportation Plan:** The Long Range Thoroughfare Plan does not identify Santa Clara Street or Dryden Avenue.

**Letters sent to surrounding property owners:** 27      In Favor: 1      Opposed: 0

**STAFF COMMENTS**

The proposed zone change is not appropriate at this location. The proposed R-2 District is not in conformance to the approved master plan's designation for the area as Low Density Residential. The proposed use is not compatible with the existing zones and uses in the neighborhood. The residential uses allowed in an R-2 district are more intense than what currently exists in the area.

<b>P&amp;Z COMMISSION RECOMMENDATION:</b> The P & Z Commission, in a <u>5</u> to <u>0</u> vote, recommended <b>approval</b> of the zone change.	<b>STAFF RECOMMENDATION:</b> Staff <b>does not support</b> the proposed zone change.
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## COUNCIL COMMUNICATION

### IMPACT ANALYSIS

**R-2 (Multi-Family Residential District):** The purpose of the R-2 District is to provide an area for higher density residential uses and those public and semi-public uses normally considered an integral part of the neighborhood they serve.

**Is this change contrary to the established land use pattern?**

Yes, the established land use pattern is primarily single-family residential in nature.

**Would this change create an isolated zoning district unrelated to surrounding districts?**

Yes, there is no multi-family zoning districts in the immediate vicinity.

**Will change adversely influence living conditions in the neighborhood?**

Yes, the proposed use may increase traffic in the neighborhood.

**Are there substantial reasons why the property can not be used in accord with existing zoning?**

Yes, the current zoning allows only for single-family residences.

**ORDINANCE NO. 2013-O-**

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY REZONING LOT 7, BLOCK 2070, EASTERN DIVISION, LOCATED AT 3319 SANTA CLARA STREET, FROM R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO R-2 (MULTI-FAMILY RESIDENTIAL DISTRICT); PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, a zone change has been requested by the owners of Lot 7, Block 2070, Eastern Division, located at 3319 Santa Clara Street, from R-1 (Single Family Residential District) to R-2 (Multi-Family Residential District); and,

WHEREAS, the required written notices were sent to surrounding property owners at least ten (10) days before the public hearing held before the Planning and Zoning Commission on May 21, 2013, and,

WHEREAS, the Planning and Zoning Commission, after a public hearing, has recommended **approval** of the proposed zone change; and,

WHEREAS, notice of the zone change request was advertised in the newspaper at least fifteen (15) days prior to the public hearing held before the City of Laredo City Council on this matter; and,

WHEREAS, the City Council has held a public hearing on June 17, 2013, on the request and finds the zone change appropriate and consistent with the General Plan of the City of Laredo; and,

WHEREAS, the City Council does not consider the impact, if any, of private covenants and deed restrictions on the subject property with the adoption of this ordinance.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: The Zoning Map of the City of Laredo be and is hereby amended by rezoning Lot 7, Block 2070, Eastern Division, located at 3319 Santa Clara Street, from R-1 (Single Family Residential District) to R-2 (Multi-Family Residential District).

Section 2: This ordinance shall be published in a manner provided by Section 2.09 (D) of the Charter of the City of Laredo.

Section 3: This ordinance shall become effective as and from the date of publication specified in Section 2.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.

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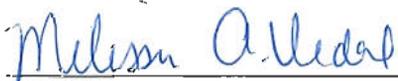
RAUL G. SALINAS  
MAYOR

ATTEST:

---

GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:

  
\_\_\_\_\_  
KRISTINA L. LAUREL  
ASSISTANT CITY ATTORNEY

Melissa A. Vidal  
Assistant City Attorney

Rezone from R-1 (Single Family Residential)  
 to R-2 (Multi-Family Residential District)



\*C=Conditional Use Permit (CUP)  
 \*S=Special Use Permit (SUP)



\*C=Conditional Use Permit (CUP)  
\*S=Special Use Permit (SUP)

**ZC - 38 - 2013**

3319 Santa Clara St

PROPOSAL: R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO R-2 (MULTI-FAMILY RESIDENTIAL DISTRICT)



**ZC – 38 – 2013**

3319 Santa Clara St

PROPOSAL: R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO R-2 (MULTI-FAMILY RESIDENTIAL DISTRICT)



**ZC – 38 – 2013**

3319 Santa Clara St

PROPOSAL: R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO R-2 (MULTI-FAMILY RESIDENTIAL DISTRICT)



**COUNCIL COMMUNICATION**

<b>Date:</b>  06/17/13	<b>SUBJECT:</b> PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE  Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for a restaurant on Lot 1, Block 3, Towne East Subdivision Phase 1, located at 3418 Fiesta Loop; providing for publication and effective date. Staff is not in support of the application and the Planning & Zoning Commission recommends denial of the Conditional Use Permit.  <p align="right">ZC-36-2013</p>
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<b>Initiated by:</b> Jose L. and Maria Trujillo	<b>Staff source:</b> Horacio De Leon, Asst. City Manager Nathan R. Bratton, Planning Director
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**Prior action:** None.

**BACKGROUND**

**Council District:** V – The Honorable Roque Vela, Jr.

**Proposed use:** Restaurant (take-out)

**Site:** Vacant

**Surrounding land uses:** The properties to the north include Casa Blanca Ballroom, Shell/Stripes, Jack-in-the Box and Tre-Tor Vac Oilfield Services. The property to the west includes Laredo Wrought Iron and Aluminum Lamps & Patio Furniture. The properties to the south include single-family residences and manufactured homes. The properties to the east include Gloria’s Daycare, Notary Public & Income Tax Services, single-family residences and manufactured homes.

**Comprehensive Plan:** The Comprehensive Plan identifies this area as High Density Residential.

**Transportation Plan:** The Long Range Thoroughfare Plan identifies US Highway 59 as an Expressway and does not identify Fiesta Loop.

**Letters sent to surrounding property owners:** 17            In Favor: 1            Opposed: 0

**STAFF COMMENTS**

The Laredo Land Development Code (Section 24.63: Permitted Uses) permits restaurants in zones R-O, B-1, B-1R, CBD, B-3, B-4 and MXD. This property is currently zoned R-1. The applicant is applying for a Conditional Use Permit. Section 24.94.5(A) (1): Conditional Use Permit Application Submittal Criteria states that “Applications for properties currently zoned, A-G, R-S, R-1, R-1A, R-1-MH, or RSM, may only seek conditional use status for those uses permitted by zones R-S, R-1, R-1A, R-1-MH, RSM, R-2, R-3, R-O or B-1 of higher intensity.”

Staff does not support the issuance of the proposed Conditional Use Permit at this location. A restaurant requires a B-1 designation, rather than the current R-1 zoning district. The proposed use is not compatible with the surrounding adjacent well-established residential neighborhood. The property is located at a very busy and congested intersection and a restaurant will further exacerbate the existing conditions.

(Continued on next page...)

<b>P&amp;Z COMMISSION RECOMMENDATION:</b> The P & Z Commission, in a <u>5</u> to <u>0</u> vote , recommended <b>denial</b> of the conditional use permit.	<b>STAFF RECOMMENDATION:</b> Staff <b>does not support</b> the proposed conditional use permit.
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## COUNCIL COMMUNICATION

### STAFF COMMENTS (CONTINUED)

Should the Commission wish to recommend in favor of the request, staff suggests the following conditions:

1. The C.U.P. shall be issued to Jose L. and Maria Trujillo, and is nontransferable.
2. The C.U.P. is restricted to the activities describe in letter, Exhibit "A", which is made part hereof for all purposes.
3. The C.U.P. is restricted to the site plan, Exhibit "B", which is made part hereof for all purposes.
4. Signage is limited to that allowed in an R-1 District.
5. The hours of operation shall be 8 a.m. to 10 p.m.
6. Lighting shall be aimed down and away from adjacent residential uses.
7. Strobe lights, flashing lights, and any other outdoor lighting designed to attract attention are prohibited.
8. Banners and window signs are prohibited.
9. A seven (7) foot opaque fence shall be provided along the south side of the property abutting residential properties.
10. Provide parking spaces in compliance with the Laredo Land Development Code.
11. Parking is limited to on-site parking only.
12. Outdoor music and speakers shall be prohibited.
13. The owner must provide and maintain trees and shrubs in compliance with the Laredo Land Development Code.
14. Owner shall comply with all building, fire, health and life safety code regulations as required.

**ORDINANCE NO. 2013-O-**

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR A RESTAURANT ON LOT 1, BLOCK 3, TOWNE EAST SUBDIVISION PHASE 1, LOCATED AT 3418 FIESTA LOOP; PROVIDING FOR EFFECTIVE DATE AND PUBLICATION.

WHEREAS, a request has been received for the issuance of a Conditional Use Permit for a restaurant on Lot 1, Block 3, Towne East Subdivision Phase 1, located at 3418 Fiesta Loop; and,

WHEREAS, the required written notices were sent to surrounding property owners at least ten (10) days before the public hearing held before the Planning and Zoning Commission on November 20, 2012; and,

WHEREAS, the Planning and Zoning Commission, after a public hearing, has recommended **denial** of the Conditional Use Permit; and,

WHEREAS, notice of the zone change request was advertised in the newspaper at least fifteen (15) days prior to the public hearing held before the City of Laredo City Council on this matter; and,

WHEREAS, the City Council has held a public hearing on June 17, 2013, on the request and finds the Conditional Use Permit amendment appropriate and consistent with the General Plan of the City of Laredo; and,

WHEREAS, all conditions imposed by the Conditional Use Permit, and all pertinent requirements the Laredo Land Development Code shall be met before the activity sanctioned by the Conditional Use Permit may commence; and,

WHEREAS, the City Council does not consider the impact, if any, of private covenants and deed restrictions on the subject property with the adoption of this ordinance; and,

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: The Zoning Map of the City of Laredo be and is hereby amended by authorizing the issuance of a Conditional Use Permit for a restaurant on Lot 1, Block 3, Towne East Subdivision Phase 1, located at 3418 Fiesta Loop.

Section 2: The Conditional Use Permit is further restricted to the following provision herewith adopted by the City Council:

1. The C.U.P. shall be issued to Jose L. and Maria Trujillo, and is nontransferable.
2. The C.U.P. is restricted to the activities describe in letter, Exhibit "A", which is made part hereof for all purposes.
3. The C.U.P. is restricted to the site plan, Exhibit "B", which is made part hereof for all purposes.
4. Signage is limited to that allowed in an R-1 District.
5. The hours of operation shall be 8 a.m. to 10 p.m.

6. Lighting shall be aimed down and away from adjacent residential uses.
7. Strobe lights, flashing lights, and any other outdoor lighting designed to attract attention are prohibited.
8. Banners and window signs are prohibited.
9. A seven (7) foot opaque fence shall be provided along the south side of the property abutting residential properties.
10. Provide parking spaces in compliance with the Laredo Land Development Code.
11. Parking is limited to on-site parking only.
12. Outdoor music and speakers shall be prohibited.
13. The owner must provide and maintain trees and shrubs in compliance with the Laredo Land Development Code.
14. Owner shall comply with all building, fire, health and life safety code regulations as required.

Section 3: This ordinance shall be published in a manner provided by Section 2.09 (D) of the Charter of the City of Laredo.

Section 4: This ordinance shall become effective as and from the date of publication specified in Section 3.

Section 5: The Conditional Use Permit authorized by this ordinance shall be revoked pursuant to the Laredo Land Development Code, section 24.94.10, entitled “Revocation,” according to the criteria and procedures described therein and below:

#### 1. Criteria

Any Conditional Use Permit, authorized by City Council, shall be considered in noncompliance and shall be revoked and removed from the City of Laredo Zoning Map, in the event a court of law finds the use in violation of any of the following conditions:

- A. The use established on site does not conform, at any time, with any or all permit condition(s) approved by the City Council and or any local, state, or federal law.
- B. The activity authorized by the Conditional Use Permit commences prior to the institution of all conditions imposed by the Conditional Use Permit.
- C. Discontinuance of the Council approved conditional use for a period of six (6) consecutive months.
- D. The use of which the Conditional Use Permit was authorized does not commence within six months of City Council’s final approval date.

#### 2. Procedures

Should City of Laredo Enforcement Official inspection reveal noncompliance with Laredo Land Development Code, Subsection 24.94.10, Conditional Use Permit revocation procedures shall commence as below stipulated:

- A. A Zoning Officer shall, upon discovery of conditional use permit noncompliance as per Subsection 24.94.10, issue a written warning, granting a grace period of a minimum of ten (10) working days, within which time the use may be brought into com-

pliance with the current City Council approved Conditional Use Permit for that location.

- B. If noncompliance persists after the conclusion of the warning grace period, a Zoning Enforcement Official shall issue a written citation.
- C. Should the citation result in a guilty verdict, the City of Laredo shall consider the Conditional Use Permit revoked and proceed with its removal from the City of Laredo Zoning Map.
- D. The Planning Director shall then issue the permit holder written notification of the Conditional Use Permit's official revocation and removal from the City of Laredo Zoning Map.
- E. In the event of discontinuance or failure to commence as stipulated in Subsection 24.94.10.1 D and E of this Ordinance, Zoning Enforcement Staff will issue written notification of same. Ten days after issuance of Zoning Enforcement notification of discontinuance or failure to commence, the Planning Director shall then issue the permit holder written notification of the Conditional Use Permit's official revocation and removal from the City of Laredo Zoning Map.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.

\_\_\_\_\_  
RAUL G. SALINAS  
MAYOR

ATTEST:

\_\_\_\_\_  
GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:

  
\_\_\_\_\_  
KRISTINA LAUREL HALE  
ASSISTANT CITY ATTORNEY

Melissa A. Vidal  
Assistant City Attorney

APRIL, 19, 2013

To WHOM IT MAY CONCERN,

MY PERMIT IS REGARDING ON A SNACK BAR. THE BUSINESS WILL BE OPEN FROM 8am - 10pm.

THE SERVICES PROVIDED WILL BE SNO-CONES, NACHOS, FRITO-PIES, COKES, AND CANDIES. THE NUMBER OF EMPLOYEES AT THE MOST WILL BE TWO. PARKING SPACES WILL BE AVAILABLE FOR OUR CUSTOMERS SO THERE WON'T BE ANY INCONVENIENCES WITH TRAFFIC JAMS WHILE OUR CUSTOMERS RECIEVE THEIR ORDER. WE WILL ALSO PROVIDE HANDICAP PARKING FOR OUR CUSTOMER'S CONVINIENCE.

MY DAUGHTER WILL BE RUNNING MY BUSINESS, BECAUSE SHE HAS THE EXPERIENCE AND ALSO HOLDS HER FOOD HANDLERS. SO I'M SURE THERE WON'T BE ANY PROBLEMS IN HOW THE BUSINESS RUNS. THANK YOU.

#He Maide Lourdes  
x Rose L. Tombo

Exhibit A





\*C=Conditional Use Permit (CUP)  
 \*S=Special Use Permit (SUP)

1 inch = 125 feet



**ZC – 36 – 2013**

**3418 W FIESTA LP**

**PROPOSAL: R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO C.U.P. (CONDITIONAL USE PERMIT)**



**ZC - 36 - 2013**

**3418 W FIESTA LP**

**PROPOSAL: R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO C.U.P. (CONDITIONAL USE PERMIT)**



**ZC – 36 – 2013**

**3418 W FIESTA LP**

**PROPOSAL: R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO C.U.P. (CONDITIONAL USE PERMIT)**



**ZC – 36 – 2013**

**3418 W FIESTA LP**

**PROPOSAL: R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO C.U.P. (CONDITIONAL USE PERMIT)**



**COUNCIL COMMUNICATION**

<p><b>Date:</b> 06/17/13</p>	<p><b>SUBJECT:</b> PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning approximately 4.97 acres, as further described by metes and bounds in attached Exhibit “A”, located at 5301 Santa Maria Avenue, from B-4 (Highway Commercial District) to M-1 (Light Manufacturing 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 VII</p> <p align="right">ZC-31-2013</p>
<p><b>Initiated by:</b> Cheetah Rentals, LLC Rosa M. Treviño</p>	<p><b>Staff source:</b> Horacio A. de Leon, Jr., Asst. City Manager Nathan R. Bratton, Planning Director</p>
<p><b>Prior action:</b> None.</p>	
<p><b>BACKGROUND</b>  <b>Council District:</b> VII – The Honorable Jorge Vera   <b>Proposed use:</b> Welding shop; Machine shop   <b>Site:</b> The site is currently occupied by Gate Way Truck Stop, including Amigos Bar/Truckers Lounge, mechanic shop, tire shop, body shop, truck and trailer wash, truck scale, store, motel, and La Laguna Restaurant.   <b>Surrounding land uses:</b> South of the property are Kohl’s department store and Cinemark Theater. To the west (across the railroad tracks) are Evergreen Recycling Best Border Cargo warehouse, and United States Cold Storage warehouse. North of the site are a warehouse, Home Depot and Chili’s Restaurant. Wal-Mart abuts the property on the northeast, and the strip malls to the east and south east include Shoe Carnival, Michael’s, Ross Dress for Less, Anna’s Linens, Feldman’s Market Center, Casual Male XL, Sally’s Beauty Supply, Trim Cuts, Cricket telecommunications, Valley Day and Night Clinic, Eye Masters, Red Berry Frozen Yogurt, PetCo, Dots Fashions, Dollar Tree, Office Max, Avenue, a vacant commercial suite, Toys R Us and Babies R Us.   <b>Comprehensive Plan:</b> The Future Land Use Map recognizes this area as Heavy Commercial.   <b>Transportation Plan:</b> The Long Range Thoroughfare Plan identifies Santa Maria Avenue (aka Old Santa Maria Road; North Santa Maria Avenue) as an Industrial Collector and a Truck Route; Island Avenue is not identified on the Plan.   <b>Letters sent to surrounding property owners:</b> 6      In Favor: 1      Opposed: 0</p>	
<p><b>STAFF COMMENTS</b>  The proposed zone change is not appropriate at this location. The request does not conform to the Comprehensive Plan’s identification of this area as Heavy Commercial. Retail businesses abut the property on three sides. An M-1 zone would potentially open up the site for uses incompatible with the surrounding retail areas, and could include such uses as auto salvage yards, wholesale of trucks, lumber, heavy machinery, or livestock, and manufacturing of mobile homes, apparel, or meat products. A Conditional Use Permit may be more appropriate to allow for the requested M-1 uses.</p>	
<p><b>P&amp;Z COMMISSION RECOMMENDATION:</b>  The P &amp; Z Commission, in a <u>5</u> to <u>0</u> vote, recommended <b><u>approval</u></b> of the zone change.</p>	<p><b>STAFF RECOMMENDATION:</b>  Staff <b><u>does not support</u></b> the proposed zone change.</p>

## COUNCIL COMMUNICATION

### IMPACT ANALYSIS

**M-1 (Light Manufacturing District):** The purpose of the M-1 District is to encourage the development of manufacturing and wholesale business establishments which are clean, quiet, and free of hazardous or objectionable elements such as noise, odor, dust, smoke or glare. Research activities are encouraged. This district is further designed to act as a transitional use between heavy industrial uses and other less intense and residential uses.

**Is this change contrary to the established land use pattern?**

Yes. Although the land use pattern to the west of Santa Maria Avenue is light industrial, e.g. warehousing, distribution, and a recycling center, the properties to the east and surrounding the site are predominantly retail commercial.

**Would this change create an isolated zoning district unrelated to surrounding districts?**

Yes. The zoning on the east side of Santa Maria Avenue is solidly B-4 (Highway Commercial District).

**Will change adversely influence living conditions in the neighborhood?**

No. There are no residential neighborhoods in the immediate vicinity. However, the surrounding properties are retail commercial businesses which could be adversely impacted by the change.

**Are there substantial reasons why the property cannot be used in accordance with existing zoning?**

Yes, the existing B-4 (Highway Commercial District) does not allow for industrial uses.

**ORDINANCE NO. 2013-O-**

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY REZONING APPROXIMATELY 4.97 ACRES AS FURTHER DESCRIBED BY METES AND BOUNDS IN ATTACHED EXHIBIT "A", LOCATED AT 5301 SANTA MARIA AVENUE, FROM B-4 (HIGHWAY COMMERCIAL DISTRICT) TO M-1 (LIGHT MANUFACTURING DISTRICT); PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, a zone change has been requested by the owner of approximately 4.97 acres as further described by metes and bounds in attached Exhibit "A", located at 5301 Santa Maria Avenue, from B-4 (Highway Commercial District) to M-1 (Light Manufacturing District); and,

WHEREAS, the required written notices were sent to surrounding property owners at least ten (10) days before the public hearing held before the Planning and Zoning Commission on May 21, 2013; and,

WHEREAS, the Planning and Zoning Commission, after a public hearing, has recommended **approval** of the proposed zone change; and,

WHEREAS, notice of the zone change request was advertised in the newspaper at least fifteen (15) days prior to the public hearing held before the City of Laredo City Council on this matter; and,

WHEREAS, the City Council has held a public hearing on June 17, 2013, on the request and finds the zone change appropriate and consistent with the General Plan of the City of Laredo; and,

WHEREAS, the City Council does not consider the impact, if any, of private covenants and deed restrictions on the subject property with the adoption of this ordinance; and,

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: The Zoning Map of the City of Laredo be and is hereby amended by rezoning approximately 4.97 acres as further described by metes and bounds in attached Exhibit "A", located at 5301 Santa Maria Avenue, from B-4 (Highway Commercial District) to M-1 (Light Manufacturing District).

