

**CITY OF LAREDO  
CITY COUNCIL MEETING  
M-2014-R-20  
CITY COUNCIL CHAMBERS  
1110 HOUSTON STREET  
LAREDO, TEXAS 78040  
DECEMBER 1, 2014  
5:30 P.M.**

**I. CALL TO ORDER**

With a quorum present, Mayor Pete Saenz called the meeting to order.

**II. PLEDGE OF ALLEGIANCE**

Mayor Pete Saenz led in the pledge of allegiance.

**III. ROLL CALL**

|                       |                                |
|-----------------------|--------------------------------|
| Pete Saenz,           | Mayor                          |
| Mike Garza,           | District I                     |
| Esteban Rangel,       | Mayor Pro-Tempore, District II |
| Alejandro Perez, Jr., | District III                   |
| Juan Narvaez,         | District IV                    |
| Roque Vela, Jr.,      | District V                     |
| Charlie San Miguel,   | District VI                    |
| Cindy Liendo,         | District VIII                  |
| Gustavo Guevara, Jr.  | City Secretary                 |
| Carlos Villarreal,    | City Manager                   |
| Cynthia Collazo,      | Deputy City Manager            |
| Horacio De Leon,      | Assistant City Manager         |
| Jesus Olivares,       | Assistant City Manager         |
| Raul Casso,           | City Attorney                  |

**IV. MINUTES**

Approval of the minutes of November 17, 2014.

Motion to approve the November 17, 2014 minutes.

Moved: Cm. Garza

Second: Cm. San Miguel

For: 5

Against: 0

Abstain: 0

Cm. Liendo and Mayor Pro Tem Rangel were not present.

## **V. COMMUNICATIONS AND RECOGNITIONS**

### **Communiqués**

- a. Invitation to the celebration and grand opening of the McKendrick Ochoa Salinas Branch Library, which will officially open its doors to the public on Thursday, December 4, 2014 at 10:30 a.m. (Council Member Mike Garza)

Cm. Garza invited the public, staff and everybody that was a part of getting the library done to celebrate its opening. He mentioned that there was a media walk-through tomorrow at noon.

- b. Extending an invitation to Mayor and Members of the Laredo City Council and the general public for Navidadfest 2014, Laredo's official tree lighting event and holiday kickoff celebration, to be held at the Laredo Energy Arena on Wednesday, December 3, 2014 from 6:00 p.m. – 9:00 p.m.

Cm. Vela reported that the Navidadfest would include the special tree lighting of a 54-foot tree for the City of Laredo that would be lit the same day as the Rockefeller tree. He added that tree lighting ceremony choirs would sing every fifteen minutes and that there would be ice skating, a snow slide, cookies, and Santa Claus as well as a pet adoption area.

Convention and Visitors Bureau Director Blasita Lopez reported that the event was a collaborative effort between many entities such as UISD, LISD, and city departments as well as the Laredo Energy Arena. She added that the event was free and completely open to the public and that if they had their own skates, they could come and skate.

### **Recognitions**

- a. Recognizing the Lyndon B. Johnson High School Football Team for obtaining the 29 6A Co - District Championship.

Mayor Saenz and City Council congratulated Lyndon B. Johnson High School Football Team members Arturo Casso, David Malacara, Alejandro Fernandez, Jose Contreras, Andy Gutierrez, Ernie Rodriguez, Freddy Garcia, Steban Hernandez, Mark Cisneros, Jesus Barrios, Antonio De La Torre, Felipe Chavez, Martin Castillo, Jesus Sanchez, Abram Meza, Miguel Morales, Alejandro Verastegui, Juan Cisneros, Miguel A. Ruiz, Alejandro Rivera, Oswaldo Ramon, Eduardo Nuncio, Jesus Orozco, Mario Hernandez, Tony Luna, Carlos Rivera, Gerardo Espinoza, Jose Arriaga, Luis Castillo, Luis Alfaro, Jesse Orta, David Luna, Daniel Hughes, Dominic Rodriguez, Jordy Velasquez, Jose Rodriguez, Joseph Carreon, Jonathan Valadez, Max

Ramos, Fernando Guevara, Jose Uribe, Alvaro Ramos, Valentin Palomares, Adrian Casso, Genaro Chavez, Mario Camero, Guillermo Perez, Mario Torres, Erik Gonzalez, Juan Vieyra, Hector Velazquez, Cristopher Martinez, Joe Garcia, Frank Flores, Norman Madrigal, Brandon Bautista, Miguel Vela, and Jesus Mercado and presented them with certificates of recognition.

- b. Recognizing the Grip n Rip Tennis Team players for obtaining the 2014 USTA State Championship in Abilene, Texas on November 15, 2014.

Mayor Saenz and City Council congratulated Grip n Rip Tennis team members Alex Ventura, Vanessa Rodriguez, Frank Rios, Mariella Zaragoza, and Emilio Ventura and presented them with certificates of recognition.

**Citizen comments**

David Garcia stated that he and Council Member Garza were work colleagues and he could say that there had been many challenges, but that he had no regrets about moving to Laredo. He thanked Cm. Garza for being his friend.

Sergio Martinez talked about the City Manager's job and how he should make sure that the best interests of the citizens were served; therefore, he proposed that the Council work together with an exploratory committee made up of citizens to vet the candidates for the position and see that the spirit of their government were being considered.

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

- a. Appointment by Council Member Roque Vela, Jr. of Richard Perales to the Board of Adjustments.

Motion to approve the nomination of Richard Perales to the Board of Adjustment.

Moved: Cm. Garza

Second: Cm. Narvaez

For: 7

Against: 0

Abstain: 0

- b. Appointment by Council Member Mike Garza to the City Charter Review Ad Hoc Committee.

Motion to approve the nomination of Roberto J. Santos to the Charter Review Commission.

Moved: Cm. Garza

Second: Cm. Narvaez

For: 7

Against: 0

Abstain: 0

## **VII. PUBLIC HEARINGS**

1. Public hearing and introductory ordinance authorizing the issuance of City of Laredo, Texas Sports Venue Sales Tax Revenue Refunding Bonds, Series 2014 in the estimated amount of \$21,160,000.00 and ordaining other matters relating to the subject including authorizing a bond purchase agreement, a paying agent/registrar agreement and an official statement, and providing for the security of the bonds and the pledging of a sales tax and authorizing amendment to City's budget to appropriate such proceeds for purposes authorized herein and delegating to the Mayor and /or the City Manager the authority to approve all final terms of the bonds.

Motion to open the public hearing.

Moved: Cm. Garza

Second: Mayor Pro Tem Rangel

For: 6

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Vela

Second: Cm. San Miguel

For: 6

Against: 0

Abstain: 0

Ordinance Introduction: City Council

## **VIII. INTRODUCTORY ORDINANCES**

2. Amending Chapter 19, Motor Vehicle and Traffic, Article VIII, Stopping, Standing or Parking, of The Code of Ordinances, City of Laredo: Specifically adding Section 19-364 (14) which establishes the North side of the 600 Block of Amistad Drive, to include the entire Cul-De-Sac at the west end of this section of street, located just west of McPherson Road, as a No Parking/Tow Away Zone; providing severability, effective date and publication.

Cm. Vela said that there was an issue in District V because of creating parking issues. He added that he wished to amend this so that it would be a no parking tow away zone except during normal business hours. Therefore, Monday through Friday from 8am through 5pm, it would not be a tow away zone, but at all other times it would be.

Ordinance Introduction: City Council

**IX. FINAL READING OF ORDINANCES**

Motion to waive the final readings of Ordinances 2014-O-156, 2014-O-157, 2014-O-158, 2014-O-159, 2014-O-160 and 2014-O-161.

Moved: Cm. Garza

Second: Cm. Vela

For: 6

Against: 0

Abstain: 0

Cm. Liendo was not present.

3. 2014-O-156 Designating the City Limits and ETJ (five miles outside city limits) as the Tax Abatement Reinvestment Zone for commercial/industrial tax abatement; establishing the boundaries thereof and other matters relating thereto; declaring findings of fact; providing for severability; and providing for an effective date.

Motion to adopt Ordinance 2014-O-156.

Moved: Cm. Garza

Second: Mayor Pro Tem Rangel

For: 6

Against: 0

Abstain: 0

Cm. Liendo was not present.