Section 2: This ordinance shall be published in a manner provided by Section 2.09 (D) of the Charter of the City of Laredo.

Section 3: This ordinance shall become effective as and from the date of publication specified in Section 2.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.

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RAUL G. SALINAS  
MAYOR

ATTEST:

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GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:  
KRISTINA L. HALE  
ASSISTANT CITY ATTORNEY

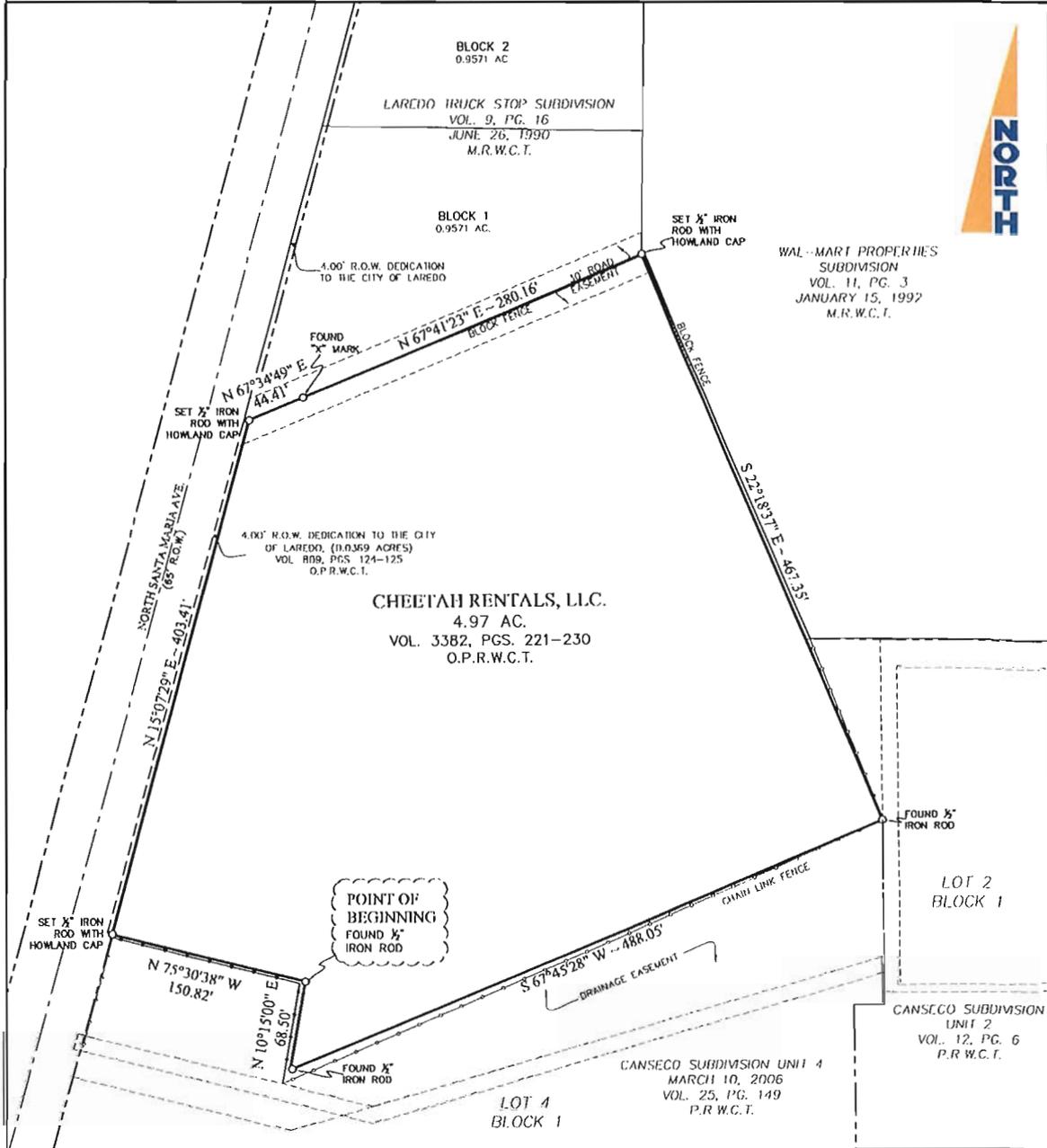


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Melissa A. Vidal  
Assistant City Attorney

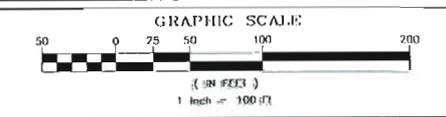
# "EXHIBIT" 4.97 ACRE TRACT

BEING A 4.97 ACRE TRACT, MORE OR LESS, CONVEYED TO CHEETAH RENTALS, L.L.C., BY WARRANTY DEED WITH VENDOR'S LIEN, RECORDED IN VOLUME 3382, PAGES 221-230, OFFICIAL PUBLIC RECORDS OF WEBB COUNTY, TEXAS, AND BEING COMPRISED OF A 2.00 ACRE AND A 3.00 ACRE TRACT OF LAND, BEING PARTLY IN BLOCK No. 42 AND BLOCK No. 64 OF THE NORTH LAREDO LAND IRRIGATION AND WATER COMPANY SUBDIVISION, RECORDED IN VOLUME 1, PAGE 104, MAPS RECORDS OF WEBB COUNTY, TEXAS, SITUATED IN PORCION 26, ABSTRACT 282, WEBB COUNTY TEXAS.



LEGEND	
	BOUNDARY LINE
	FENCE LINE
	EASEMENT LINE

**NOTES:**  
 1.- THIS PLAT MAY NOT SHOW ALL CROSSINGS OF PIPELINES, CABLES, EASEMENTS, RIGHT OF WAYS AND IMPROVEMENTS.  
 2.- THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF A TITLE REPORT.  
 3.- THIS TRACT IS NOT LOCATED WITHIN THE 100-YEAR FLOODPLAIN AS PER FLOOD INSURANCE RATE MAP (FIRM), COMMUNITY PANEL No. 480651-041195-C, WITH EFFECTIVE DATE OF APRIL 02, 2008.



**BASIS OF BEARINGS:** RECORDED PLATS OF: LAREDO TRUCK STOP SUBDIVISION, REC. IN VOL. 9, PG. 16, M.R.W.C.T.; WAL-MART PROPERTIES SUBDIVISION, REC. IN VOL. 11, PG. 3, M.R.W.C.T.; CANSECO SUBDIVISION UNIT 2, REC. IN VOL. 12, PG. 6, P.R.W.C.T., AND CANSECO SUBDIVISION UNIT 4, REC. IN VOL. 25, PGS. 148, P.R.W.C.T.

**MONUMENTS FIELD:** A FOUND IRON ROD 3/4\" IRON ROD SET WITH HOWLAND CAP IS LOCATED ON THE SOUTH BOUNDARY LINE OF THIS TRACT, ALSO BEING AN INTERIOR CORNER OF THE SOUTH BOUNDARY LINE OF CANSECO SUBDIVISION UNIT 4, RECORDED IN VOLUME 25, PAGE 49, PLAT RECORDS OF WEBB COUNTY, TEXAS, AND A FOUND IRON ROD AT THE SOUTH CORNER OF THIS TRACT, ALSO BEING AN INTERIOR CORNER OF CANSECO SUBDIVISION UNIT 4.

I, JUAN SEGOVIA, REGISTERED PROFESSIONAL LAND SURVEYOR, HEREBY STATE THAT THE ABOVE CAPTIONED "EXHIBIT" AND ATTACHED "FIELD NOTES" AS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AT THE TIME OF MY PROFESSIONAL PREPARATION.



04-26-13

Date

HOWLAND

ENGINEERING AND SURVEYING CO.

TIPE Firm Registration No. F-4097; TDI'S Firm Registration No. 100464-00  
 7615 N. Bartlett Avenue | P.O. Box 451128 (78045) | Laredo, TX, 78041  
 P. 958.722.4411 | F. 958.722.5414  
[www.howlandcompanies.com](http://www.howlandcompanies.com)

SCALE: 1"=100'	DRAWN BY: J.A.B.
FIELD DATE: 04/24/13	JOB No. 22182-13
FLD. BOOK: 863 PG. 54	SHEET: 1 OF 3

EXHIBIT "A" (of 3)

**FIELD NOTES  
FOR  
4.97 ACRES  
CITY OF LAREDO  
WEBB COUNTY, TEXAS.**

A tract of land containing 4.97 acres, more or less, being out of a 5.0033 acre tract conveyed to Chectah Rentals LLC., by Warranty Deed with Vendor's Lien, recorded in Volume 382, Pages 221-230, Official Public Records of Webb County, Texas, and being comprised of a 2.00 acre and a 3.00 acre tract of land, being partly in Block No. 42 and Block No. 64 of the North Laredo Land Irrigation and Water Company Subdivision, recorded in Volume 1, Page 104, Map Records of Webb County, Texas, less and except a 4.00-foot Right of Way Dedication to the City of Laredo, 0.0369 acres, recorded in Volume 809, Pages 124-125, and being more particularly described as follows:

**BEGINNING** at a found ½-inch iron rod on the South boundary line of this Tract, being an exterior corner on the North boundary of the Canseco Subdivision Unit 4, recorded in Volume 25, Page 149, Plat Records of Webb County, Texas, for an interior corner hereof and the **POINT OF BEGINNING**;

**THENCE N 75°30'38" W**, along the common boundary line of this tract and said Canseco Subdivision Unit 4, a distance of **150.82 FEET**, to a set ½-inch iron rod with Howland cap on the Southeast right of way line of Santa Maria Avenue, being the Northwest corner of said Canseco Subdivision Unit 4 for the Southwest corner hereof;

**THENCE N 15°07'29" E**, along the West boundary line of this tract with the Southeast right of way line of Santa Maria Avenue, a distance of **403.41 FEET**, to a set ½-inch iron rod, being the Southwest corner of the Laredo Truck Stop Subdivision, recorded in Volume 9, Page 16, Map Records of Webb County, Texas, for the Northwest corner hereof;

**THENCE N 67°34'49" E**, along the Northwest boundary of tract, being common to the South boundary line of said Laredo Truck Stop Subdivision, a distance of **44.41 FEET**, to a found "X" mark in concrete, for a deflection right;

**THENCE N 67°41'23" E**, continuing along the common boundary line of this tract and said Laredo Truck Stop Subdivision, a distance of **280.16 FEET**, to a set ½-inch iron rod on the Southwest boundary line of Wal-Mart Properties Subdivision, recorded in Volume 11, Page 3, Map Records of Webb County, Texas, being the Southeast corner of said Laredo Truck Stop Subdivision, for the North corner hereof;

**THENCE S 22°18'37" E**, along said Southwest boundary line of Wal-Mart Properties Subdivision, at a distance of 317.31 feet, passing the Southwest corner of said Wal-Mart Properties Subdivision, continuing along the West boundary line of the Canseco Subdivision Unit 2, recorded in Volume 12, Page 6, Plat Records of Webb County, Texas, for a total distance of **467.35 FEET**, to a found ½-inch iron rod, being a deflection of the west boundary line of said Canseco Subdivision Unit 2, being the Northeast corner of the above mentioned Canseco Subdivision Unit 4, for the East corner hereof;

**THENCE S 67°45'28" W**, along the common boundary line of this tract and the Canseco Subdivision Unit 4, a distance of **488.05 FEET**, to a found ½-inch iron rod, being an interior corner of said Canseco Subdivision Unit 4, for the Southernmost corner hereof;

**THENCE N 10°15'00" E**, continuing along said common boundary line of this tract and the Canseco Subdivision Unit 4, a distance of **68.50 FEET**, to the **POINT OF BEGINNING**, containing 4.97 acres of land, more or less.

**SHEET 2 OF 3**

H:\HOWLANDSURVEYING DEPARTMENT\Jobs\2013\22182-13\METES & BOUNDS\LEGAL DESCRIPTION.doc

**www.howlandcompanies.com**

7615 N. Bartlett Avenue • P.O. Box 451128 (78045) • Laredo, TX 78041 P. 956.722.4411 • F. 956.722.5414  
TBPE Firm Registration No. F-4097 • TBPLS Firm Registration No. 100464-00



(2 of 3)

CONTINUATION:

**Basis of Bearings:** Recorded plats of: Laredo Truck Stop Subdivision, recorded in Volume 9, Page 16, Map Records of Webb County, Texas; Wal-Mart Properties Subdivision, recorded in Volume 11, Page 3 Map Records of Webb County, Texas; Canseco Subdivision Unit 2, recorded in Volume 12, Page 6, Plat Records of Webb County, Texas, and Canseco Subdivision Unit 4, recorded in Volume 25, Page 149, Plat Records of Webb County, Texas.

**Held Monuments:** A found iron rod 1/2" iron rod at an interior corner on the South boundary line of this tract, also being an exterior corner on the North boundary line of the Canseco Subdivision Unit 4, recorded in Volume 25, Page 49, Plat Records of Webb County, Texas, and a found iron rod at the south corner of this tract, also being an interior corner of said Canseco Subdivision Unit 4.

I, **Juan Segovia**, Registered Professional Land Surveyor, do hereby state that the above described field notes and the attached exhibit, is true and correct to the best of my knowledge for the purpose of a rezone application.

  
R.P.L.S. No. 6290 - Texas



04-26-2013  
Current Date

SHEET 3 OF 3

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(3 of 3)

Rezone from B-4 (Highway Commercial District)  
to M-1 (Light Manufacturing District)



\*C=Conditional Use Permit (CUP)  
\*S=Special Use Permit (SUP)

Rezone from B-4 (Highway Commercial District)  
to M-1 (Light Manufacturing District)



\*C=Conditional Use Permit (CUP)  
\*S=Special Use Permit (SUP)

1 inch = 333 feet

**ZC - 31 - 2013**

5301 SANTA MARIA AVE

PROPOSAL: B-4 (HIGHWAY COMMERCIAL DISTRICT) TO M-1 (LIGHT MANUFACTURING DISTRICT)



ZC - 31 - 2013

5301 SANTA MARIA AVE

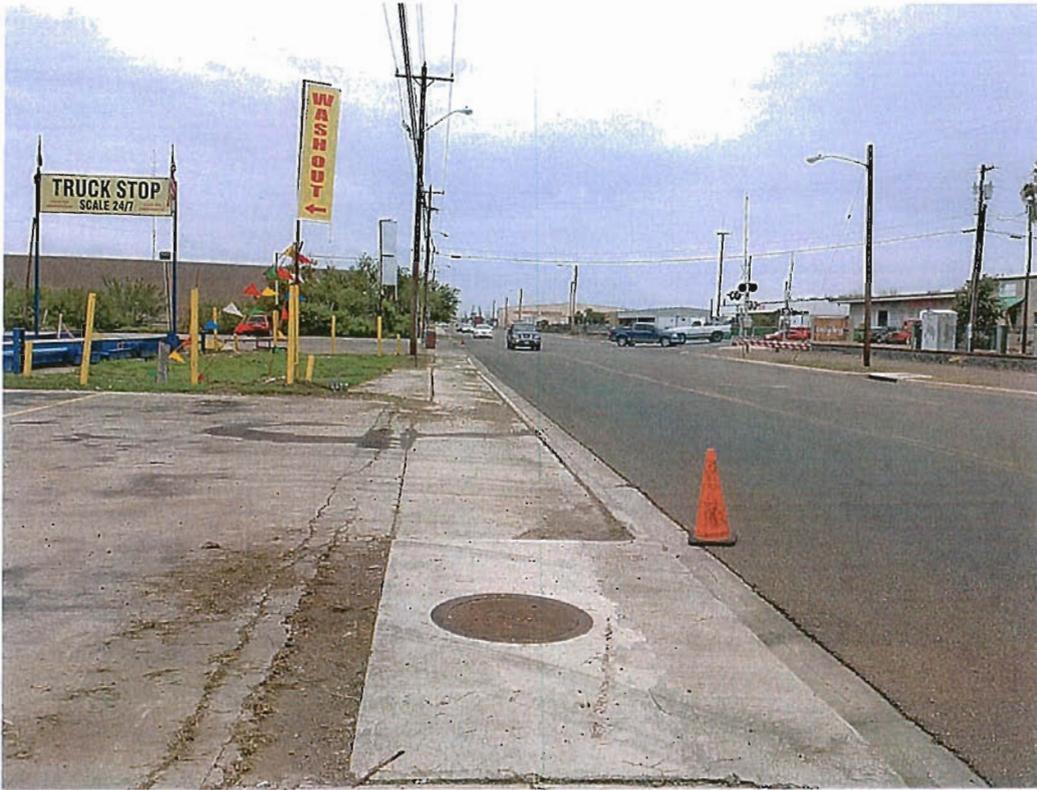
PROPOSAL: B-4 (HIGHWAY COMMERCIAL DISTRICT) TO M-1 (LIGHT MANUFACTURING DISTRICT)



**ZC – 31 – 2013**

5301 SANTA MARIA AVE

PROPOSAL: B-4 (HIGHWAY COMMERCIAL DISTRICT) TO M-1 (LIGHT MANUFACTURING DISTRICT)



**ZC - 31 - 2013**

5301 SANTA MARIA AVE

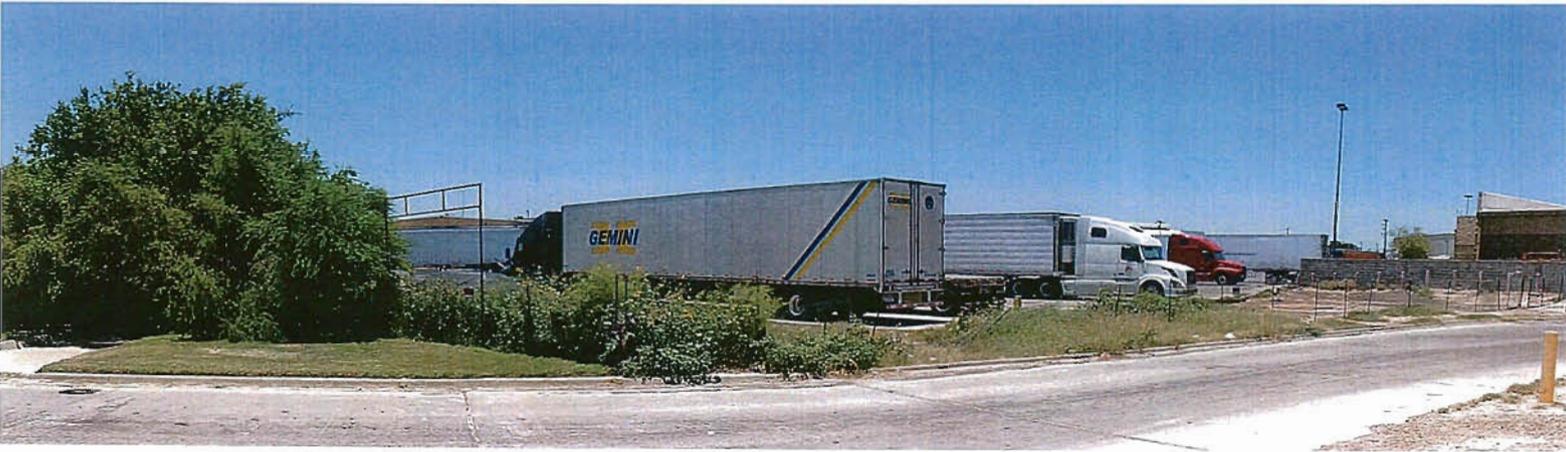
PROPOSAL: B-4 (HIGHWAY COMMERCIAL DISTRICT) TO M-1 (LIGHT MANUFACTURING DISTRICT)



ZC - 31 - 2013  
5301 SANTA MARIA AVE  
PROPOSAL: B-4 (HIGHWAY COMMERCIAL DISTRICT) TO M-1 (LIGHT MANUFACTURING DISTRICT)



ZC - 31 - 2013  
5301 SANTA MARIA AVE  
PROPOSAL: B-4 (HIGHWAY COMMERCIAL DISTRICT) TO M-1 (LIGHT MANUFACTURING DISTRICT)



ZC - 31 - 2013  
5301 SANTA MARIA AVE  
PROPOSAL: B-4 (HIGHWAY COMMERCIAL DISTRICT) TO M-1 (LIGHT MANUFACTURING DISTRICT)



ZC - 31 - 2013  
5301 SANTA MARIA AVE  
PROPOSAL: B-4 (HIGHWAY COMMERCIAL DISTRICT) TO M-1 (LIGHT MANUFACTURING DISTRICT)



ZC - 31 - 2013  
5301 SANTA MARIA AVE  
PROPOSAL: B-4 (HIGHWAY COMMERCIAL DISTRICT) TO M-1 (LIGHT MANUFACTURING DISTRICT)



## COUNCIL COMMUNICATION

<b>DATE:</b>  6/17/2013	<b>SUBJECT: RESOLUTION #2013-R-047</b> Amending resolution #2013-R-03 by adding one (1) additional memorandum of understanding to the list of cooperative working agreements/mutual assistance agreements/memorandums of understanding between the City of Laredo Police Department and various federal, state and local agencies, including but not limited to: Drug Enforcement Administration (DEA), Federal Bureau of Investigations (FBI), SCAN, <i>et al.</i> , a comprehensive list is attached hereto as "Exhibit A". The Police Department's participation is part of the community service provided to our citizens, with no cost to the City of Laredo.
<b>INITIATED BY:</b> Cynthia Collazo Deputy City Manger	<b>STAFF SOURCE:</b> Gilbert L. Navarro Interim Chief of Police
<b>PREVIOUS COUNCIL ACTION:</b> City Council approved Resolution # 2013-R-03 on January 22, 2013.	
<b>BACKGROUND:</b> Since FY 2009 City Council approved the City of Laredo Police Department to work in conjunction with the agencies listed on Exhibit A. These agreements allow the Police Department to participate with other law enforcement agencies and refer civilians to social service organizations for any assistance.	
<b>FINANCIAL IMPACT:</b> N/A	
<b>COMMITTEE RECOMMENDATION:</b>	<b>STAFF RECOMMENDATION:</b> Recommends the approval of this Resolution.

## RESOLUTION #2013-R-047

Amending resolution #2013-R-03 by adding one (1) additional memorandum of understanding to the list of cooperative working agreements/mutual assistance agreements/memorandums of understanding between the City of Laredo Police Department and various federal, state and local agencies, including but not limited to: Drug Enforcement Administration (DEA), Federal Bureau of Investigations (FBI), SCAN, *et al.*, a comprehensive list is attached hereto as "Exhibit A". The Police Department's participation is part of the community service provided to our citizens, with no cost to the City of Laredo.

Whereas, the City of Laredo Police Department agrees to work in conjunction with these agencies; and

Whereas, the City of Laredo Police Department will assist law enforcement agencies on an as needed basis; and

Whereas, the City of Laredo Police Department will refer civilians that they come in contact with to those listed social service organizations that could assist them; and

Whereas, Exhibit A will be applicable starting on January 1, 2013 and ending on December 31, 2013.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:**

SECTION 1: Amending resolution #2013-R-03 by adding one (1) additional memorandum of understanding to the list of cooperative working agreements/mutual assistance agreements/memorandums of understanding between the City of Laredo Police Department and various federal, state and local agencies, including but not limited to: Drug Enforcement Administration (DEA), Federal Bureau of Investigations (FBI), SCAN, *et al.*, a comprehensive list is attached hereto as "Exhibit A". The Police Department's participation is part of the community service provided to our citizens, with no cost to the City of Laredo.

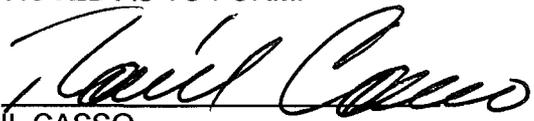
PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE \_\_\_\_\_  
DAY OF \_\_\_\_\_, 2013.

\_\_\_\_\_  
RAUL SALINAS  
MAYOR

ATTEST:

\_\_\_\_\_  
GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:

BY:   
RAUL CASSO  
CITY ATTORNEY

**LAREDO POLICE DEPARTMENT  
Agreements**

tabbles  
A  
Res.#2013-R-047

Agency		
1	Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)	LEA
2	Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) - Radio Agreement	Communications
3	Children's Advocacy Center	Social Services
4	Correction Corporation of America (CCA) Detention Center	LEA
5	Correction Corporation of America (CCA) Detention Center - Radio Agreement	Communications
6	Correction Corporation of America (CCA) Processing Center	LEA
7	Drug Enforcement Administration (DEA)	LEA
8	FBI - Safe Streets Task Force	LEA
9	FBI - Task Force Officers Deputation	LEA
10	Immigration and custom Enforcement (ICE) Port Isabel Detention Center	LEA
11	Laredo Community College Police Dept.	LEA
12	Laredo Housing Authority	Social Services
13	Laredo Independent School District Police Dept.	LEA
14	Laredo Independent School District Police Dept. - Radio Agreement	Communications
15	Laredo ISD Police Department - Radio Agreement	Communications
16	Laredo Job Corps	Social Services
17	Laredo-Webb County Safe Haven	LEA
18	Law Enforcement Analysis Portal (LEAP)	LEA
19	Learning ForLife (LPD Explorers)	Social Services
20	Motorola, Inc. (equip. trial agreement)	LEA
21	Office of the Inspector General, TDCJ	LEA
22	Property Room.com	LEA
23	Regional Organized Crime Information Center (ROCIC)	LEA
24	Sam Houston Sate University - subaward agreement (USMS)	LEA
25	SCAN (End Violence Against and Abuse of Women Later in Life Program)	Social Services
26	SCAN (Sexual Assault Response Team)	Social Services
27	SCAN (Sexual Assault Services Information)	Social Services
28	SCAN (Shelter and Street Outreach Services)	Social Services
29	SCAN (Substance Abuse and Mental Health Services Administration, National Child Traumatic Stress Initiative)	Social Services
30	SCAN (Violence Against Women)	Social Services
31	SCAN (Webb County Coalition)	Social Services
32	SCAN (Youth Runaway and Homeless)	Social Services
33	South Texas Border Intelligence Center (STXBIC)	LEA
34	Texas A&M Int'l University - Radio Agreement	Communications
35	Texas A&M Int'l University Police Dept.	LEA
36	Texas Alcoholic Beverage Commission (TABC) - Radio Agreement	Communications
37	Texas Crime Information Center (TCIC) - Lic. Plate Reader	LEA
38	Texas Department of Public Safety - Driver License Image Retrieval System	LEA
39	Texas Department of Public Safety - Motor Carrier Safety Assistance Program	LEA
40	Texas Department of Public Safety - TDEX	LEA
41	Texas Department of Public Safety - Victim Services	LEA
42	Texas Department of Public Safety and FBI Criminal Justice Information Systems	LEA
43	Texas DPS Aircraft - Radio Agreement	Communications
44	Texas DPS CCD Archive Website	LEA
45	Texas DPS Fusion Center	LEA
46	Texas Military Forces	LEA
47	Texas Parks & Wildlife (Lake Casa Blanca)	LEA
48	U.S. Customs and Border Protection (USBP) - Radio Agreement	Communications
49	U.S. Immigratin and Customs Enfrocement (ICE) - LPD Cross Designation	LEA
50	U.S. Marshals (USMS) - Fugitive Apprehension Task Force	LEA
51	United Independent School District Police Dept.	LEA
52	University of Texas Health Science Center at San Antonio Police Dept.	LEA
53	Veterans Affairs	Social Services
54	Webb County Sheriff Department - Operation Stonegarden Working Agreement	LEA
55	Webb County Sheriff Department - Radio Agreement	Communications
56	DHS/CBP/Office of Air and Marine - Radio Agreement	Communications

**COUNCIL COMMUNICATION**

<p><b>DATE:</b></p> <p>06/17/13</p>	<p><b>SUBJECT: RESOLUTION NO. 2013-R-048</b></p> <p><b>ACCEPTING THE CONVEYANCE OF THE FOLLOWING UTILITY EASEMENT FROM:</b></p> <p><b>Jessland Properties, Ltd., Nolar III, LLC, MWG Islitas, Ltd., Meyer Investments, Ltd., Benjamin M. Alexander, Trustee of the GAD 2012 GST Trust, Maureen M. Alexander, Trustee of the WHA 2012 GST Trust, Gail Alexander Davis, Trustee of: the RAK GST Trust for Alexis Kokolis and the RAK GST Trust for Stephanie Kokolis, Phyllis A. Terry, Trustee of the Phyllis A. Terry Trust, Maureen Alexander, Trustee of the Maureen M. Alexander Trust –</b></p> <p>A 386 Square Foot Utility Easement as follows: One <u>386 Square Foot Tract</u>, a copy of which conveyance is attached as Exhibit 1;</p> <p><b>THIS 386 SQUARE FOOT EASEMENT IS FOR A 6 INCH FORCE MAIN LINE AND A 6 INCH RECLAIMED WATER LINE, FROM PENITAS WASTEWATER TREATMENT PLANT (PENITAS RANCH) TO MAX MANDEL GOLF COURSE AND WILL PROVIDE WASTEWATER SERVICES FOR MAX MANDEL MUNICIPAL GOLF COURSE.</b></p>	
<p><b>INITIATED BY:</b> Celina Rivera, Real Estate Manager Community Development</p>	<p><b>STAFF SOURCE:</b> Tomas M. Rodriguez, Jr., P.E. Utilities Director</p>	
<p><b>PREVIOUS COUNCIL ACTION: N/A</b></p>		
<p><b>BACKGROUND:</b></p> <p>Jessland Properties, Ltd., Nolar III, LLC, MWG Islitas, Ltd., Meyer Investments, Ltd., Benjamin M. Alexander, Trustee of the GAD 2012 GST Trust, Maureen M. Alexander, Trustee of the WHA 2012 GST Trust, Gail Alexander Davis, Trustee of: the RAK GST Trust for Alexis Kokolis and the RAK GST Trust for Stephanie Kokolis, Phyllis A. Terry, Trustee of the Phyllis A. Terry Trust, Maureen Alexander, Trustee of the Maureen M. Alexander Trust have conveyed this utility easement to the City of Laredo upon request by the Utilities Department. This 6 inch force main line and 6 inch reclaimed water line will provide wastewater services to Max Mandel Municipal Golf Course.</p> <p>This said 386 Square Foot Easement will be filed of record in official property records of Webb County, Texas.</p>		
<p><b>FINANCIAL IMPACT:</b> Land-557-0000-161.10-00</p>		
<p><b>COMMITTEE RECOMMENDATION:</b></p> <p>Approval of this resolution.</p>	<p><b>STAFF RECOMMENDATION:</b></p> <p>Approval of this resolution.</p>	

RESOLUTION NO. 2013-R-048

ACCEPTING THE CONVEYANCE OF A UTILITY EASEMENT, FROM JESSLAND PROPERTIES, LTD., NOLAR III, LLC, MWG ISLITAS, LTD., MEYER INVESTMENTS, LTD., BENJAMIN M. ALEXANDER, TRUSTEE OF THE GAD 2012 GST TRUST, MAUREEN M. ALEXANDER, TRUSTEE OF THE WHA 2012 GST TRUST, GAIL ALEXANDER DAVIS, TRUSTEE OF: THE RAK GST TRUST FOR ALEXIS KOKOLIS AND THE RAK GST TRUST FOR STEPHANIE KOKOLIS, PHYLLIS A. TERRY, TRUSTEE OF THE PHYLLIS A. TERRY TRUST, MAUREEN ALEXANDER, TRUSTEE OF THE MAUREEN M. ALEXANDER TRUST, THE CONVEYANCE OF UTILITY EASEMENT OF ONE 386 SQUARE FOOT TRACT, COPIES OF WHICH CONVEYANCES ARE ATTACHED AS EXHIBIT 1. THIS 386 SQUARE FOOT EASEMENT IS FOR A 6 INCH FORCE MAIN LINE AND A 6 INCH RECLAIMED WATER LINE, FROM PENITAS WASTEWATER TREATMENT PLANT (PENITAS RANCH) TO MAX MANDEL GOLF COURSE AND WILL PROVIDE WASTEWATER SERVICES FOR MAX MANDEL MUNICIPAL GOLF COURSE. AFTER CONVEYANCE THE CITY WILL CONSTRUCT THE 6 INCH FORCE MAIN AND RECLAIMED WATER LINES ON THE SAID EASEMENT.

**WHEREAS**, Jessland Properties, Ltd., Nolar III, LLC, MWG Islitas, Ltd., Meyer Investments, Ltd., Benjamin M. Alexander, Trustee of the GAD 2012 GST Trust, Maureen M. Alexander, Trustee of the WHA 2012 GST Trust, Gail Alexander Davis, Trustee of: the RAK GST Trust for Alexis Kokolis and the RAK GST Trust for Stephanie Kokolis, Phyllis A. Terry, Trustee of the Phyllis A. Terry Trust, Maureen Alexander, Trustee of the Maureen M. Alexander Trust have agreed to convey to the city by Utility Easement, one tract of 386 square feet, which is described in Exhibit 1, attached to this resolution; and

**WHEREAS**, after the conveyance of the said Utility Easement tract, the city will construct a 6 inch force main line and 6 inch reclaimed water line which will provide wastewater services to Max Mandel Municipal Golf Course; and

**WHEREAS**, in order to proceed with the construction of the 6 inch force main line and 6 inch reclaimed water line, it is in the City of Laredo's best interests to accept the above-referenced conveyance from Jessland Properties, Ltd., Nolar III, LLC, MWG Islitas, Ltd., Meyer Investments, Ltd., Benjamin M. Alexander, Trustee of the GAD 2012 GST Trust, Maureen M. Alexander, Trustee of the WHA 2012 GST Trust, Gail Alexander Davis, Trustee of: the RAK GST Trust for Alexis Kokolis and the RAK GST Trust for Stephanie Kokolis, Phyllis A. Terry, Trustee of the Phyllis A. Terry Trust, Maureen Alexander, Trustee of the Maureen M. Alexander Trust.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1. It hereby accepts the conveyance of the Utility Easement of this tract of land for the conveyance of which tract is situated in Webb County, Texas, and being more particularly described by metes and bounds descriptions that are attached to Exhibit 1 attached hereto.

Section 2. The conveyance will be accepted in the form and content of the Utility Easement, copies of which are attached as Exhibit 1 (386 SQUARE FOOT TRACT) to this resolution, and the tract is more particularly described in the exhibit attached to Exhibit 1 (metes and bounds description and surveys), attached to this resolution and incorporated herein.



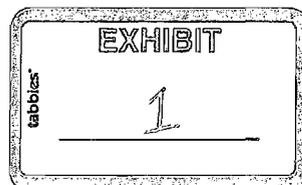
NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

UTILITY EASEMENT

THE STATE OF TEXAS                   §  
  §                   KNOW ALL MEN BY THESE PRESENTS  
COUNTY OF WEBB                   §

That Jessland Properties, Ltd., Nolar III, LLC, MWG Islitas, Ltd., Meyer Investments, Ltd., Benjamin M. Alexander, Trustee of the GAD 2012 GST Trust, Maureen M. Alexander, Trustee of the WHA 2012 GST Trust, Gail Alexander Davis, Trustee of the RAK GST Trust for Alexis Kokolis, Gail Alexander Davis, Trustee of the RAK GST Trust for Stephanie Kokolis, Phyllis A. Terry, Trustee of the Phyllis A. Terry Trust, and Maureen Alexander, Trustee of the Maureen Alexander Trust ("Grantors") for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to Grantors in hand paid by the CITY OF LAREDO, a Texas municipal corporation ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, does hereby GIVE, GRANT, and CONVEY, unto Grantee a utility easement and right to construct, reconstruct and perpetually maintain a sanitary sewer line and all necessary appurtenances thereto in, on, under, over and across the following described property ("Easement Property"):

A tract of land containing 386 square feet of land, more or less, situated in Porcion 7, Abstract 39, Blas Maria Diaz, Original Grantee, out of the Alexander Tract as recorded in Volume 61, Page 529, Webb County Deed Records being more particularly described by metes and bounds on attached Exhibit "A" and on a survey on attached Exhibit "B."



Grantee's right to use the Easement Property is nonexclusive, and Grantor reserves for Grantor and Grantor's heirs, successors, and assigns the right to use all or part of the Easement Property in conjunction with Grantee as long as such use by Grantor and Grantor's heirs, successors, and assigns does not interfere with the use of the Easement Property by Grantee for the easement purpose as stated hereinabove, and the right to convey to others the right to use all or part of the Easement Property in conjunction with Grantee, as long as such further conveyance is subject to the terms of this agreement. Improvements may be placed on the Easement Property which are compatible with the use of the easement. Improvement and maintenance of the Easement Property and the appurtenant facilities will be at the sole expense of Grantee. Grantee has the right to eliminate any encroachments onto the Easement Property. Grantee must maintain the Easement Property in a neat and clean condition. Grantee has the right to remove or relocate any fences within the Easement Property or along or near its boundary lines if reasonably necessary to construct, install, maintain, replace, or remove the sewer line, subject to replacement of the fences to their original condition on the completion of the work. Grantee may use the Easement Property only for the purpose set forth in this instrument.

This easement, however, is made and accepted subject to any and all validly existing encumbrances, easements, mineral leases, conditions and restrictions, relating to the hereinabove described property as now reflected by the Official Public Records, of Webb County, Texas.

TO HAVE AND TO HOLD the same perpetually to Grantee, together with the right and

privilege, at any and all times, to enter the hereinabove described property, or any part thereof, for the purpose of constructing, reconstructing, repairing, and maintaining said sanitary sewer easement, including all necessary laterals and appurtenant facilities.

EXECUTED as of the \_\_\_\_ day of \_\_\_\_\_, 2013.

*[Signature Pages to Follow.]*



GRANTOR:

Nolar III, a Louisiana Limited Liability Company

By: [Signature]

Name: RUSSELL PAMELA

Title: manager

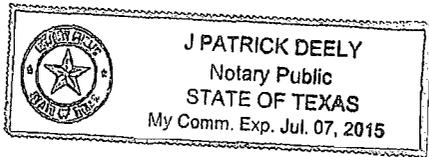
STATE OF TEXAS

§  
§  
§

COUNTY OF BEXAR

Before me, the undersigned authority on this day personally appeared Russell Pamela, Manager of Nolar III, LLC, a Louisiana limited liability company, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that s/he executed the same for the purposes and consideration expressed, in the capacity therein stated on behalf of said company.

Given under my hand and seal of office on July 17, 2013.



[Signature]  
Notary Public, State of Texas

GRANTOR:

MWG Islitas, Ltd., a Texas Limited Partnership

By: Landway Ventures, L.L.C., a Texas limited liability company, its General Partner

By: Louise A. Mandel

Name: Louise A. Mandel

Title: Manager

STATE OF TEXAS

§

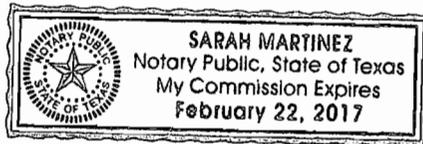
COUNTY OF BEXAR

§

§

Before me, the undersigned authority on this day personally appeared Louise A. Mandel, Manager of Landway Ventures, L.L.C., a Texas limited liability company, General Partner of MWG Islitas, Ltd., a Texas limited partnership, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration expressed, in the capacity therein stated on behalf of said company and said partnership.

Given under my hand and seal of office on May 14, 2013.



Sarah Martinez  
Notary Public, State of Texas

GRANTOR:

Meyer Investments, Ltd., a Texas limited partnership

By: S & O Management Co., L.L.C.  
a Texas limited liability company  
Its General Partner

By: \_\_\_\_\_  
Frances M. Salinas, Manager

STATE OF TEXAS

§

§

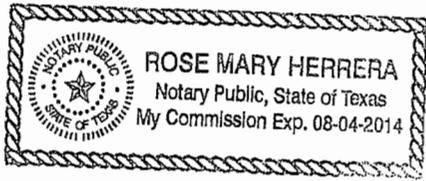
COUNTY OF WEBB

§

Before me, the undersigned authority on this day personally appeared Frances M. Salinas, Manager of S & O Management Co., L.L.C., a Texas limited liability company, General Partner of Meyer Investments, Ltd., a Texas limited partnership, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration expressed, in the capacity therein stated on behalf of said company and said partnership.

Given under my hand and seal of office on April 16, 2013.