- 2014-O-157 Altering and extending the boundary limits of the City of Laredo, annexing additional territory of 80.395 acres, more or less, located north of US Highway 359 and east of the City of Laredo Landfill, as further described by metes and bounds in Attachment "A", specifically the Hurd Tract, providing for the effective date of the ordinance, adopting a service plan for the annexed territory, and establishing the initial zoning of M-1 (Light Manufacturing District).

Motion to adopt Ordinance 2014-O-157.

Moved: Cm. Garza

Second: Mayor Pro Tem Rangel

For: 6

Against: 0

Abstain: 0

Cm. Liendo was not present.

- 2014-O-158 Altering and extending the boundary limits of the City of Laredo, annexing additional territory of 1.07 acres, more or less, as further described by metes and bounds in Attachment "A", specifically the J. M. Aguilar Tract, providing for the effective

date of the ordinance, adopting a service plan for the annexed territory, and establishing the initial zoning of R-1 (Single Family Residential District).

Motion to adopt Ordinance 2014-O-158.

Moved: Cm. Garza  
Second: Mayor Pro Tem Rangel  
For: 6                                  Against: 0                                  Abstain: 0

Cm. Liendo was not present.

2014-O-159 Amending Ordinance No. 2012-O-005 authorizing the issuance of a Conditional Use Permit for two (2) mobile homes on Lots 1 through 7, Block 1, Del Mar Hills Subdivision, Section 1, Area B; located at 10 East Del Mar Boulevard, by extending the expiration date for an additional ten (10) years; providing for publication and effective date.

Motion to adopt Ordinance 2014-O-159.

Moved: Cm. Garza  
Second: Mayor Pro Tem Rangel  
For: 6                                  Against: 0                                  Abstain: 0

Cm. Liendo was not present.

2014-O-160 Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit for a Restaurant Serving Alcohol, on Lot 3, Block 1, Del Mar North Filing No. 1, Building 1A of Falcon Centre at McPherson, located at 7718 McPherson, Suite 102; providing for publication and effective date.

Motion to adopt Ordinance 2014-O-160.

Moved: Cm. Garza  
Second: Mayor Pro Tem Rangel  
For: 6                                  Against: 0                                  Abstain: 0

Cm. Liendo was not present.

2014-O-161 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 All of Block 523, Western Division, located at 2220 Sanchez Street.

Motion to adopt Ordinance 2014-O-161.

Moved: Cm. Garza  
Second: Mayor Pro Tem Rangel  
For: 6                              Against: 0                              Abstain: 0

Cm. Liendo was not present.

**X. RESOLUTIONS**

4. 2014-R-108 Authorizing the City Manager to update the loan application submitted to Texas Water Development Board (TWDB) from \$10,000,000.00 to \$18,000,000.00. The additional funds are needed to fund the construction of the Sombrettillo Creek Wastewater Treatment Plant. Resolution 2014-R-051 was approved by City Council in the amount of \$10,000,000.00. Bids for this project were higher than anticipated thus the project will be re-advertised and new bids received. Additional funds will be needed to fund the project based on the prior bids received. TWDB has agreed to provide an additional \$8,000,000.00 for this project for a total of \$18,000,000.00 upon approval from their Board. By securing these additional funds through TWDB, the City of Laredo will save approximately \$95,932.00 per year over thirty (30) years, for a total savings of \$2,877,972.00.

Motion to approve Resolution 2014-R-108.

Moved: Cm. Vela  
Second: Mayor Pro Tem Rangel  
For: 6                              Against: 0                              Abstain: 0

Cm. Liendo was not present.

5. 2014-R-110 Authorizing the City Manager to enter into and execute a Memorandum of Understanding (MOU), attached hereto as Exhibit A, between the Laredo Police Officers' Association (LPOA) and the City of Laredo for the purpose of implementing a pilot program for a compressed work week for the West Sector law enforcement employees.

David Carmona stated that they were not for or against a compressed work week. He added that approximately a year ago, there was a survey conducted within the police department regardless of union in which many officers were against the study. However, two weeks later there was another survey and the vote turned. He added that during that time, a committee had done the research and presented it to the officers. He further clarified that the Laredo Police Officers Association was

selective with who was allowed to vote on the Memorandum of Understanding; it would be paying members only, which to him was a form of discrimination. He further stated that he was told that he was not allowed to vote without being given a reason; also, within the department there was fear of retaliation. He concluded that he wished that they would table this item until his grievance had been resolved.