Rose Mary Herrera  
Notary Public, State of Texas



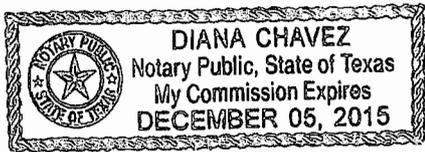
GRANTOR:

Benjamin M. Alexander, Trustee of the  
GAD 2012 GST Trust

STATE OF TEXAS           §  
  §  
COUNTY OF HARRIS       §

Before me, the undersigned authority on this day personally appeared Benjamin M. Alexander, as Trustee of the GAD 2012 GST Trust, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration expressed, in the capacity therein stated on behalf of said trust.

Given under my hand and seal of office on April 23, 2013.



Diana Chavez  
Notary Public, State of Texas

GRANTOR:

*Maureen M. Alexander*

Maureen M. Alexander, Trustee of the  
WHA 2012 GST Trust

STATE OF TEXAS

§  
§  
§

COUNTY OF TRAVIS

Before me, the undersigned authority on this day personally appeared Maureen M. Alexander, as Trustee of the WHA 2012 GST Trust, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration expressed, in the capacity therein stated on behalf of said trust.

Given under my hand and seal of office on April 30, 2013.

*Amanda Lea Carter*

Notary Public, State of Texas



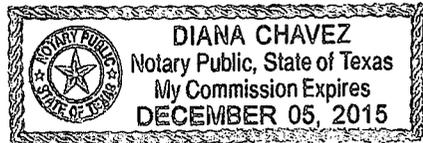
GRANTOR:

Gail Alexander Davis  
Gail Alexander Davis, Trustee of the RAK  
GST Trust for Alexis Kokolis

STATE OF TEXAS           §  
  §  
COUNTY OF HARRIS      §

Before me, the undersigned authority on this day personally appeared Gail Alexander Davis, as Trustee of the RAK GST Trust for Alexis Kokolis, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration expressed, in the capacity therein stated on behalf of said trust.

Given under my hand and seal of office on April 23, 2013.



Diana Chavez  
Notary Public, State of Texas

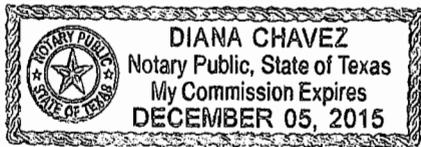
GRANTOR:

Gail Alexander Davis  
Gail Alexander Davis, Trustee of the RAK  
GST Trust for Stephanie Kokolis

STATE OF TEXAS           §  
  §  
COUNTY OF HARRIS       §

Before me, the undersigned authority on this day personally appeared Gail Alexander Davis, as Trustee of the RAK GST Trust for Stephanie Kokolis, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration expressed, in the capacity therein stated on behalf of said trust.

Given under my hand and seal of office on April 23, 2013.



Diana Chavez  
Notary Public, State of Texas

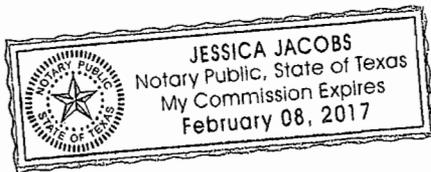
GRANTOR:

Phyllis A Terry  
Phyllis A. Terry, Trustee of the Phyllis A. Terry Trust

STATE OF TEXAS                   §  
  §  
COUNTY OF BEXAR               §

Before me, the undersigned authority on this day personally appeared Phyllis A. Terry, as Trustee of the Phyllis A. Terry Trust, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration expressed, in the capacity therein stated on behalf of said trust.

Given under my hand and seal of office on May 4, 2013.



[Signature]  
Notary Public, State of Texas

GRANTOR:

*Maureen Alexander*

Maureen Alexander, Trustee of the Maureen M. Alexander Trust

STATE OF TEXAS           §  
  §  
COUNTY OF TRAVIS       §

Before me, the undersigned authority on this day personally appeared Maureen Alexander, as Trustee of the Maureen Alexander Trust, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration expressed, in the capacity therein stated on behalf of said trust.

Given under my hand and seal of office on April 30, 2013.

*Amanda Lea Carter*

Notary Public, State of Texas



AFTER RECORDING RETURN TO:

Ronnie Acosta  
CITY OF LAREDO  
Community Development  
1301 Farragut Street, Transit Center  
3<sup>rd</sup> Floor East Wing  
Laredo, Texas 78040

**Exhibit "A" to Utility Easement**



**STURGEY ACQUISITION COMPANY, L.L.C.**

11500 TRULY PLACE • WALKER, UTAH 84088

ATTENTION: PROJECT ENGINEER • 11500 TRULY PLACE • WALKER, UTAH 84088

TO: **STATE OF UTAH**  
SANDSTONE PROJECT  
PROJECT NO. 10000000000000000000  
PLAT NO. 100, 101, 102

A part of Lot 6 of the 70-acre tract of land more or less bounded by the T. Alexander 34118 Block 142, Original Plat No. 142, and the Alexander Tract, Block 142, Volume 66, Page 149, County of Wasatch, Utah, is hereby divided and the same is divided as follows:

**TRACT NO. 1**, 1.42 Acres, bounded on the north by the Mark I West as recorded in Volume 180, Page 149, Wasatch County, Utah, and on the east by the portion of the said Alexander Tract, and a portion of the common boundary with the T. Alexander Tract, Block 142, Volume 66, Page 149, County of Wasatch, Utah, Original Public Records, being the northern corner of the said Alexander Tract.

**TRACT NO. 2**, 2.29 Acres, being the common property line of the said Alexander Investment Ltd. Tract and the said Alexander Tract, to the extent of 114.2 feet more or less in length, the western corner of the land in this deed being:

**TRACT NO. 3**, 7.17 Acres, being the said common property line of the said Alexander Investment Ltd. Tract and the said Alexander Tract, a distance of 67.67 feet to a 30-inch iron rod, the most southern corner of the herein described tract.

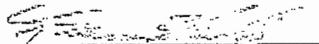
**TRACT NO. 4**, 0.31 Acres, being the southern boundary line of the said Alexander Tract, to the northwesterly line of the said Alexander Tract, a distance of 66.39 feet to return to and close at the POINT OF BEGINNING, containing 580 square feet of land.

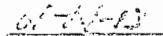
Point of Beginning

The Point of Beginning is the C.P.S.T. Control System, File # 50452, UTAH 00000000000000000000

State of Utah,  
County of Wasatch

I, **Ernest J. Smith**, a Registered Professional Engineer, do hereby certify that the above easement has been divided as shown and prepared hereunder in accordance with the general survey of the property to be made by me.

  
Ernest J. Smith, Registered Professional Engineer

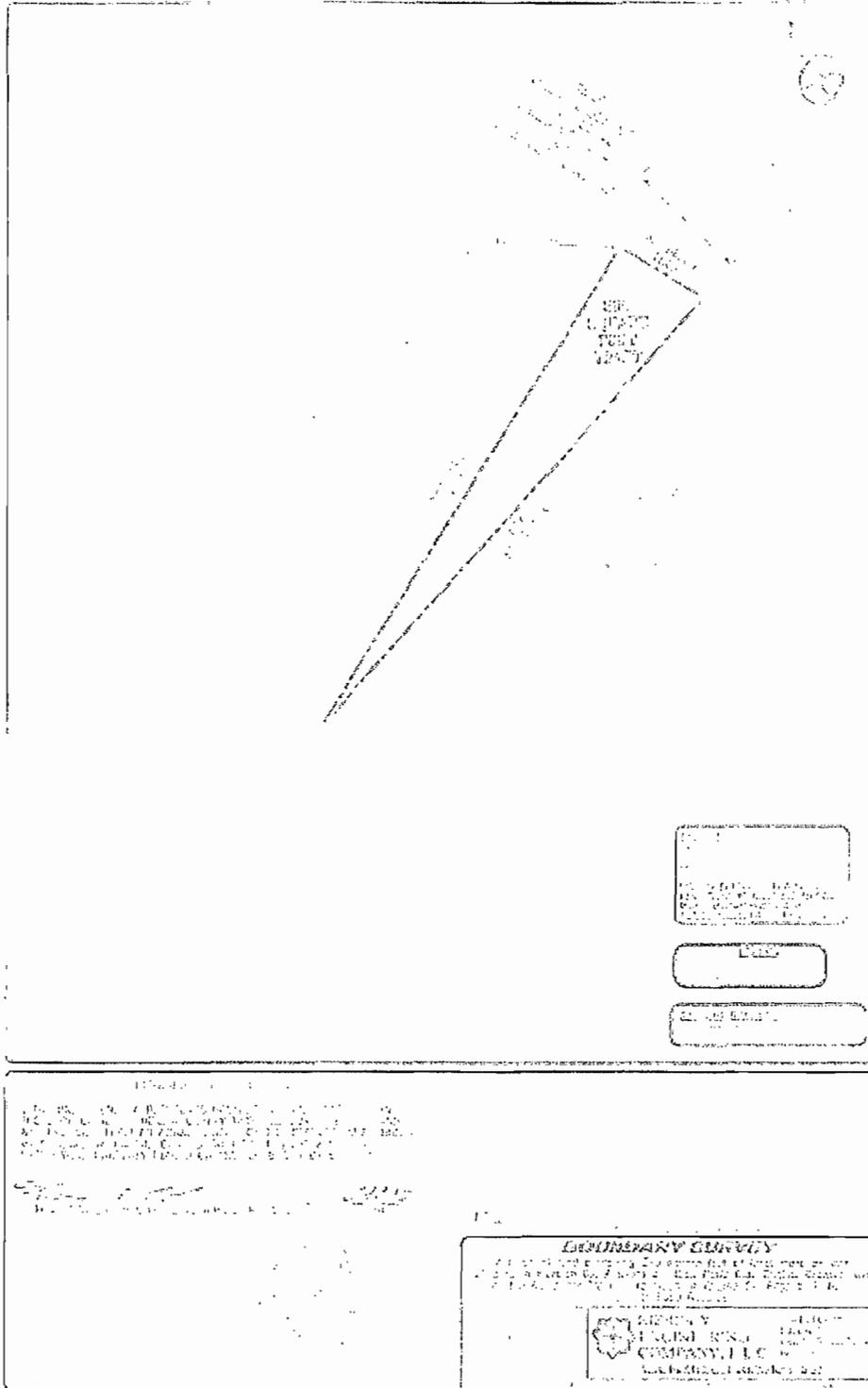
  
Clerk of Court



Page 1 of 1

It is certified that this is a true and correct copy of the original as recorded.

Exhibit "B" to Utility Easement



**COUNCIL COMMUNICATION**

<b>DATE:</b> 06/17/2013	<b>SUBJECT: MOTION</b> Approving monthly adjustments to the tax roll. The amounts to be adjusted for the month of May 2013, represent a decrease of \$5,016.42. These adjustments are determined by the Webb County Appraisal District and by court orders.	
<b>INITIATED BY:</b> HORACIO A. DE LEON JR., ASSISTANT CITY MANAGER		<b>STAFF SOURCE:</b> ELIZABETH MARTINEZ, RTA TAX ASSESSOR-COLLECTOR
<b>PREVIOUS COUNCIL ACTION:</b> Approves tax roll each year.		
<b>BACKGROUND:</b> Under Section 26.09, Calculation of Tax, paragraph (e) of the Texas Property Tax Code, “the Assessor shall enter the amount of tax determined as provided by this section in the appraisal roll and submit it to the governing body of the unit for approval. The appraisal roll with amount of tax entered as approved by the governing body constitutes the unit’s tax roll. It was the recommendation of the City Attorney and the Tax Collections Attorney, that adjustments be approved each month, in addition to the tax roll being accepted with adjustments.		
<b>FINANCIAL IMPACT:</b> Potential revenues will decrease due to a decrease in levy in the amount of \$5,016.42.		
<b>COMMITTEE RECOMMENDATION:</b>		<b>STAFF RECOMMENDATION:</b> Approval

TAX ADJUSTMENT LISTING  
 5/01/13 - 5/31/13  
 BY TRANSACTION DATE  
 RECAP TOTALS BY ENTITY/YEAR

All account types  
 All roll codes

ENTITY/YR	+ BASE	PAYMT REF	PYMT VOID	- BASE	CR REF	+/-TX DUE	TRANS FRM	TRANS TO
CCF 12	50.00	.00	.00	.00	.00	.00	.00	.00
CCF TOTALS	50.00 ✓	.00	.00	.00	.00	.00	.00	.00
IN11 11	432.75	.00	.00	.00	.00	.00	.00	.00
IN11 TOTALS	432.75 ✓	.00	.00	.00	.00	.00	.00	.00
IN12 12	232.74	.00	.00	.88-	.00	.00	.88	.00
IN12 TOTALS	232.74 ✓	.00	.00	.88-	.00	.00	.88	.00
LARE 08	.00	.00	.00	811.29-	.00	.00	1526.82	716.82-
LARE 09	.00	216.98	25.14	999.97-	716.82	.00	998.68	905.50-
LARE 10	.00	216.98	3278.09	999.97-	710.80	.00	1161.41	899.48-
LARE 11	.00	216.98	1731.12	2936.89-	1000.90	.00	188.68	188.68-
LARE 12	.00	208.30	4790.56	17268.99-	14860.23	.00	52520.46	51169.47-
LARE TOTALS	.00	859.24	9824.91	23017.11-	17288.75	.00	56396.05	53879.95-
OMIT 11	2885.55	.00	.00	.00	.00	.00	.00	.00
OMIT 12	7763.20	.00	.00	29.81-	.00	.00	.88	4.75-
OMIT TOTALS	10648.75 ✓	.00	.00	29.81-	.00	.00	.88	4.75-
RP11 11	288.54	.00	1.37	38.43-	.00	.00	.00	.00
RP11 TOTALS	288.54 ✓	.00	1.37	38.43-	.00	.00	.00	.00
RP12 12	840.22	.00	9.19	137.54-	.00	.00	133.74	130.75-
RP12 TOTALS	840.22 ✓	.00	9.19	137.54-	.00	.00	133.74	130.75-
RTN 12	200.00	.00	.00	.00	.00	.00	25.00	.00
RTN TOTALS	200.00	.00	.00	.00	.00	.00	25.00	.00
SUPP 08	440.49	.00	.00	.00	.00	.00	.00	147.02-
SUPP 09	440.49	.00	.00	.00	.00	.00	.00	147.02-
SUPP 10	471.83	.00	.00	.00	.00	.00	.00	147.02-
SUPP 11	914.41	.00	.00	.00	.00	.00	.00	147.02-
SUPP 12	4161.74	.00	.00	.00	.00	.00	67.95	2020.97-
SUPP TOTALS	6428.96 ✓	.00	.00	.00	.00	.00	67.95	2609.05-
TOTALS	19121.96	859.24	9835.47	23223.77-	17288.75	.00	56624.50	56624.50-

*(5,748.12)*

2012 <17,268.99>  
 PRIOR <5,748.12>  
 OMIT 7,733.39  
 OMIT P. 2,885.55  
 RP11 250.11  
 RP12 702.68  
 Supp 4,161.74  
 Supp P. 2,267.22  
 IN11 432.75  
 IN12 231.86  
 RTN 200.00  
 CCF 50.00  
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 <4,101.81>

2012 <17,268.99>  
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 RP11 250.11  
 RP12 702.68  
 Supp 4,161.74  
 Supp P. 2,267.22  
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 <5,016.42> C.C. AGENDA  
 IN11 432.75  
 IN12 231.86  
 RTN 200.00  
 CCF 50.00  
 -----  
 <4,101.81>

TAX ADJUSTMENT LISTING  
 5/01/13 - 5/31/13  
 BY TRANSACTION DATE  
 PAYMENT RECAP TOTALS BY ENTITY/YEAR

ENTITY/YR	BASE TAX	PENALTY	INTEREST	COLL FEE	DISCOUNT	UNAPPLIED	TOTAL	
CCF TOTALS	.00	.00	.00	.00	.00	.00	.00	
IN11 TOTALS	.00	.00	.00	.00	.00	.00	.00	
IN12 12	.88	.00	.00	.00	.00	.00	.88	TRANSFERS FROM
IN12 TOTALS	.88	.00	.00	.00	.00	.00	.88	
LARE 08	716.82	64.51	28.67	.00	.00	716.82	1526.82	TRANSFERS FROM
LARE 08	.00	.00	.00	.00	.00	716.82-	716.82-	TRANSFERS TO
LARE 09	.00	18.87	9.43	.00	.00	188.68	216.98	PAYMENT REFUND
LARE 09	14.67	1.76	5.43	3.28	.00	.00	25.14	PAYMENT VOID
LARE 09	.00	.00	.00	.00	.00	716.82	716.82	CREDIT REFUND
LARE 09	905.50	64.51	28.67	.00	.00	.00	998.68	TRANSFERS FROM
LARE 09	.00	.00	.00	.00	.00	905.50-	905.50-	TRANSFERS TO
LARE 10	.00	18.87	9.43	.00	.00	188.68	216.98	PAYMENT REFUND
LARE 10	2044.07	245.01	561.73	427.28	.00	.00	3278.09	PAYMENT VOID
LARE 10	.00	.00	.00	.00	.00	710.80	710.80	CREDIT REFUND
LARE 10	899.48	85.30	49.76	126.87	.00	.00	1161.41	TRANSFERS FROM
LARE 10	.00	.00	.00	.00	.00	899.48-	899.48-	TRANSFERS TO
LARE 11	.00	18.87	9.43	.00	.00	188.68	216.98	PAYMENT REFUND
LARE 11	1192.08	142.94	170.42	225.68	.00	.00	1731.12	PAYMENT VOID
LARE 11	.00	.00	.00	.00	.00	1000.90	1000.90	CREDIT REFUND
LARE 11	188.68	.00	.00	.00	.00	.00	188.68	TRANSFERS FROM
LARE 11	.00	.00	.00	.00	.00	188.68-	188.68-	TRANSFERS TO
LARE 12	.00	13.38	3.82	.00	.00	191.10	208.30	PAYMENT REFUND
LARE 12	4247.84	345.26	132.88	64.58	.00	.00	4790.56	PAYMENT VOID
LARE 12	.00	.00	.00	.00	.00	14860.23	14860.23	CREDIT REFUND
LARE 12	40367.12	2353.55	872.90	4672.78	.00	4254.11	52520.46	TRANSFERS FROM
LARE 12	38025.45-	169.75-	64.64-	.00	.00	12909.63-	51169.47-	TRANSFERS TO
LARE TOTALS	12550.81	3203.08	1817.93	5520.47	.00	7396.71	30489.00	
OMIT 12	.00	.00	.00	.00	.00	.88	.88	TRANSFERS FROM
OMIT 12	3.87-	.00	.00	.00	.00	.88-	4.75-	TRANSFERS TO
OMIT TOTALS	3.87-	.00	.00	.00	.00	.00	3.87-	
RP11 11	.94	.11	.14	.18	.00	.00	1.37	PAYMENT VOID
RP11 TOTALS	.94	.11	.14	.18	.00	.00	1.37	
RP12 12	7.19	.58	.22	1.20	.00	.00	9.19	PAYMENT VOID
RP12 12	66.87	.00	.00	.00	.00	66.87	133.74	TRANSFERS FROM
RP12 12	63.88-	.00	.00	.00	.00	66.87-	130.75-	TRANSFERS TO
RP12 TOTALS	10.18	.58	.22	1.20	.00	.00	12.18	
RTN 12	25.00	.00	.00	.00	.00	.00	25.00	TRANSFERS FROM
RTN TOTALS	25.00	.00	.00	.00	.00	.00	25.00	
SUPP 08	147.02-	.00	.00	.00	.00	.00	147.02-	TRANSFERS TO
SUPP 09	147.02-	.00	.00	.00	.00	.00	147.02-	TRANSFERS TO
SUPP 10	147.02-	.00	.00	.00	.00	.00	147.02-	TRANSFERS TO
SUPP 11	147.02-	.00	.00	.00	.00	.00	147.02-	TRANSFERS TO
SUPP 12	.00	.00	.00	.00	.00	67.95	67.95	TRANSFERS FROM
SUPP 12	1890.23-	101.69-	29.05-	.00	.00	.00	2020.97-	TRANSFERS TO
SUPP TOTALS	2478.31-	101.69-	29.05-	.00	.00	67.95	2541.10-	
TOTALS	10105.63	3102.08	1789.24	5521.85	.00	7464.66	27983.46	

5,961.30

6,589.51

MAY 2013

2012	6,589.51
PRIOR	5,961.30
OMIT	< 3.87 >
RP11	.94
RP12	10.18
Supp	< 1,890.23 >
Supp P.	< 588.08 >
IN 12	.88
RTN	25.00
	<hr/>
	10,105.63

TAX ADJUSTMENT LISTING  
 5/01/13 - 5/31/13  
 BY TRANSACTION DATE  
 RECAP TOTALS BY ADJUSTMENT CODE

All account types  
 All roll codes

ADJ CODE	+ BASE	PAYMT REF	PYMT VOID	- BASE	CR REF	+/-TX DUE	TRANS FRM	TRANS TO
APCR	.00	.00	.00	.00	.00	.00	31579.36	31579.36-
BDCK	.00	.00	2626.01	.00	.00	.00	.00	.00
CBR	.00	859.24	.00	.00	17288.75	.00	.00	.00
CCF	50.00	.00	.00	.00	.00	.00	.00	.00
CHBK	.00	.00	2010.77	.00	.00	.00	.00	.00
IFRZ	665.49	.00	.00	.00	.00	.00	.00	.00
NSF	.00	.00	5198.69	.00	.00	.00	.00	.00
OTAX	10648.75	.00	.00	.00	.00	.00	.00	.00
OTHR	.00	.00	.00	.00	.00	.00	448.29	448.29-
REND	1128.76	.00	.00	175.97-	.00	.00	632.91	632.91-
RTN	200.00	.00	.00	.00	.00	.00	.00	.00
SCE	104.60	.00	.00	410.07-	.00	.00	1291.06	1291.06-
SCP	1029.35	.00	.00	738.81-	.00	.00	.00	.00
SDA	.00	.00	.00	1523.32-	.00	.00	188.68	188.68-
SDNE	.00	.00	.00	322.38-	.00	.00	.00	.00
SDVH	.00	.00	.00	2061.69-	.00	.00	201.90	201.90-
SENV	2314.73	.00	.00	.00	.00	.00	.00	.00
SLAW	.00	.00	.00	7647.08-	.00	.00	9855.22	9855.22-
SLHS	191.10	.00	.00	.00	.00	.00	.00	.00
SO65	.00	.00	.00	1660.91-	.00	.00	191.10	191.10-
SSPT	2331.48	.00	.00	8288.60-	.00	.00	2586.16	2586.16-
SVET	.00	.00	.00	394.94-	.00	.00	267.54	267.54-
TF	457.70	.00	.00	.00	.00	.00	.00	.00
TRNF	.00	.00	.00	.00	.00	.00	9382.28	9382.28-
TOTALS	19121.96	859.24	9835.47	23223.77-	17288.75	.00	56624.50	56624.50-

TAX ADJUSTMENT LISTING  
 5/01/13 - 5/31/13  
 BY TRANSACTION DATE  
 PAYMENT RECAP TOTALS BY YEAR/ADJUSTMENT CODE

All account types  
 All roll codes

YR/ADJ CODE	BASE TAX	PENALTY	INTEREST	COLL FEE	DISCOUNT	UNAPPLIED	TOTAL	
08	716.82	.00	.00	.00	.00	.00	716.82	TRANSFERS FROM
08	.00	.00	.00	.00	.00	716.82-	716.82-	TRANSFERS TO
08 OTHR	.00	64.51	28.67	.00	.00	.00	93.18	TRANSFERS FROM
08 TRNF	.00	.00	.00	.00	.00	716.82	716.82	TRANSFERS FROM
08 TRNF	147.02-	.00	.00	.00	.00	.00	147.02-	TRANSFERS TO
12 TOTALS	569.80	64.51	28.67	.00	.00	.00	662.98	
09	905.50	.00	.00	.00	.00	.00	905.50	TRANSFERS FROM
09	.00	.00	.00	.00	.00	905.50-	905.50-	TRANSFERS TO
09 CBR	.00	18.87	9.43	.00	.00	188.68	216.98	PAYMENT REFUND
09 CBR	.00	.00	.00	.00	.00	716.82	716.82	CREDIT REFUND
09 CHBK	14.61	1.75	5.41	3.27	.00	.00	25.04	PAYMENT VOID
09 NSF	.06	.01	.02	.01	.00	.00	.10	PAYMENT VOID
09 OTHR	.00	64.51	28.67	.00	.00	.00	93.18	TRANSFERS FROM
09 TRNF	147.02-	.00	.00	.00	.00	.00	147.02-	TRANSFERS TO
09 TOTALS	773.15	85.14	43.53	3.28	.00	.00	905.10	
10	899.48	.00	.00	.00	.00	.00	899.48	TRANSFERS FROM
10	.00	.00	.00	.00	.00	899.48-	899.48-	TRANSFERS TO
10 CBR	.00	18.87	9.43	.00	.00	188.68	216.98	PAYMENT REFUND
10 CBR	.00	.00	.00	.00	.00	710.80	710.80	CREDIT REFUND
10 CHBK	332.11	39.86	83.03	68.25	.00	.00	523.25	PAYMENT VOID
10 NSF	1711.96	205.15	478.70	359.03	.00	.00	2754.84	PAYMENT VOID
10 OTHR	.00	85.30	49.76	126.87	.00	.00	261.93	TRANSFERS FROM
10 TRNF	147.02-	.00	.00	.00	.00	.00	147.02-	TRANSFERS TO
10 TOTALS	2796.53	349.18	620.92	554.15	.00	.00	4320.78	
11	188.68	.00	.00	.00	.00	.00	188.68	TRANSFERS FROM
11	.00	.00	.00	.00	.00	188.68-	188.68-	TRANSFERS TO
11 BDCK	317.03	38.04	47.55	60.39	.00	.00	463.01	PAYMENT VOID
11 CBR	.00	18.87	9.43	.00	.00	188.68	216.98	PAYMENT REFUND
11 CBR	.00	.00	.00	.00	.00	1000.90	1000.90	CREDIT REFUND
11 CHBK	563.24	67.59	73.22	105.61	.00	.00	809.66	PAYMENT VOID
11 NSF	312.75	37.42	49.79	59.86	.00	.00	459.82	PAYMENT VOID
11 TRNF	147.02-	.00	.00	.00	.00	.00	147.02-	TRANSFERS TO
11 TOTALS	1234.68	161.92	179.99	225.86	.00	1000.90	2803.35	
12	10458.23	.00	.00	.00	.00	.00	10458.23	TRANSFERS FROM
12	.00	.00	.00	.00	.00	10458.23-	10458.23-	TRANSFERS TO
12 APCR	24632.72	1970.61	738.98	4101.35	.00	135.70	31579.36	TRANSFERS FROM
12 APCR	31579.36-	.00	.00	.00	.00	.00	31579.36-	TRANSFERS TO
12 BDCK	1948.65	155.89	58.46	.00	.00	.00	2163.00	PAYMENT VOID
12 CBR	.00	13.38	3.82	.00	.00	191.10	208.30	PAYMENT REFUND
12 CBR	.00	.00	.00	.00	.00	14860.23	14860.23	CREDIT REFUND
12 CHBK	560.94	33.66	5.61	52.61	.00	.00	652.82	PAYMENT VOID
12 NSF	1745.44	156.29	69.03	13.17	.00	.00	1983.93	PAYMENT VOID
12 OTHR	.00	.00	.00	.00	.00	448.29-	448.29-	TRANSFERS TO
12 REND	66.87	.00	.00	.00	.00	.00	66.87	TRANSFERS FROM
12 REND	.00	.00	.00	.00	.00	66.87-	66.87-	TRANSFERS TO
12 SCE	.88	.00	.00	.00	.00	.00	.88	TRANSFERS FROM
12 SCE	.00	.00	.00	.00	.00	.88-	.88-	TRANSFERS TO
12 SSPT	1838.77	108.38	30.96	.00	.00	.00	1978.11	TRANSFERS FROM
12 SSPT	.00	.00	.00	.00	.00	1978.11-	1978.11-	TRANSFERS TO

PREPARED 5/31/13, 17:58:32  
 PROGRAM TX420L  
 City of Laredo

TAX ADJUSTMENT LISTING  
 5/01/13 - 5/31/13  
 BY TRANSACTION DATE  
 PAYMENT RECAP TOTALS BY YEAR/ADJUSTMENT CODE

All account types  
 All roll codes

YR/ADJ CODE	BASE TAX	PENALTY	INTEREST	COLL FEE	DISCOUNT	UNAPPLIED	TOTAL	
12 TRNF	3462.40	274.56	102.96	571.43	.00	4254.11	8665.46	TRANSFERS FROM
12 TRNF	8404.07-	271.44-	93.69-	.00	.00	25.00-	8794.20-	TRANSFERS TO
12 TOTALS	4731.47	2441.33	916.13	4738.56	.00	6463.76	19291.25	
TOTALS	10105.63	3102.08	1789.24	5521.85	.00	7464.66	27983.46	

	PREVIOUS BALANCES	ORIGINAL TRANSACTIONS	ADJUSTMENTS TO ORIGINAL	ADJUSTMENTS TO PREVIOUS	NET ADJUSTMENTS	ENDING BALANCES
-	BASE TAX BILLED	67,635,334.37	.00	11,096.76	15,286.08-	67,631,145.05
-	BASE TAX PAID	62,326,178.41	846,747.53	1,189.15	5,920.62-	63,168,194.47
-	BASE PAID FROM DEFERRED	.00	.00	.00	.00	.00
+/-	ADJUSTMENTS TO UNPAID TAX	.00	.00	.00	.00	.00
=	OUTSTANDING BASE TAX	5,309,155.96				4,462,950.58

-	CHARGES LEVIED					
-	CHARGES PAID					
+/-	ADJUSTMENTS TO UNPAID CHARGES					
=	OUTSTANDING CHARGES					

OTHER PAID:						
PENALTY	294,721.47	48,463.79	275.87-	2,165.46-	2,441.33-	340,743.93
INTEREST	76,686.35	21,358.98	112.89-	803.24-	916.13-	97,129.20
COLLECTION FEE	24,354.93	13,310.00	584.60-	4,153.96-	4,738.56-	32,926.37
DISCOUNT	.00	.00	.00	.00	.00	.00
UNAPPLIED	76,682.84	32,704.38	2,199.72-	4,264.04-	6,463.76-	102,923.46
DEFERRED	.00	.00	.00	.00	.00	.00
TOTAL PAID	62,798,624.00	962,584.68	1,983.93-	17,307.32-	19,291.25-	63,741,917.43

	PREVIOUS BALANCES	ORIGINAL TRANSACTIONS	ADJUSTMENTS TO ORIGINAL	ADJUSTMENTS TO PREVIOUS	NET ADJUSTMENTS	ENDING BALANCES
- BASE TAX BILLED	881,844,485.76	.00	15,291.68	19,393.49-	4,101.81-	881,840,383.95
- BASE TAX PAID	871,525,362.67	990,421.74	1,152.65-	8,952.98-	10,105.63-	872,505,678.78
- BASE PAID FROM DEFERRED	.00	.00	.00	.00	.00	.00
+/- ADJUSTMENTS TO UNPAID TAX	2,734.03-		.00	.00	.00	2,734.03-
= OUTSTANDING BASE TAX	10,316,389.06					9,331,971.14

- CHARGES LEVIED						
- CHARGES PAID						
+/- ADJUSTMENTS TO UNPAID CHARGES						
= OUTSTANDING CHARGES						

OTHER PAID:						
PENALTY	19,291,899.19	63,731.22	556.49-	2,545.59-	3,102.08-	19,352,528.33
INTEREST	5,408,666.71	46,543.21	688.95-	1,100.29-	1,789.24-	5,453,420.68
COLLECTION FEE	9,369,169.59	39,773.34	1,063.89-	4,457.96-	5,521.85-	9,403,421.08
DISCOUNT	.00	.00	.00	.00	.00	.00
UNAPPLIED	61,230.00	32,955.43	2,199.72-	5,264.94-	7,464.66-	86,720.77
DEFERRED	.00	.00	.00	.00	.00	.00
TOTAL PAID	905,656,328.16	1,173,424.94	5,661.70-	22,321.76-	27,983.46-	906,801,769.64

**COUNCIL COMMUNICATION**

<p><b>DATE:</b>  06/17/13</p>	<p><b>SUBJECT: MOTION</b> Consideration for approval of the CDBG Cecilia Moreno Park Canopies (2) – District IV <b>as complete</b>, release of retainage and approval of final payment in the amount of \$2,370.00 to ALC Construction, Inc., Laredo, Texas. Final construction contract amount is \$23,700.00. Funding is available in the CDBG 36<sup>th</sup> Action Year/2010 Grant.</p>																		
<p><b>INITIATED BY:</b> Carlos Villarreal, City Manager</p>	<p><b>STAFF SOURCE:</b> Rogelio Rivera, P.E., City Engineer Ronnie Acosta, CD Director</p>																		
<p><b>PREVIOUS COUNCIL ACTION:</b> On March 18, 2013, City Council awarded a construction contract to ALC Construction, Inc., Laredo, Texas, in the base bid amount of \$19,750.00 for the CDBG Cecilia Moreno Park Canopies (2) – District VIII with a construction contract time of seventy-five (75) working days; and authorizing the City Manager to execute all related contract documents contingent upon receipt and approval of insurance and bond documents.</p>																			
<p><b>BACKGROUND:</b> These projects consisted of two painted metal structure canopies that were constructed to provide shade over existing picnic tables, bleachers, playground or existing junior basketball concrete slab.</p> <p>Plans and specifications were prepared in-house by the Engineering Department.</p> <table border="0" data-bbox="128 995 1321 1361"> <tr> <td>Original Construction Contract Amount.....</td> <td align="right">\$19,750.00</td> </tr> <tr> <td colspan="2">(Approved by City Council on March 18, 2013)</td> </tr> <tr> <td>Change Order No. 1.....</td> <td align="right">\$950.00</td> </tr> <tr> <td colspan="2">(Approved by City Manager on May 22, 2013)</td> </tr> <tr> <td colspan="2">Damage concrete needed to be replaced.</td> </tr> <tr> <td>Change Order no. 2.....</td> <td align="right"><u>\$3,000.00</u></td> </tr> <tr> <td colspan="2">(Approved by City Manager on May 31, 2013)</td> </tr> <tr> <td colspan="2">For extra metal skirt to the back side of the building and to add ten (10) working days to the construction contract time.</td> </tr> <tr> <td>Final construction contract amount.....</td> <td align="right">\$23,700.00</td> </tr> </table> <p>The project was completed within the contract time allotted.</p>		Original Construction Contract Amount.....	\$19,750.00	(Approved by City Council on March 18, 2013)		Change Order No. 1.....	\$950.00	(Approved by City Manager on May 22, 2013)		Damage concrete needed to be replaced.		Change Order no. 2.....	<u>\$3,000.00</u>	(Approved by City Manager on May 31, 2013)		For extra metal skirt to the back side of the building and to add ten (10) working days to the construction contract time.		Final construction contract amount.....	\$23,700.00
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(Approved by City Council on March 18, 2013)																			
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For extra metal skirt to the back side of the building and to add ten (10) working days to the construction contract time.																			
Final construction contract amount.....	\$23,700.00																		
<p><b>FINANCIAL IMPACT:</b> Funding is available in the CDBG 36<sup>th</sup> Action Year/2010 Grant. Account No. 211-9680-555-1438</p>																			
<p><b>COMMITTEE RECOMMENDATION:</b> N/A.</p>	<p><b>STAFF RECOMMENDATION:</b> Approval of Motion.</p>																		

**COUNCIL COMMUNICATION**

<b>DATE:</b>  06/17/13	<b>SUBJECT: MOTION</b>  PURSUANT TO LAREDO CITY CHARTER ARTICLE V, §5.02, DISCUSSION WITH POSSIBLE ACTION TO CONFIRM THE RECOMMENDATION BY JUDGE ROSIE CUELLAR, MUNICIPAL COURT JUDGE, OF THE APPOINTMENT OF MR. JOSE LUIS CASTILLO TO SERVE AS ASSOCIATE MUNICIPAL COURT JUDGE FOR THE CITY OF LAREDO.	
<b>INITIATED BY:</b> Judge Rosie Cuellar, Municipal Court Judge		<b>STAFF SOURCE:</b> Raul Casso, City Attorney
<b>PREVIOUS ACTION:</b> None		
<b>BACKGROUND:</b> The City Charter allows for the recommendation of one Associate Municipal Court Judge to be made by the presiding Municipal Court Judge. The recommendation must be confirmed by the affirmative vote of no less than five Council Members. This motion is to assure that the Court is adequately staffed during the presiding Judge's absence. The present 2013-2014 Municipal Court Budget has 1,040 hours (.50 FTE) available for associate judge use.		
<b>FINANCIAL:</b> These positions are budgeted in the present 2013-2014 Municipal Court Regular Salary Line item #101-1400-511-11-10.		
<b>RECOMMENDATION:</b> None.		<b>STAFF RECOMMENDATION:</b> Approval of motion.

## COUNCIL COMMUNICATION

<b>DATE:</b>  06/17/13	<b>SUBJECT: MOTION</b>  Authorizing the City Manager to execute a contract for Medical Director/Supervisor of Pre-Hospital care for the City of Laredo Fire Department for a three (3) year period with an option to renew for an additional three (3) year period. This contract shall be effective on July 1, 2013. Funding is available in the Laredo Fire Department operating budget in the Professional Services account.	
<b>INITIATED BY:</b> Carlos R. Villarreal, City Manager	<b>STAFF SOURCE:</b> Steve E. Landin, Fire Chief	
<b>PREVIOUS COUNCIL ACTION:</b> City Council approved a five (5) year contract on June 1 2008. This was a renewal with a period of performance to expire on May 31, 2013.		
<b>BACKGROUND:</b>  The position of Medical Director is responsible for the administration and compliance of the "Treatment and Transfer protocol. This document and the Medical Directors License have allowed the Paramedics to practice advanced life support medicine. The Medical Director also chairs the Quality Assurance committee and reviews all patients' records. This practice allows the department to change protocol as required, identify problem areas, and improve patient care. The Medical Director also recommends specifications for the purchase of equipment now in service in our ambulances. The Medical Director also serves as the Fire Chiefs advisor concerning Haz-Mat physical examinations and the medical needs of the paramedics.		
<b>FINANCIAL IMPACT:</b>  The contract cost is between \$55,000 to \$60,000 per year. Funding is available in the Laredo Fire Department operating budget in Professional Services account # 101- 2415-523-5528.		
<b>COMMITTEE RECOMMENDATION:</b> N/A	<b>STAFF RECOMMENDATION:</b> Staff recommends approval of this Motion.	

**COUNCIL COMMUNICATION**

<b>DATE:</b>  <b>06/17/2013</b>	<b>SUBJECT: RESOLUTION 2013-R-049</b> Authorizing the City Manager to accept and execute an amendment to the contract for the Women, Infants and Children (WIC) Program in the amount of \$22,250.00 from The Texas Department of State Health Services for a total of \$4,381,639.00. The term period is from October 1, 2012 through September 30, 2013.
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<b>INITIATED BY:</b> Cynthia Collazo Deputy City Manager	<b>STAFF SOURCE:</b> Hector F. Gonzalez, M.D., M.P.H. Health Director
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**PREVIOUS COUNCIL ACTION:** On March 18, 2013, Council approved Resolution 2013-R-025.

**BACKGROUND:**

The Texas Department of State Health Services has contracted with the City of Laredo to provide public health services to residents in Webb, Duval, Jim Hogg and Zapata Counties, as well as in Aransas, Brooks, Jim Wells, Kleberg, Live Oak and Refugio Counties through the City of Laredo Health Department (CLHD) for wellness, nutrition services and food supplemental services through the Women, Infant and Children (WIC) Program.

The WIC Program provides health screening, nutrition education and counseling, breastfeeding education and counseling, food supplemental services for whole grains, fruits, vegetables and dairy products, referrals to other programs, and immunizations at no cost to high risk, low income, eligible residents who are pregnant, lactating, infants, and children up to age five who are identified to have a nutritional risk.

Resources provided through this amendment are specifically for the Peer Counseling Program. The grant term is from October 1, 2012 through September 31, 2013.

**BUDGET ON NEXT PAGE**

**FINANCIAL:** The City of Laredo Health Department will receive an additional \$22,250.00 from the Texas Department of State Health Services for the Women, Infants and Children (WIC) Program for the period beginning October 1, 2012 through September 30, 2013. The revenue account 226-0000-323-4037 and the expenditure division 226-6008, with project number HEWI05 will increase by \$22,250.00. The revenue account 222-0000-372-1000 and expenditure division 226-6801-544-9900 will decrease by \$22,250.00. The total budget remains the same.