Murray Malakoff reported that he represented the Fraternal Order of Police and did, from time to time, serve as general counsel. He added that one of the problems with this was not the collective bargaining agreement, but rather the methodology that was utilized to reach this memorandum of understanding which could be viewed as amendment to the agreement. He concluded that he was asking for Council to table the item and look at it so that if an amendment were bargained for and agreed upon, that there would be transparency.

Deputy City Manager Cindy Collazo stated that the LPOA was officially and exclusively recognized and they had collectively bargained with them. She added that they needed to call upon Mr. Dovalina and Mr. Paredes go ahead as well as their counsel.

Luis Dovalina, President of the Laredo Police Officers Association, stated that the memorandum of understanding was placed out there which needed to be ratified by their members. He added that they ratified it by a 146-141 vote. He had asked the officers to express any problems they had with it at that time.

Attorney Robert Leonard, Assistant General Counsel for the Combined Law Enforcement Associations of Texas (CLEAT) stated that those who were not a member of the bargaining unit did not have a right to vote on contract issues. He added that a memorandum of understanding was a contract to the contract; this was a purely contractual issue.

Police Chief Ray Garner reported that the compressed work week was in the best interests of the city. He stated that it would give the officers a better quality of life. He went on to explain that he did occasionally attend the Fraternal Order of Police meetings; however, he could only bargain with the Laredo Police Officers Association. He gave a presentation before Mayor Saenz and City Council.



Compressed Work Week Pilot Program  
 Laredo Police Department West Patrol Division

Purpose

- To develop a stronger unity of command
- Build strong teams
- Serve Better-- overlapping of shifts to better serve the public
- Spend less—15% to 20% savings on OT due to overlapping shift structure
- Better quality of life for officers

Lead Smart

- Briefings everyday - would bring focus to our daily missions and goals.
- Accountability-Continuous evaluation of officers and program by beat supervisor.

Manpower for West Sector

- Approximately 120 officers is the optimum level, we are able to complete mission with the current level of 108 officers.

West Police Units Needed

- 90 units is considered the optimum level needed.
- We are able to complete the mission with the current level of 70 in service units with 10 spare units.

West Sector Officer Schedule

Saturday - Thursday

|             |                             |              |                             |             |
|-------------|-----------------------------|--------------|-----------------------------|-------------|
| 6 am - 4pm  | From 2pm to 4pm             | 2 pm – 12 am | 9 pm – 12 am                | 9 pm – 7 am |
| 20 officers | Overlap 2 hours/40 officers | 20 officers  | Overlap 3 hours/40 officers | 20 officers |

West Sector Officer Schedule Friday

|             |                             |              |                             |             |
|-------------|-----------------------------|--------------|-----------------------------|-------------|
| 6 am - 4pm  | From 2pm to 4pm             | 2 pm – 12 am | 9 pm – 12 am                | 9 pm – 7 am |
| 40 officers | Overlap 2 hours/80 officers | 40 officers  | Overlap 3 hours/80 officers | 40 officers |

Agencies on 10 hour shifts contacted for feedback:

- Brownsville PD
- Corpus PD
- Austin PD
- El Paso PD
- San Antonio PD

All agencies made positive comments concerning the Combined

### Work Week

This pilot program is only for the West Patrol Division and will be evaluated for efficiency and adjustments. Estimated 3-6 months for proper evaluation.

The compressed workweek plan was included in the collective bargaining agreement (contract) signed on 11/19/2012 under Article 33.

A committee was put together and they conducted a survey of Patrol Personnel to ask the question if they would approve this type of work schedule. Work four ten (10) hour shifts and be off three days. These are some numbers and information provided by Lt. Enedina Martinez and Sgt. Mike Rodriguez who conducted the survey.