<b>RECOMMENDATION:</b>	<b>STAFF:</b> Recommends that Council approve the Resolution.
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Women, Infants and Children (WIC)  
 226-6008; Project HEWI05

BUDGET

CATEGORIES				
REVENUES		Original	Amended	New Total
REVENUES	\$	4,359,389	22,250	4,381,639
PROGRAM INCOME				
TOTAL REVENUES	\$	4,359,389	22,250	4,381,639
EXPENSES				
PERSONNEL	\$	2,343,724	0	2,343,724
FRINGE BENEFITS		1,189,222	10,000	1,199,222
TRAVEL		27,000	0	27,000
EQUIPMENT		5,000	0	5,000
SUPPLIES		170,547	0	170,547
CONTRACTUAL		0	0	0
OTHER		623,896	12,250	636,146
PROGRAM INCOME		0	0	0
TOTAL	\$	4,359,389	22,250	4,381,639

## RESOLUTION 2013-R-049

**AUTHORIZING THE CITY MANAGER TO ACCEPT AND EXECUTE AN AMENDMENT TO THE CONTRACT FOR THE WOMEN, INFANTS AND CHILDREN (WIC) PROGRAM IN THE AMOUNT OF \$22,250.00 FROM THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES FOR A TOTAL OF \$4,381,639.00. THE TERM PERIOD IS FROM OCTOBER 1, 2012 THROUGH SEPTEMBER 30, 2013.**

**WHEREAS**, the Texas Department of State Health Services has contracted with the City of Laredo to provide public health services to residents in Webb, Duval, Jim Hogg and Zapata Counties, as well as in Aransas, Brooks, Jim Wells, Kleberg, Live Oak and Refugio Counties through the City of Laredo Health Department (CLHD) for wellness, nutrition services and food supplemental services through the Women, Infant and Children (WIC) Program; and

**WHEREAS**, the WIC Program provides health screening, nutrition education and counseling, breastfeeding education and counseling, food supplemental services for whole grains, fruits, vegetables and dairy products, referrals to other programs, and immunizations at no cost to high risk, low income, eligible residents who are pregnant, lactating, infants, and children up to age five who are identified to have a nutritional risk; and

**WHEREAS**, resources provided through this amendment are specifically for the Peer Counseling Program. The grant term is from October 1, 2012 through September 31, 2013.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:**

**Section 1:** The City Manager is hereby authorized to accept and execute an amendment to the contract for the Women, Infants and Children (WIC) Program in the amount of \$22,250.00 from The Texas Department of State Health Services for a total of \$4,381,639.00. The term period is from October 1, 2012 through September 30, 2013.

**Section 2:** The revenue account 226-0000-323-4037 and the expenditure division 226-6008, with project number HEWI05 are hereby increased by \$22,250.00. The revenue account 222-0000-372-1000 and expenditure division 226-6801-544-9900 are hereby decreased by \$22,250.00. The total budget remains the same.

**Section 3:** The City Manager is hereby authorized to make transfers within the budget as allowable to meet the necessary costs to accomplish the scope of work for the program.

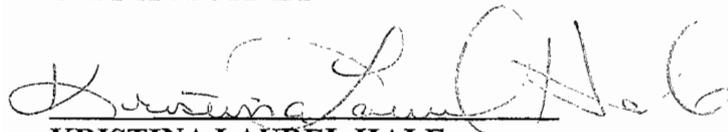
**PASSED BY THE CITY COUNCIL AND APPROVED BY THE  
MAYOR ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_,  
2013.**

\_\_\_\_\_  
**RAUL G. SALINAS  
MAYOR**

**ATTEST:**

\_\_\_\_\_  
**GUSTAVO GUEVARA, JR.  
CITY SECRETARY**

**APPROVED AS TO FORM:  
RAUL CASSO  
CITY ATTORNEY**

  
\_\_\_\_\_  
**KRISTINA LAUREL HALE  
ASSISTANT CITY ATTORNEY**



# TEXAS DEPARTMENT OF STATE HEALTH SERVICES

1100 West 49th Street • Austin, Texas 78756  
 P.O. Box 149347 • Austin, Texas 78714-9347  
 1-888-963-7111 • [www.dshs.state.tx.us](http://www.dshs.state.tx.us)  
 TDD: 1-800-735-2989

DAVID L. LAKEY, M.D.  
 COMMISSIONER

## Letter of Amendment

May 22, 2013

Ms. Nora Martinez, WIC Director  
 LA #13, City of Laredo Health Department  
 P.O. Box 2337  
 Laredo, TX 78044

Dear Ms. Martinez:

The City of Laredo Health Department FY 2013 WIC contract will be amended to reflect a revision as detailed in the table below. This letter constitutes a formal contract amendment.

Project	Project Contact	Current Award Amount	Amended Amount Increase	Amended Amount (Decrease)	Revised Project Total
Peer Counselor	Kristina Arrieta <a href="mailto:kristina.arrieta@dshs.state.tx.us">kristina.arrieta@dshs.state.tx.us</a> (512) 341-4593	\$141,654.00	\$22,250.00		\$163,904.00

This project amendment will be reflected in your contract "Not to Exceed" amount as shown below:

Contract "Not to Exceed" Amount			
Current Contract Amount	Amended Amount Increase	Amended Amount (Decrease)	Revised Contract "Not to Exceed" Amount
\$4,884,927.00	\$22,250.00		\$4,907,177.00

Funds are awarded with the understanding that any procurements using these funds will be in compliance with the Uniform Grants Management Standards (UGMS), WIC policies and 7 CFR Part 3016. **This letter is approval for funding only. It does not relieve the agency from seeking additional approvals as required by WIC Policy.**

In order for the State Agency to track these expenditures, please bill for each special project(s) listed above on a separate *State of Texas Purchase Voucher (B-13)*. Label each voucher with the specific project name as well as allocations to Administrative (Admin), Nutrition Education (NE) and Breastfeeding (BF) costs. Vouchers without allocations listed will be applied toward Admin.

Ms. Nora Martinez, WIC Director  
LA #13, City of Laredo Health Department  
May 22, 2013  
Page 2

For questions regarding funding decisions, please contact Benny Jasso, WIC Program, at (512) 341-4573, or [benny.jasso@dshs.state.tx.us](mailto:benny.jasso@dshs.state.tx.us). For questions regarding purchase requests, please contact Alisin Genfan, Contract Development and Support Branch, at (512) 776-3156 or [alisin.genfan@dshs.state.tx.us](mailto:alisin.genfan@dshs.state.tx.us).

Sincerely,

  
for Evelyn Delgado, Assistant Commissioner  
Family and Community Health Services Division

AG:klr



## COUNCIL COMMUNICATION

<b>DATE</b>  06/17/13	<b>SUBJECT: MOTION</b> Authorizing the City Manager to award a contract for professional engineering and consulting services to W.D. Schock Company of Nashville, Tennessee in the amount of \$1,364,371.00 to implement sound testing, design services and noise reduction studies and construction oversight for Phase VII – IX of residential sound insulation noise mitigation program improvements in support of the City of Laredo International Airport FAR Part 150 Airport Residential Sound Reduction Program. Funding is available under Federal Aviation (FAA) Administration Airport Improvement Projects (AIP), Grants Nos. 69 & 72.	
<b>INITIATED BY:</b> Cynthia Collazo Deputy City Manager		<b>STAFF SOURCE:</b> Ronnie Acosta Community Development Director Jose L. Flores Airport Manager
<b>PREVIOUS COUNCIL ACTION:</b> On 02/19/2013 City Council authorized staff to negotiate a contract with W.D. Schock for Sound Insulation consulting services.		
<b>BACKGROUND:</b>  The City of Laredo requested proposals from Engineering Consultants to provide overall project management and coordination of services and activities of all parties participating in the Residential Sound Insulation Program. Such services include program designs, implementation, reports and meetings as requested by the City of Laredo. In addition, the Consultant will prepare a plan for performing residential pre- and post-modification analyses; develop insulation plans and specifications, and assisting with the contractor selection by reviewing bid packages. Furthermore, the Consultant will perform construction management; conduct final inspections, etc. for all residential properties assigned by the City of Laredo and in full compliance of FAA requirements Two proposals were received on January 7, 2013. Staff recommended and City Council approved negotiations with W.D. Schock.  Staff has negotiated a contract in the amount of \$1,364,371.00 for 3 phases of sound insulation that includes design plans and improvements to 93 individual units. The contract time is limited to 29 months to comply with Federal Aviation Administration requirements.		
<b>FINANCIAL IMPACT:</b> Funding is available under Accts. 433-3659-583-5511 and 433-3604-583-5511, FAA AIP Grants Nos. 69 & 72, Purchased Professional Services/Architectural Fees.		
<b>COMMITTEE RECOMMENDATION:</b>		<b>STAFF RECOMMENDATION:</b> Staff recommends passage of Motion.

**COUNCIL COMMUNICATION**

<p><b>DATE:</b>  06/17/2013</p>	<p><b>SUBJECT: MOTION</b> AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH IPS GROUP, INC. FOR A PARKING METER PILOT PROJECT FOR THE INSTALLATION OF 50 SINGLE PARKING METERS AND 25 VEHICLE DETECTION SENSORS AT DIFFERENT LOCATIONS WITHIN THE CENTRAL BUSINESS DISTRICT AT NO COST TO THE CITY OF LAREDO.</p>
<p><b>INITIATED BY:</b> Carlos Villarreal, City Manager</p>	<p><b>STAFF SOURCE:</b> Jesus Olivares, Assistant City Manager Roberto Murillo, P.E, P.T.O.E., Traffic Manager</p>
<p><b>PREVIOUS COUNCIL ACTION:</b> None</p>	
<p><b>BACKGROUND:</b> The existing parking meters in the downtown area were installed in 1999 and are in dire need of replacement. There are approximately 1000 parking meters located throughout the downtown area. Recently, the City of Laredo again solicited proposals for a pilot project to test newer state of the art parking meter equipment to replace the existing parking meters. Duncan Industries had been selected for the pilot project the first time proposals were solicited but agreement was eventually terminated in April 18, 2013, by city council, for failure to comply with city’s parking meter operating requirements.</p> <p>The City received proposals from three (3) companies in response to the request for proposals for this pilot project. Duncan Industries submitted a proposal but did not comply with all the requirements set forth in the Request for Proposal. Criteria not met: the City of Laredo shall bare not cost during the pilot project period, all vendors must have references and the proposed system must have been installed with at least 3 additional customers with 500 or more meters for at least 12 months, all meter products shall be PA-DSS compliant and all service providers shall be PCI-DSS Level 1 certified. Mackay Meters, Inc. submitted a proposal but also did not comply with all the requirements in the Request for Proposals. Criteria not met: all vendors must have references and the proposed system must have been installed with at least 3 additional customers with 500 or more meters for at least 12 months, all meter products shall be PA-DSS compliant and all service providers shall be PCI-DSS Level 1, no wireless communication hardware is to be installed on street/utility/traffic light poles, credit card reconciliation, and on the vehicle detection device no additional network equipment shall be installed or mounted on street poles as part of this system.</p> <p>Staff carefully reviewed the three (3) proposals received and are recommending that IPS Group, Inc. be selected to enter into an agreement with the City or Laredo for this parking meter pilot project. The proposal submitted by IPS Group Inc. was the only proposal received that met all the requirements stipulated in the Request for Proposals.</p> <p>The pilot project will entail the installation of 50 new state-of-the-art single parking meters and 25 vehicle detection sensors to reset meters at locations selected by the Parking Meter Division. The pilot project will be in place for a period of three (3) months and is scheduled to start approximately in August 2013 and end October 2013. The City will bare no cost during the implementation of the three (3) month pilot project. The new parking meters include GPRS Wireless communication, solar and battery power; live monitoring for maintenance, audit and enforcement purposes. Parking meter payment options will be coins and credit cards with future capabilities for pay by cell, tokens, and smart cards. The pilot project will evaluate the revenue of collections comparing current meters with new parking meter options.</p> <p>The Parking Meter Fund currently has funding to upgrade approximately 300 parking meters including AutoTRAX license and merchant fees should the City decide to proceed with awarding contract to IPS Group after the pilot project.</p>	
<p><b>FINANCIAL:</b> \$250,000 is available in the Parking Meter Fund.</p>	
<p><b>RECOMMENDATION:</b></p>	<p><b>STAFF:</b> Staff recommends to proceed with the single parking meter pilot project.</p>

**IPS GROUP, INC.  
PARKING METER FIELD TRIAL AGREEMENT**

**THIS AGREEMENT** made this \_\_\_/\_\_\_/\_\_\_ by and between the City of Laredo, TX, whose principal place of business and mailing address is \_\_\_\_\_, (hereinafter called the "**CITY**") and IPS GROUP, INC., a Pennsylvania corporation, whose principal place of business and mailing address is 5601 Oberlin Dr., San Diego, CA 92121 (hereinafter called the "**IPS**").

**WHEREAS**, the **CITY** desires to contract with the **IPS** to perform a parking meter field test within the **CITY** using the patented IPS credit card enabled single space parking meter (SSPM) and IPS vehicle detection sensors; and

**WHEREAS**, **IPS** will install a quantity of 50 SSPM ("Meters") within **CITY** with no charge for installation and equipment to the **CITY** for a trial operational period of 90 days; and **IPS** will install a quantity of 25 vehicle detection sensors ("Sensors") within **CITY** with no charge for installation and equipment to the **CITY** for a trial operational period of 90 days.

**WHEREAS**, the **CITY** shall pay **IPS** a total amount not to exceed a one-time credit card processor set-up fee of \$125; Thirteen Cents (\$0.13) per credit card transaction; Three Dollars and Seventy-Five Cents (\$3.75) per meter per month for the secure Wireless Gateway Data rate; and Two Dollars (\$2.00) per meter per month for the web-based management system fee; and Three Dollars and Fifty Cents (\$3.50) per sensor per month for the wireless data. Field trials that extend beyond the initial period outlined above may be charged a meter hardware rental fee of \$15 per meter per month (30 days), sensor hardware rental fee of \$10 per sensor per month (30 days), and will be prorated in the event of a partial month of use. IPS agrees to waive all fees for the City during the trial period.

**WITNESSETH:**

The **CITY** and **IPS**, in consideration of the mutual covenants hereinafter set forth, agree as follows:

1. **Recitals.** Each party named in this Agreement agrees to execute the Agreement and to diligently undertake the acts necessary to consummate the transaction contemplated by this Agreement. Each party shall use its best efforts to consummate the transaction contemplated by this Agreement.

**Contract Price.** The **CITY** shall pay the **IPS** a total price not to exceed a one-time credit card processor set-up fee of \$125; Thirteen Cents (\$0.13) per credit card

transaction; Three Dollars and Seventy-Five Cents (\$3.75) per meter per month for the secure wireless Gateway Data Rate; and Two Dollars (\$2.00) per meter per month for the web-based management system fee; and Three Dollars and Fifty Cents (\$3.50) per sensor per month for the wireless data. IPS agrees to waive all fees for the City during the trial period.

2. **Payments.** Payment shall be made to **IPS** as follows:

- a) **IPS** will invoice the **CITY** at the end of each month after the trial period for all costs outlined in the contract price in paragraph 2 above.
- b) The contract price in paragraph 2 excludes any taxes that may be applicable to the **CITY**. Any applicable taxes will be added to the fees per paragraph 2 and will be paid by the **CITY**.
- c) The contract price in paragraph 2 excludes any additional costs associated with applicable permits that may be applicable and required by the **CITY**. Any applicable costs associated with permits will be added to the fees per paragraph 2 and will be paid or waived by the **CITY**.

**IPS agrees to waive these fees for the City during the trial period.**

3. **IPS's Duties.** **IPS** shall be responsible for providing the following:

- a) A quantity of 50 single space parking meters ("meters"); Meter Management System (MMS), and PCI-DSS Level 1 Certified Payment Gateway Services.
- b) A quantity of 25 vehicle detection sensors ("sensors");
- c) Configure the meters and sensors as directed by the **CITY** with regards to rates, hours of operation and credit card acceptance.
- d) Lead, with supervision of the **CITY**, the installation of the meters, sensors, and associated meter and management system training;
- e) Provide full technical support throughout the duration of the field trial via phone support, but will come on-site if required;
- f) Pay for shipping to/from the **IPS's** facility for any repair services that cannot be successfully completed by the **CITY**;

- g) Meet with the **CITY** on a regular basis (via conference call) to review the field trial and performance of the units;
- h) Measure the performance of the meters to determine the usage of credit cards and the corresponding benefit to the **CITY**;

4. **CITY's Duties.** The **CITY** shall be responsible for providing the following:

- a) Provide all required information regarding credit card processing and meter configuration to **IPS** in order to install the meters; The **CITY** will not require any third party gateway, however, the **CITY** will be required to pay for all services associated with the merchant account, including account management fees, interchange and processing fees. It is also the duty of the **CITY** to make **IPS** aware of any changes associated with the merchant account during the term of this agreement.
- b) Supervise and be present with the **IPS** Installation Crew during the installation and removal of the meters and sensors;
- c) Remit payment to **IPS** as outlined in the contract price in paragraph 2 on a Net 30 basis. **All fees are being waived for the City during this trial period.**
- d) Perform first line meter maintenance, including clearing of coin jams, card reader jams, and the like;
- e) Actively communicate any issues to **IPS**, in order for **IPS** to respond appropriately to reach a resolution.
- f) Provide current meter operating data to **IPS** in order to make a proper comparison between current operations and the trial meters. Data should include, but is not limited to, revenue data, paid occupancy data, meter uptime;
- g) Allow **IPS** to use the trial data and analysis in a case study, as a customer testimonial or use the **CITY** as a reference, subject to approval by the **CITY**.
- h) Allow **IPS** to conduct a public survey with regards to public preferences for new technology, to be paid entirely by **IPS** and approved by the **CITY** prior to commencement of survey.



party agrees that the event was the cause of the delay, the time to perform the obligations stated in this Agreement shall be extended by the number of days of delay caused by the event. If the required notice is not given by the delayed party, no time extension shall be granted.

11. **Confidentiality/Intellectual Property.** IPS understands the nature of public information and the requirement for the CITY to adhere to all rules and laws that apply to public information, such as Freedom of Information Act, Public Information Requests, and the like; However, the CITY also understands that the equipment provided by IPS contains intellectual property, copyrights and trade secrets that do not exist in the public domain. Therefore, the CITY agrees that it will not knowingly agree, assist, or sell any equipment or allow any third party to gain access to equipment, software, documentation provided by IPS for the purposes of reverse engineering or evaluation without the written consent of IPS.
12. **Severability.** If any provision in this Agreement subsequently is determined to be invalid, illegal, or unenforceable, that determination shall not affect the validity, legality, or enforceability of the remaining provisions stated in this Agreement unless that effect is made impossible by the absence of the omitted provision.
13. **Binding Document.** The CITY and IPS each binds itself, its partners, successors, assigns and legal representatives to the other party hereto in respect to all covenants, conditions, and obligations contained in the Agreement.
14. **Venue.** This Agreement shall be governed by the laws of the State of California as now and hereafter in force. The venue for actions arising out of this Agreement shall be in San Diego, CA
15. **Entire Agreement; Modification** - This Agreement between the parties consists only of the express written terms and conditions set forth in this Agreement. All understandings and agreements made between the parties are superseded by this Agreement, which alone fully and completely express the parties' understanding. There are no promises or agreements, oral or otherwise, inducing entry into this Agreement, except only as expressly in writing herein. The parties are relying only on the express terms, conditions and agreements set forth in this Agreement. The parties further agree that any promise or agreement, not expressly set forth in writing and signed by both parties, cannot be relied upon and will not be valid or enforceable.

16. **Signatures Required.** This Agreement shall be considered null and void unless signed by both **IPS** and the **CITY**. This Agreement shall be executed in two (2) counterparts, each of which shall be deemed to be an original of this Agreement.

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement, the  
day and year first above written.

**CITY**

**IPS GROUP, INC.**

By: \_\_\_\_\_

By: \_\_\_\_\_

Printed  
Name: \_\_\_\_\_

Printed Name: Chad P. Randall

Title: \_\_\_\_\_

Title: Chief Operating Officer

Date: \_\_\_\_\_

Date: \_\_\_\_\_

## COUNCIL COMMUNICATION

<b>DATE:</b> 06/17/2013	<b>Subject: MOTIONS</b> Consideration to authorize a purchase contract utilizing the Houston-Galveston Area Council of Governments (H-GAC) cooperative purchasing program pricing to Nueces Power Equipment, Corpus Christi, TX for the purchase of one backhoe in the amount \$60,224.33. Funding is available from 2012A Contractual Obligation bond proceeds.
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<b>INITIATED BY:</b> Jesus Olivares, Assistant City Manager	<b>STAFF SOURCE:</b> Rogelio Rivera, P.E., City Engineer Stephen Geiss, Solid Waste Services Manager Jack Dunn, Fleet General Manager Francisco Meza, Purchasing Agent
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**PREVIOUS COUNCIL ACTION:** Authorized participation in the H-GAC Cooperative Purchasing Program.

**BACKGROUND:** BuyBoard, H-GAC, State of Texas cooperative contract pricing was requested from manufacturers that maintain a local sales and services operation. A recommendation is being presented to the City Council that this contract be awarded to Nueces Power Equipment for the purchase of one backhoe. Delivery is expected with-in 60 to 120 working days.

<b>Nueces Power Equipment</b>		<u>Qty</u>	<u>Unit Price</u>	<u>Total</u>
H-GAC Contract# EM06-11	2013 Case 580SN	1	\$ 58,617.33	\$ 58,617.33
	5 Year Extended Power-Train Warranty	1	\$ 1,607.00	<u>\$ 1,607.00</u>
			Total	\$ 60,224.33
<b>Holt Caterpillar</b>		<u>Qty</u>	<u>Unit Price</u>	<u>Total</u>
BuyBoard 345-10	2013 Cat 416F	1	\$ 60,922.00	\$ 60,922.00
	5 Year Extended Power-Train Warranty	1	\$ 1,045.00	<u>\$ 1,045.00</u>
			Total	\$ 61,967.00
<b>RDO Equipment</b>		<u>Qty</u>	<u>Unit Price</u>	<u>Total</u>
BuyBoard 268-07	2013 John Deere 310K	1	\$ 63,997.00	\$ 63,997.00
	5 Year Extended Power-Train Warranty	1	\$ 750.00	<u>\$ 750.00</u>
			Total	\$ 64,747.00

**FINANCIAL IMPACT:** Funding is available from 2012A Contractual Obligation bond proceeds.

Department	Expense Account	Amount
Machinery Equipment Capital Outlay	556-2593-535-9004	\$ 60,224.33

<b>COMMITTEE RECOMMENDATION:</b>	<b>STAFF RECOMMENDATION:</b> It is recommended that this purchase contract be approved.
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# COUNCIL COMMUNICATION

<b>DATE:</b> 06/17/13	<b>SUBJECT: MOTIONS</b> Consideration to award supply contract number FY13-053 to City Ready Mix, Inc, Laredo, Texas, for an amount up to \$2,094,000.00, for the purchase of ready mix cement (job site is delivered). The term of this contract for a one year period with five, one year options and is subject to availability of funds. All materials are purchased on an as needed basis utilizing the Utilities, Parks and Leisure Services and Public Works Department's - construction projects budgets.
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<b>INITIATED BY:</b> Jesus Olivares, Assistant City Manager	<b>STAFF SOURCE:</b> Rogelio Rivera, P.E., City Engineer John Orfila, Jr., Public Works Division Manager Francisco Meza, Purchasing Agent
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**PREVIOUS COUNCIL ACTION:** None.

**BACKGROUND:** The City received two bids for awarding a contract for the purchase of ready mix cement used in street paving, street reconstruction, and general repair projects for all city departments. All bids must be submitted with a certified laboratory test report to assure compliance with City requirements. The Engineering Department and the Public Works Department have reviewed all bids received and is recommending that a contract be awarded to City Ready Mix, Inc.

**City Ready Mix, Inc**  
**Laredo, Texas**

Description	Est. Qty	Unit Price	Ext. Price
Class A Concrete (3000 PSI)	20,000 cubic yds.	\$ 82.00	\$ 1,640,000.00
Class C Concrete (3600 PSI)	4,000 cubic yds.	\$ 87.00	\$ 348,000.00
High Early Strength Concrete Mix	1,000 cubic yds.	\$ 106.00	\$ 106,000.00
<b>Total</b>			<b>\$ 2,094,000.00</b>

**United Procurement**  
**Oak Leaf, Texas**

Description	Est. Qty	Unit Price	Ext. Price
Class A Concrete (3000 PSI)	20,000 cubic yds.	\$ 105.35	\$ 2,107,000.00
Class C Concrete (3600 PSI)	4,000 cubic yds.	\$ 112.88	\$ 451,520.00
High Early Strength Concrete Mix	1,000 cubic yds.	\$ 118.25	\$ 118,250.00
<b>Total</b>			<b>\$ 2,676,770.00</b>

**FINANCIAL IMPACT:** The purpose of this contract is to establish prices for the commodities or services needed, should the City need to purchase these commodities or services. The City's obligation for performance of an annual supply contract beyond the current fiscal year is contingent upon the availability of appropriated funds from which payments for the contract purchases can be made. If no funds are appropriated and budgeted during the next fiscal year, this contract becomes null and void.

These materials are used by city departments required for all city paving, repair, and construction projects.

<b>COMMITTEE RECOMMENDATION:</b>	<b>STAFF RECOMMENDATION:</b> It is recommended that this contract be approved.
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## COUNCIL COMMUNICATION

<p><b>DATE:</b> 06/17/2013</p>	<p><b>MOTION:</b> Authorizing the City Manager to sign a Project Partnership Agreement(PPA) with Army Corps of Engineers, Fort Worth District for the design and construction of the Laredo Riverbend Section 206 Aquatic Ecosystem Restoration Project. The project would help to restore the degraded ecosystem by enlarging existing wetlands, removing exotic plants, revegetating the existing aquatic and terrestrial systems with native plants species and restricting vehicular access to the River bend area. The total cost of the project is about \$3.7 million with a 35% (matching fund from the City. Matching monies for the project is the in-kind land value(\$422,000.00), inkind construction of recreational features about \$280,000.00 and \$719,396.00 as cash match. Funding is available in the 2007 CO and Storm water improvement fund.</p>
<p><b>INITIATED BY:</b> Carlos Villarreal City Manager</p>	<p><b>STAFF SOURCE:</b> Riazul Mia, P.E., Director Environmental Services Department</p>
<p><b>PREVIOUS COUNCIL ACTION:</b> On July 3, 2000, the City Council authorized the City Manager to issue a letter of intent to partner with the U.S. Army Corps of Engineer to undertake an Ecosystem Restoration Project at the bend of Rio Grande River in Southwest Laredo. On July 26, 2000, the letter was issued by the City Manager.</p>	
<p><b>BACKGROUND:</b></p> <p>The Riverbend area has been adversely impacted due to gravel quarrying and subsequent infestations of exotic plants. The recommended plan would help to restore the degraded ecosystem by enlarging existing wetlands, removing exotic plants and revegetating the existing aquatic and terrestrial systems with native plants species and restricting vehicular access to the area. Implementation of the project would substantially improve habitat for local wildlife, including three federally endangered species and several state listed threatened and endangered species.</p> <p>The project also, include about 2000LF of concrete walking tail, different bird watching sites, and benches. This project will help to increase the Eco-tourism within the City of Laredo. Attached is the executive summary for the project.</p>	
<p><b>FINANCIAL IMPACT:</b> In the amount of \$719,396.00 from the 2007 CO and Storm water improvement fund.</p>	
<p><b>RECOMMENDATION:</b> Approval of the motion</p>	<p><b>STAFF RECOMMENDATION:</b> N/A</p>

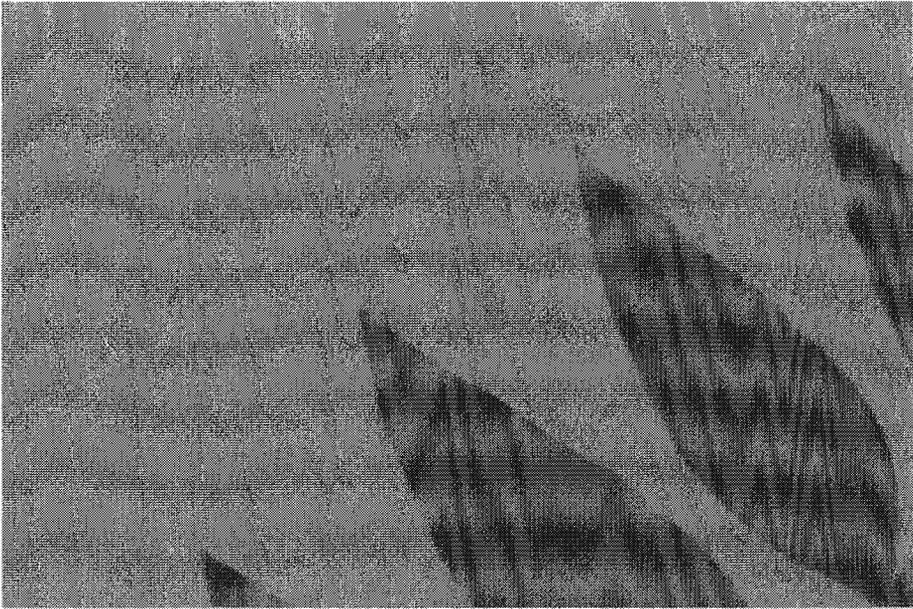
## Laredo Riverbend Section 206 Aquatic Ecosystem Restoration Project.

PPA Estimated Costs - 4 June 2013

Rio Grande Laredo Section 206

Project Item	Cost	% Cost Share	Fed Cost	NF Cost	TPC
Initial Feas Funds	\$100,000	100/0	\$100,000	\$0	\$0
Remaining Feas Cost	\$548,850	50/50	\$274,425	\$274,425	\$548,850
Design and Implementation	\$2,877,059	65/35	\$1,870,088	\$1,006,971	\$2,877,059
Recreation	\$280,000	50/50	\$140,000	\$140,000	\$280,000
<b>TOTALS</b>			<b>\$2,384,513</b>	<b>\$1,421,396</b>	<b>\$3,705,909</b>

<b>Sponsor Requirements(Laredo)</b>	
LERRDs	\$422,000
WIK	\$280,000
Cash	\$719,396
<b>Total</b>	<b>\$1,421,396</b>

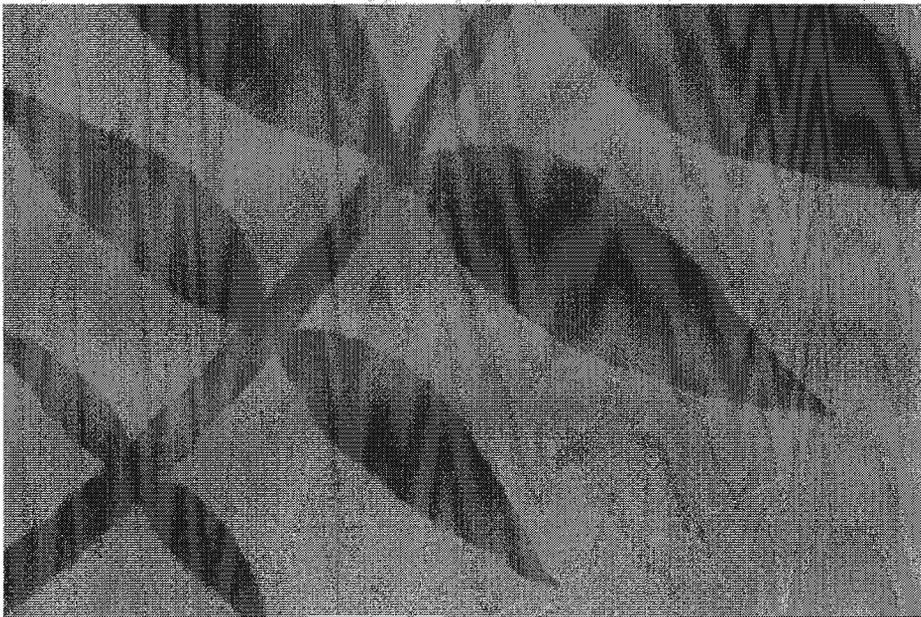


**LAREDO RIVERBEND SECTION 206  
AQUATIC ECOSYSTEM RESTORATION PROJECT  
ALTERNATIVES FORMULATION BRIEFING REPORT**

**APRIL 2013**



**U.S. Army Corps of Engineers  
Fort Worth District**



**Gulf South Research Corporation  
8081 GSRI Avenue  
Baton Rouge, Louisiana 70820  
(225) 757-8088**

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## EXECUTIVE SUMMARY

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2  
3 The continuing authority provided to the Chief of Engineers by Section 206 of the Water  
4 Resources Development Act of 1996 authorizes the U.S. Army Corps of Engineers (USACE),  
5 Fort Worth District (CESWF), to participate in the development and implementation of projects  
6 to restore aquatic habitats that have been significantly disturbed, degraded, or altered. CESWF  
7 and the non-Federal local sponsor, the City of Laredo, have proposed the implementation of an  
8 aquatic ecosystem restoration project within the Laredo Riverbend area.  
9

10 The City of Laredo is located in Webb County, Texas, approximately 120 miles south of San  
11 Antonio, Texas. The Laredo Riverbend study area, located along a sharp bend in the Rio  
12 Grande in the southwest corner of the city, comprises approximately 77 acres of riparian habitat  
13 that has been significantly degraded by historic gravel mining; proliferation of nonnative plants,  
14 erosion caused by runoff from adjacent development; and encroachment of numerous trails and  
15 roads by recreational users, illegal aliens, and law enforcement officials. Historically, these  
16 riparian habitats provided numerous benefits to the Rio Grande aquatic ecosystem, such as  
17 shade that reduced water temperatures; organic input from leaf litter and detritus that provided  
18 food sources for multiple aquatic organisms; branches and stems that provided structure for  
19 birds, reptiles, and insects; and a breeding, foraging, and migration corridor for resident and  
20 migratory wildlife, including three Federally listed under the Endangered Species Act, the  
21 interior least tern (*Sterna antillarum athalassos*), ocelot (*Leopardus pardalis*), and the Gulf  
22 Coast jaguarundi (*Herpailurus yagouaroundi cacomitli*). Other benefits of having quality riparian  
23 habitat adjacent to the Rio Grande include protecting water quality by intercepting sediments  
24 and pollutants and helping to recharge groundwater, thus increasing groundwater availability.  
25 The purpose of this study is to investigate the aquatic ecosystem problems in the Laredo  
26 Riverbend study area, identify opportunities for improvement, develop and evaluate potential  
27 restoration measures to restore important ecological resources, and recommend a plan for  
28 implementation, if one can be found, that is technically feasible and environmentally acceptable  
29 and meets the following study objectives.  
30

- 31
- 32 • Restore the quality and/or quantity of aquatic, wetland, and riparian habitats
  - 33 • Improve habitat suitability of aquatic, wetland, and riparian habitats.
  - 34 • Improve hydrological connectivity with surrounding waterbodies and reduce seasonal inundation.

- 1 • Improve water quality and reduce erosion.
- 2 • Improve vegetative structure to increase habitat quality and improve structural diversity.
- 3 • Increase the habitat quality of the study area as part of a migration, foraging, and
- 4 breeding corridor for common native wildlife and Federally protected species.

5  
6 Habitat Evaluation Procedures (HEP), developed by U.S. Fish and Wildlife Service (USFWS),  
7 were used to quantify the suitability of the following habitats: deciduous forested wetland,  
8 deciduous scrub savannah, deciduous scrub/shrub wetland, and lacustrine/herbaceous wetland.  
9 Using HEP, baseline habitat data collected in the field were analyzed to reveal that the study  
10 area ecosystem currently provides 3.42 habitat units (HUs) of lacustrine herbaceous wetland  
11 (L-HW) habitat, 1.74 HUs of deciduous forested wetland (DFW) habitat, 9.66 HUs of deciduous  
12 scrub/shrub wetland (DSSW) habitat, and 33.22 HUs of deciduous scrub savannah (DSS)  
13 habitat, and 0.032 HU of nesting habitat for a total of 48.06 HUs. Based on 15 years of in-field  
14 observations, the study area has not changed substantially since the origination of this study in  
15 the late 1990s. The nonnative plant species have remained constant without recognizable  
16 change or expansion, the water quality has remained poor, erosive features remained present  
17 with negligible increases, and the trails and roads have remained a constant. Development and  
18 impervious surfaces to the north, which affect runoff into the site, is at maximum capacity with  
19 no room for expansion. Therefore, no additional effects from impervious surfaces could occur.  
20 The City of Laredo, who owns the property, will not allow any further development of the study  
21 area and is in full support of this restoration plan. Due to these reasons, it is presumed that  
22 these baseline conditions would remain relatively unchanged without implementation of any  
23 restoration measures (i.e., Future Without Project).

24  
25 Through coordination with the USFWS and Texas Parks and Wildlife Department (TPWD),  
26 various restoration measures to improve hydrology and drainage, increase water depth, improve  
27 shoreline topography, remove monotypic stands of tamarisk (*Tamarix* spp.) and Carrizo cane  
28 (*Arundo donax*), reduce erosion, and create nesting habitat for avian species were developed.  
29 These measures were developed in sufficient detail to project their benefits, estimate costs, and  
30 assess engineering feasibility. Measures were then combined to create all possible alternative  
31 plans. Incremental Cost Analysis (ICA) was used to produce cost-effective plans. Thirty-five  
32 cost-effective plans were then evaluated based on incremental cost per incremental habitat unit  
33 of output to generate best-buy plans.