Survey was conducted at Patrol Briefings on NOV 18, 2013 and NOV 19, 2013

Captains, Lieutenants, Sergeants, and Officers, from the patrol division only, were surveyed

167 total surveys were returned

148 voted YES

16 voted NO

3 were UNDECIDED

ALL PATROL PERSONNEL WERE SURVEYED WITHOUT REGARD TO LPOA OR FOP AFFILIATION. (NOV 18, 2013 and NOV 19, 2013)

The MOU was put on an election ballot by the LPOA on October 30-31, 2015. Members we asked to approve the MOU since it deals with the collective bargaining agreement (contract). All LPOA members were allowed to vote (Patrol and Non-Patrol)  
Results;

146 FOR

121 AGAINST

Motion to table Resolution 2014-R-110.

Moved: Cm. Vela

Second: Cm. Garza

For: 5

Against: 2

Abstain: 0

Cm. Garza

Cm. San Miguel

Mayor Pro Tem Rangel

Cm. Liendo

Cm. Perez

Cm. Narvaez

Cm. Vela

6. 2014-R-112 Authorizing the City Manager to enter into and execute an Inter-local agreement, attached hereto as Exhibit A, between Webb County Appraisal District (“District”) and the City of Laredo (“City”), to jointly contract with a qualified vendor to provide a digital Geo-referenced aerial imagery, GIS data, and associated tools and technology for the urban area located around the City of Laredo and Webb County. GIS Data will also be used by City Departments with GIS applications.

Motion to approve Resolution 2014-R-112.

Moved: Cm. Vela

Second: Mayor Pro Tem Rangel

For: 6

Against: 0

Abstain: 0

Cm. Liendo was not present.

7. 2014-R-115 Authorizing the City Manager to accept the contract from the Texas Department of State Health Services (TDSHS) in the amount of \$5,215,401 for the Women, Infants and Children (WIC) Program of the City of Laredo Health Department (CLHD) to continue to provide nutrition education and food supplemental services to high risk women and children for the term period from October 1, 2014 through September 30, 2015.

Motion to approve Resolution 2014-R-115.

Moved: Cm. Vela

Second: Mayor Pro Tem Rangel

For: 6

Against: 0

Abstain: 0

Cm. Liendo was not present.

8. 2014-R-116 Canvassing the recount results of the General Election held on November 4, 2014 for the position of Council Member District III pursuant to petition filed by Council Member Alejandro Perez, Jr., in District III in accordance with the provisions and procedures of the Texas Election Code; and approving the results of the recount.

Motion to approve Resolution 2014-R-116.

Moved: Cm. Vela

Second: Mayor Pro Tem Rangel

For: 6

Against: 0

Abstain: 0

Cm. Liendo was not present.

9. 2014-R-117 Authorizing the City of Laredo to enter into an Intergovernmental Agreement with United Independent School District (UISD) to design, construct, maintain and operate a natatorium.

Cm. Perez stated that he was all for a natatorium; however, he had an issue with the fact that it had been stated that the city would contribute \$3 million and now there was talk of \$4 million. He added that there was the issue of the land. He did not know if they could invest in land that belonged to the school district.

Deputy City Manager Cindy Collazo said in discussions with the financial advisor, they recommended that the \$4 million come from city center proceeds.

Cm. Perez said that a further issue was regarding a committee to oversee the project. He wanted to see the committee be split to have half the members from the city and half from the United Independent School District.

Motion to table Resolution 2014-R-117.

Moved: Cm. Perez

Second: Cm. San Miguel

For: 4

Against: 3

Abstain: 0

Mayor Pro Tem Rangel

Cm. Garza

Cm. Perez

Cm. Narvaez

Cm. San Miguel

Cm. Vela

Cm. Liendo

## XI. MOTIONS

10. Amending the Memorandum of Understanding between the City of Laredo and Laredo Baseball Holding Company, Inc. ("LBH") regarding the operations and lease development agreement between the same as approved by City Council on September 30, 2014.

Cm. Vela asked for clarification to know how this would affect the sports venue tax.

Assistant City Manager Jesus Olivares replied that the amendment called for adding \$100,000 for marking and also initial payment for management to be \$525,000 with the second payment in the second year of \$175,000. The

only other impact would be the maintenance which would cost about \$600,000 per year.

Motion to approve as amended .

Moved: Cm. Garza

Second: Mayor Pro Tem Rangel

For: 6

Against: 0

Abstain: 0

Cm. Liendo was not present.