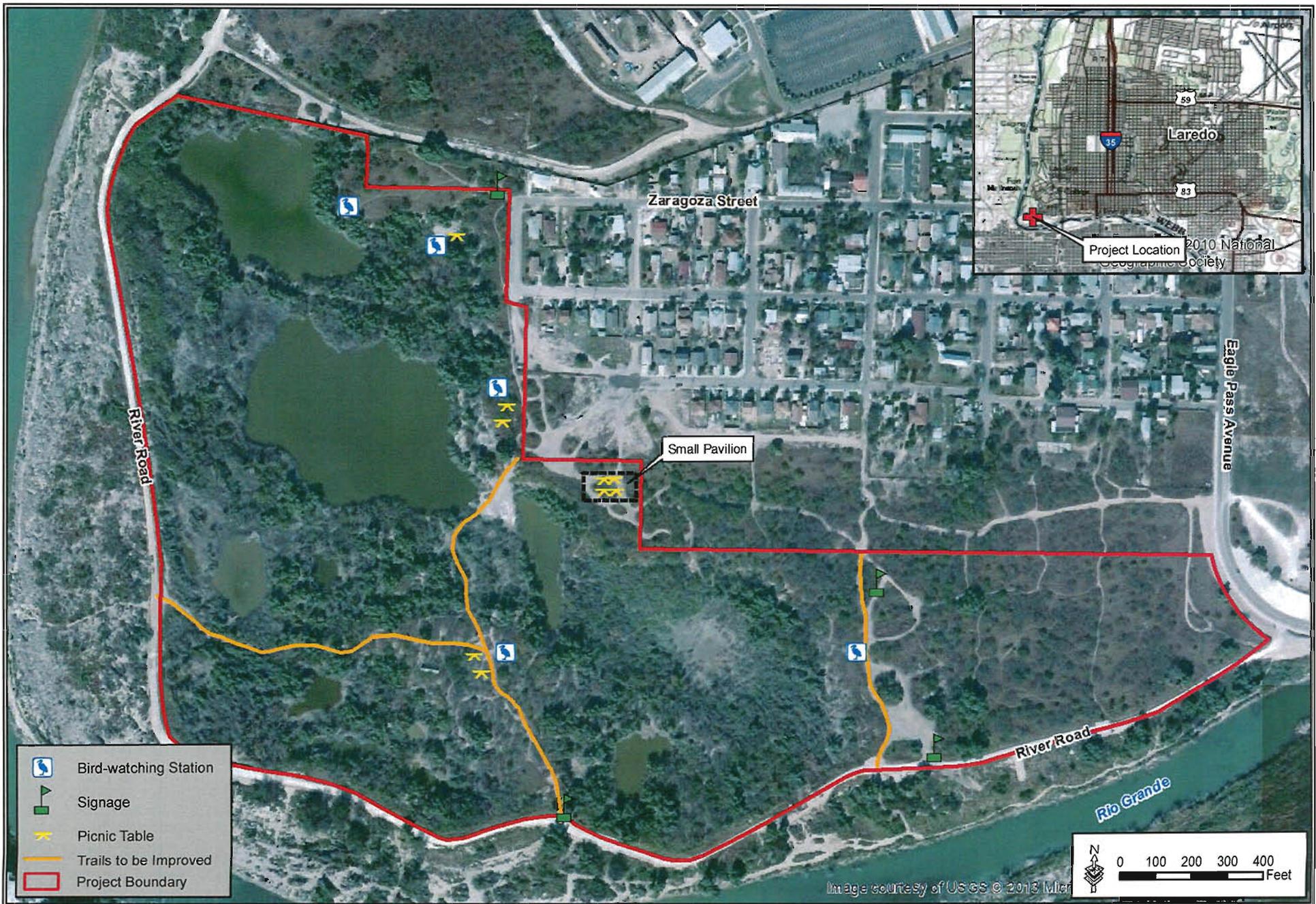


Figure 1-12. Recreation Features



Figure 7-1 Recommended Restoration Plan

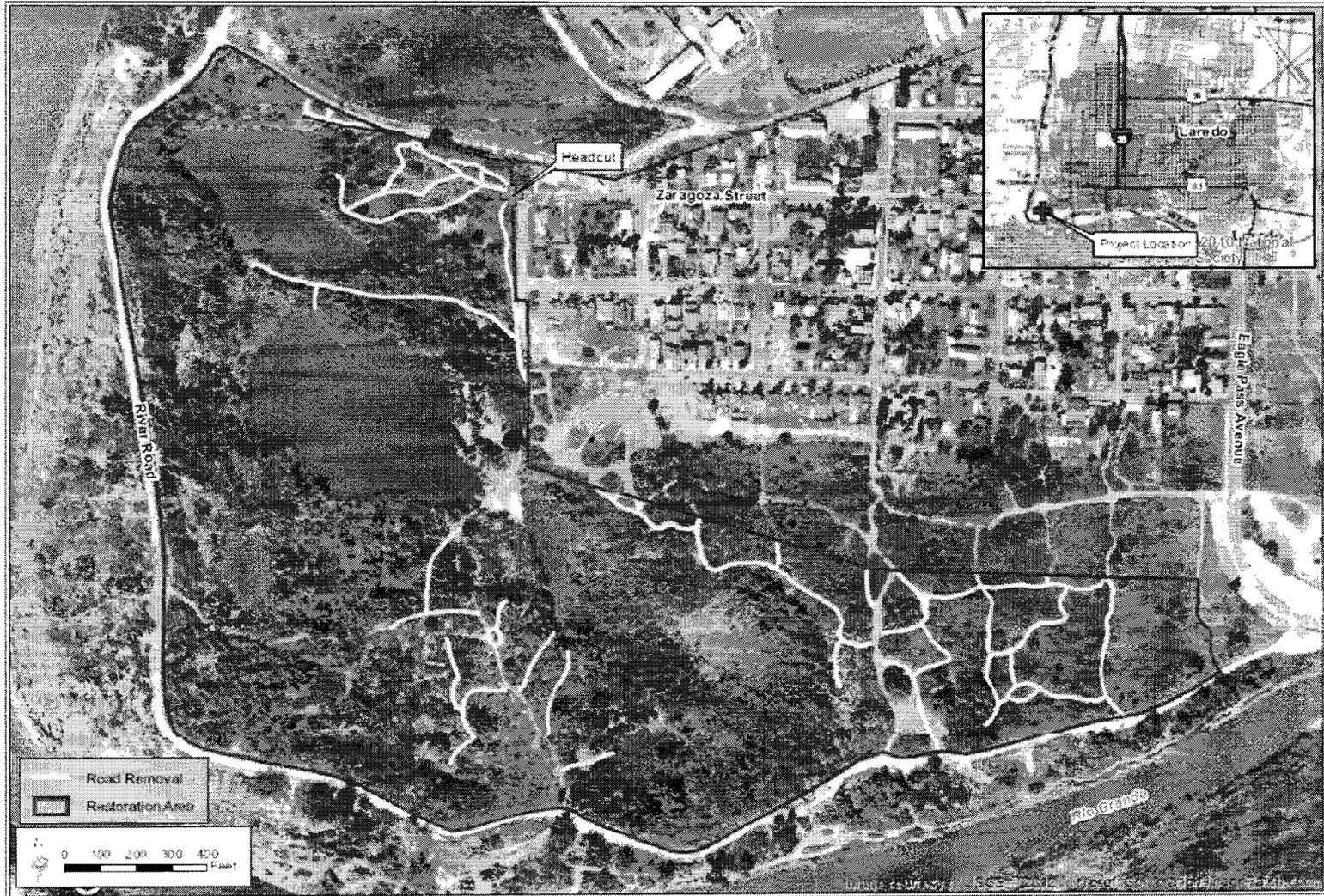


Figure 5-7: Reduce Erosion through Structural Amendments of Headcut and Removal of Roads (ERODE)

## COUNCIL COMMUNICATION

<b>DATE:</b>  06/17/13	<b>SUBJECT: MOTION</b>  Authorizing the City Manager to execute and award a contract with Carrillo & Associates, Inc. of Laredo, Texas, in the amount of \$127,440.00 for construction material testing services for the 60-inch Water Transmission Main Project. Funding is available in the 2012 Utility Bond.	
<b>INITIATED BY:</b> Jesus M. Olivares, Assistant City Manager	<b>STAFF SOURCE:</b> Tomas M. Rodriguez, Jr., P.E., Utilities Director	
<b>PREVIOUS COUNCIL ACTION:</b> On April 01, 2013 City Council awarded a construction contract to Mountain Cascade of Texas, LLC, for the construction of the 60-inch Water Transmission Main Project.		
<b>BACKGROUND:</b>  Carrillo & Associates, Inc. will provide construction material testing services for the 60-inch Water Transmission Main Project from Mines Road (FM-1472) to IH 35.		
<b>FINANCIAL IMPACT:</b> Funding is available in the 2012 Utility Bond 60" Tran Line NMLWTP/IH35 (Account 557-4194-538-0375)		
<b>COMMITTEE RECOMMENDATION:</b>  Operations and Finance Committees	<b>STAFF RECOMMENDATION:</b>  Approval of motion.	



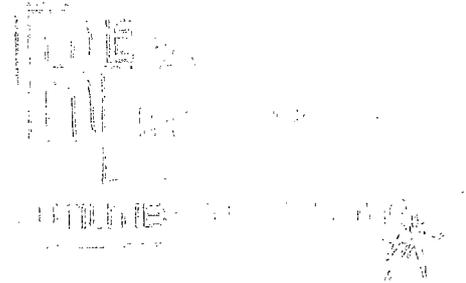
**CONSULTING ENGINEERS**

Construction Material Testing & Engineering • Geotechnical • Environmental

30-May-13  
 City of Laredo - Utilities Department  
 5816 Daugherty Avenue  
 Laredo, Texas 78041

Attn: Mr. Tomas M. Rodriguez Jr., P.E., Utilities Director

Re: Construction Materials Testing - 60 Inch Transmission Main



We are pleased to submit our estimated unit fees for the construction material and laboratory testing for the above referenced project. Field and laboratory testing frequencies and quantities for this estimate are based on the plans and specifications. The production days related to construction activities are assumed based on our past experience for this type of project and may reflect values that may be higher or lower. This estimate covers initial testing in accordance with the project documents and does not include control observation testing, re-testing, or any additional tests requested without prior approval from authorized representative.

All services for your project will be provided on a per call basis as requested and scheduled by your designated project management personnel and will be invoiced at unit prices as indicated in this estimate.

Carrillo & Associates, Inc. laboratory procedures, equipment and personnel are US Army Corps of Engineers validated, and meet the requirements for the Standard Practice for Laboratories ASTM C-1077 as well as the Standard Specification for Agencies Engaged in Construction Inspection and/or Testing ASTM E-329.

Carrillo & Associates, Inc. is certified as Disadvantaged, Woman, Minority, Small and Historically Underutilized Business. We thank you for this opportunity to provide our estimated fee cost and look forward to working with you on this and upcoming projects.

<b>Earthwork</b>	<b>Qty.</b>	<b>Unit</b>	<b>Unit Rate</b>	<b>Amount</b>
Backfill Proctor	20	Each	\$ 385.00	\$ 7,700.00
				\$ -
Flex Base Proctor	1	Each	\$ 450.00	\$ 450.00
Densities    Maximum depth per test: 12"	2430	Each	\$ 40.00	\$ 97,200.00
Minimum four (4) tests per trip (equivalent to 1 hour jobsite)				\$ -
Bearing and Primary Backfill Material (Sand)	<b>Qty.</b>	<b>Unit</b>	<b>Unit Rate</b>	<b>Amount</b>
Zero PI Sand Gradation	5	Each	\$ 260.00	\$ 1,300.00
			<b>Subtotal</b>	<b>\$ 106,650.00</b>

	Qty.	Unit	Unit Rate	Amount
Granular Fill Gradation	5	Each	\$ 260.00	\$ 1,300.00
Structural Backfill Fill Gradation	5	Each	\$ 260.00	\$ 1,300.00
Crushed Rock Gradation	5	Each	\$ 260.00	\$ 1,300.00
Clean Sand Gradation ASTM C33 No67 200 Sieve	5	Each	\$ 260.00	\$ 1,300.00
Backfill Atterberg Limits	20	Each	\$ 195.00	\$ 3,900.00
Asphalt Paving: Asphalt content, gradation, specific gravity, lab density	2	Each	\$ 425.00	\$ 850.00
Concrete Cylinders (set of 4 cylinders) includes air	15	Sets	\$ 180.00	\$ 2,700.00
CSLM Cylinders (set of 4 cylinders) includes Air, Flow, Unit Weight, Yield	12	Sets	\$ 180.00	\$ 2,160.00
Technician Standby Time	80 Hours		\$ 38.00	\$ 3,040.00
Technician Overtime (Weekend, before 7:00 am after 6:00 PM)	60 Hours		\$ 49.00	\$ 2,940.00

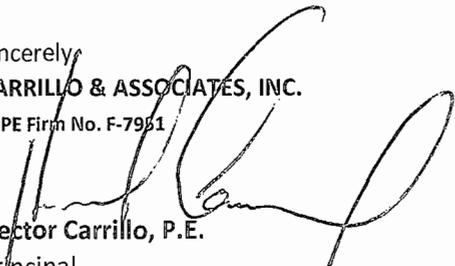
<b>Total QC Construction Material Testing:</b>	<b>\$ 127,440.00</b>
<b>Failed Tests at Additional Costs</b>	

Minimum call-out charge for **hourly** technician and equipment is 3 hours. Overtime rates of 1.3 times hourly are applicable to time worked in excess of 8 hours per day, Monday through Friday, hours worked before 7 a.m. or after 6 p.m. and all hours worked on Saturday, Sunday and holidays.

Technician will not enter trench unless OSHA approved trench protection is in place and is provided by client or contractor.

Should you need any information or have any questions, please call us at 956-726-9600.

Sincerely,  
**CARRILLO & ASSOCIATES, INC.**  
 TBPE Firm No. F-7961

  
**Hector Carrillo, P.E.**  
 Principal

**LIMITATION OF LIABILITY**

Client and Consultant have evaluated the risks and rewards and agree to allocate certain of the risks to the fullest extent permitted by law, the total liability of consultant to client and third parties granted reliance is limited to its fee, for any and all injuries, damages, claims, losses, or expenses (including attorney and expert fees) arising out of Consultant's services or this agreement regardless of cause or causes or the theory of liability, including negligence, indemnity or other recovery.

**ACCEPTANCE**

We appreciate the opportunity to submit this proposal and look forward to working with you in the development of this project. If this proposal is acceptable to you, please sign date and return one copy to our office. Our fax number is 956-726-9603.

Authorization to proceed:

Signature:

*Tomas M. Rodriguez Jr.*  
Mr. Tomas M. Rodriguez, P.E.  
Utilities Department Director

Date:

*5 June 2013*

Signature:

\_\_\_\_\_  
Mr. Carlos Villarreal  
City Manager

Date:

\_\_\_\_\_

Signature:

*Melissa A. Casso*  
Mr. Raul Casso  
City Attorney  
*Melissa A. Casso, P.O. Box 23, Houston*

Date:

*6/6/13*

Signature:

\_\_\_\_\_  
Mr. Gustavo Guvarra  
City Secretary

Date:

\_\_\_\_\_

CERTIFIED DBE, WBE, MBE, SBE, HUB and SBA 8(a)

A CERTIFIED TEXAS DEPARTMENT OF TRANSPORTATION CONSULTANT

VALIDATED US ARMY CORPS OF ENGINEERS LABORATORY





ENGINEERING CONSULTANTS

GEOTECHNICAL • CONSTRUCTION MATERIAL TESTING & ENGINEERING • ENVIRONMENTAL

## LETTER OF TRANSMITTAL

To: City of Laredo  
Utilities Department  
5816 Daugherty  
Laredo, Texas 78044  
Attn: Mr. Tomas M. Rodriguez, Jr., P.E.

Date: May 31, 2013

From: Hector Carrillo, P.E.

Re: 60 inch Transmission Main

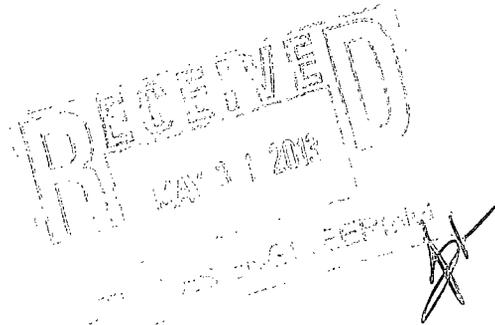
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WE TRANSMIT:  Herewith  
 In accordance with your request  
 Under Separate Cover

FOR YOUR:  Use  
 Approval  
 Information  
 Signature  
 Review and Comments

THE FOLLOWING:

<u>NO. OF COPIES</u>	<u>DESCRIPTION</u>
1	Proposal



## COUNCIL COMMUNICATION

<b>DATE:</b>  04/01/13	<b>SUBJECT: MOTION</b>  Award contract and authorize the City Manager to execute the construction contract to the lowest bidder Mountain Cascade of Texas, LLC, Mansfield, Texas in the amount of \$15,478,113.00 for the construction of the 60-inch Transmission Main Project. Construction time is 255 working days for final completion. Funding is available in the 2012 Utility Bond.																		
<b>INITIATED BY:</b> Jesus M. Olivares Asst. City Manager	<b>STAFF SOURCE:</b> Tomas M. Rodríguez Jr., P.E. Utilities Director																		
<b>PREVIOUS COUNCIL ACTION:</b> None																			
<p><b>BACKGROUND:</b> Bids for the 60-inch Transmission Main Project were received in Laredo, Texas on March 7, 2013, and were opened on March 8, 2012. The bidders were as follows:</p> <table border="1" style="margin-left: auto; margin-right: auto; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Contractors</th> <th style="text-align: center;">Bid Amount</th> </tr> </thead> <tbody> <tr> <td>1. Mountain Cascade of Texas, LLC., Mansfield, Texas</td> <td style="text-align: right;">\$15,478,113</td> </tr> <tr> <td>2. Garney Companies, Inc., Kansas City, MO</td> <td style="text-align: right;">\$15,725,707</td> </tr> <tr> <td>3. Oscar Renda Contracting, Inc., Roanoke, Tx</td> <td style="text-align: right;">\$17,460,659</td> </tr> <tr> <td>4. Condie Construction Company, Inc., Springville, UTHA</td> <td style="text-align: right;">\$17,582,971</td> </tr> <tr> <td>5. S.J. Louis Construction of Texas, Ltd., San Antonio, Texas</td> <td style="text-align: right;">\$18,723,099</td> </tr> <tr> <td>6. SER Construction Partners, LLC., Pasadena, Texas</td> <td style="text-align: right;">\$19,081,817</td> </tr> <tr> <td>7. Ranger Pipelines, Inc., San Francisco, CA</td> <td style="text-align: right;">\$21,912,619</td> </tr> <tr> <td>8. Layne Heavy Civil, Inc., Denver, CO</td> <td style="text-align: right;">\$22,600,246</td> </tr> </tbody> </table> <p>Black &amp; Veatch (Consultant Engineer) reviewed the documents and qualifications of the apparent lowest bidder which were submitted with the bid. Mountain Cascade of Texas, LLC sent "Invitation to Bid" to seventeen Laredo subcontractors. Consultant recommends the contract be awarded to Mountain Cascade of Texas, LLC and staff supports the recommendation.</p>		Contractors	Bid Amount	1. Mountain Cascade of Texas, LLC., Mansfield, Texas	\$15,478,113	2. Garney Companies, Inc., Kansas City, MO	\$15,725,707	3. Oscar Renda Contracting, Inc., Roanoke, Tx	\$17,460,659	4. Condie Construction Company, Inc., Springville, UTHA	\$17,582,971	5. S.J. Louis Construction of Texas, Ltd., San Antonio, Texas	\$18,723,099	6. SER Construction Partners, LLC., Pasadena, Texas	\$19,081,817	7. Ranger Pipelines, Inc., San Francisco, CA	\$21,912,619	8. Layne Heavy Civil, Inc., Denver, CO	\$22,600,246
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8. Layne Heavy Civil, Inc., Denver, CO	\$22,600,246																		
<b>FINANCIAL IMPACT:</b> Funding is available in the 2012 Utility Bond 60" Tran Line NMLWTP/IH35Account # 557-4194-538-0375																			
<b>COMMITTEE RECOMENDATION</b> Operations & Finance Committee	<b>STAFF RECOMMENDATION:</b> Approval of Motion																		

## COUNCIL COMMUNICATION

<b>DATE:</b>  6/17/2013	<b>SUBJECT: STAFF REPORT</b>  <b>Presentation on the City of Laredo's recent projects through FY 2013</b>	
<b>INITIATED BY:</b> Carlos Villarreal City Manger	<b>STAFF SOURCE:</b> Monica Tomutsa Molano Administrative Assistant II	
<b>PREVIOUS COUNCIL ACTION:</b> None.		
<b>BACKGROUND:</b> This staff report is in response to a request by Council Member Mike Garza that the City share some of the recent activities and accomplishments that have happened in our community.		
<b>FINANCIAL IMPACT:</b> None.		
<b>COMMITTEE RECOMMENDATION:</b>  N/A		<b>STAFF RECOMMENDATION:</b>  N/A

**CITY COUNCIL MEETING AS MASS TRANSIT BOARD COMMUNICATION**

<b>DATE:</b> 06/ 17 /2013	<b>SUBJECT: MOTION</b> Consideration to exercise the second and final renewal option for the purchase of engine oil and lubricants for contract FY12-039 to the following bidders: 1) Arguindegui Oil, Co., Laredo, Texas, up to an estimated amount of \$63,527.05. 2) Gonzalez Auto Parts, Laredo, Texas up to an estimated amount of \$36,077.00. This is a six month contract extension. Funding is available in the Laredo Transit Management, El Metro Operations Fund.
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<b>INITIATED BY:</b> Jesus Olivares, Assistant City Manager	<b>STAFF SOURCE:</b> Mark Pritchard, Transit System General Manager Joe Jackson, Assistant General Manager Operational Maintenance Francisco Meza, Purchasing Agent
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**PREVIOUS BOARD ACTION:** Contract was awarded on 011/19/2012 for the first six month contract extension. This is the second and final of (2) two six month contract extensions.

**BACKGROUND:**  
The City of Laredo / LMT received five (5) bids for furnishing the Transit System with engine oil and lubricants for a six month contract. This contract has an option to extend the contract with the same specifications and pricing for two (2) additional six month periods upon mutual consent of both parties. All items will be purchased on an as needed basis throughout the contract period.

Arguindegui Oil	Est. Qty.	Units	Unit Price	Ext. Price
Multigrade 15W40 CJ4 Diesel	5,000	Gallons	\$7.68	\$38,400.00
Antifreeze 50/50 Green	30	Drums	\$223.97	\$ 6,719.10
Coolant Plus 100% Green	30	Drums	\$371.18	\$11,135.40
Super ATF	5	Drums	\$394.11	\$ 1970.55
Diesel Exhaust Fluid	40	Drums	\$132.55	\$ 5,302.00
<b>Contract Total</b>				<b>\$63,527.05</b>

Gonzalez Auto Parts	Est. Qty.	Units	Unit Price	Ext. Price
Quaker S. Compressor Oil	5,500	Quarts	\$ 3. 95	\$21,725.00
Automatic Trans. Fluid TES 295	1,200	Gallons	\$11.96	\$14,352.00
<b>Contract Total</b>				<b>\$36,077.00</b>

Comparison Table

Product	G.West	Gonzalez A.	Hollon Oil	Tarquin Oil	Arguindegui
Multigrade 15W40 CJ4 diesel	\$7.89	\$9.99	\$8.08	\$ -	\$7.68
Quaker State Compressor Oil	\$2.34 (Golden West Brand)	\$3.95	\$2.50(Lubric art Brand)	\$ -	\$2.62 (Kendal Brand)
Antifreeze 50/50 Green	\$228.00	\$360.00	\$308.88	\$288.75	\$223.97
Coolant Plus 100% Green	\$395.94	\$620.00	\$492.88	\$404.25	\$371.18
Super ATF	\$395.94	\$526.00	\$431.88	\$ -	\$394.11
Automatic Trans. Fluid TES 295(gallon size)	\$7.14 (incorrect price)	\$11.96	\$29.98	\$ -	\$19.54
Diesel Exhaust Fluid	\$140.94	\$195.00	\$148.88	\$ -	\$132.55

**FINANCIAL IMPACT:**  
Funding is available in:  
Fixed Route (Oil & Other Lubricants) 558-5811-582-6660  
Paratransit (Oil & Other Lubricants ) 558-5812-582-6660

<b>COMMITTEE RECOMMENDATION</b>	<b>STAFF RECOMMENDATION:</b> Staff recommends approval of this motion.
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