11. Authorizing the City Manager to grant U.S. International Boundary & Water Commission (USIBWC) permission to install and maintain a water level staff gauge underneath the three (3) International Bridges identified as the Juarez-Lincoln International Bridge (Bridge II), the Laredo-Colombia Solidarity Bridge (Bridge III) and the World Trade International Bridge (Bridge IV). These staff gauges will assist in determining river elevations. The USIBWC will be responsible for all expenses related to the installation and maintenance of the staff gauges.

Motion to approve.

Moved: Mayor Pro Tem Rangel

Second: Cm. Garza

For: 6

Against: 0

Abstain: 0

Cm. Liendo was not present.

12. Consideration for approval of award of construction contract to the lowest bidder, ALC Construction, Inc., Laredo, Texas, in the amount of \$489,975.00 (which includes the base bid and additive alternate No. 2) for the City of Laredo Municipal Housing Elderly Rental Housing Complex located at 620 Santa Rita Avenue with a construction contract time of two hundred ten (210) calendar days; and authorizing the City Manager to execute all related contract documents contingent upon receipt and approval of insurance and bond documents. Completion date for the project is scheduled for July 2015. Funding is available in the Home Investment Partnership 38th Action Year/2012 Grant and Laredo Municipal Housing Corporation.

Motion to approve.

Moved: Mayor Pro Tem Rangel

Second: Cm. Garza

For: 6

Against: 0

Abstain: 0

Cm. Liendo was not present.

13. Consideration to award contract FY15-010 for the purchase of motor vehicles, requested by various city departments, to the following bidders:

1. Silsbee Ford, Silsbee, Texas in the amount of \$550,004.81 for the purchase of seventeen (17) vehicles; and
2. Caldwell Country Ford, Caldwell, Texas in the amount of \$81,340.00 for the purchase of four (4) vehicles;

Funding is available from 2015 Public Property Finance Contractual Obligation bond proceeds and department operational budgets.

Motion to approve.

Moved: Mayor Pro Tem Rangel

Second: Cm. Garza

For: 6

Against: 0

Abstain: 0

Cm. Liendo was not present.

14. Consideration to award contract FY15-010 for the purchase of motor vehicles requested by Police Department to the following bidders:

1. Silbee Ford, Silbee, Texas in the amount of \$197,358.32 for the purchase of eight (8) vehicles; and
2. Caldwell Country Ford, Caldwell, Texas in the amount of \$373,755.00 for the purchase of fifteen (15) vehicles; and
3. Sames Motor Company, Laredo, Texas in the amount of \$144,760.00 for the purchase of seven (7) vehicles.

Funding is available from 2014 Public Property Finance Contractual Obligation Bond proceeds.

Motion to approve.

Moved: Mayor Pro Tem Rangel

Second: Cm. Garza

For: 6

Against: 0

Abstain: 0

Cm. Liendo was not present.

15. Consideration to renew the existing annual service contract FY14-019 with Andy's Auto Air & Supplies, Inc., Laredo, Texas in amount up to \$60,000.00

for air conditioning system repairs for the City's medium and heavy duty trucks and construction equipment for the Fleet Department. The term of this contract shall be for a period of one (1) year beginning as of the date of its execution. All services will be secured on an as needed basis. There will be no price increase during this extension period. Funding is available in the Fleet Maintenance Budget.

Motion to approve.

Moved: Mayor Pro Tem Rangel

Second: Cm. Garza

For: 6

Against: 0

Abstain: 0

Cm. Liendo was not present.

16. Consideration to renew and increase the annual contract amount for contracts FY13-021 for the purchase of tractor and heavy equipment tires currently awarded to:

1. Southern Tire Mart, L.L.C., Dallas, Texas, in an amount up to \$106,250.00; and

2. GCR Tire Centers, Nashville, Tennessee, in an amount up to \$50,000.00.

The contract increase is due to additional City utilization. Contracts are currently awarded to a primary and secondary vendor in order to provide the City of Laredo with a supply of tires. The proposed 25% increase would give the Fleet Department time to order needed tires before the end of the contract period. The term of this contract shall be for a period of one (1) year beginning as of the date of its execution. All tires will be secured on an as needed basis. There is no price increase during this extension period but a price decrease is being proposed by the primary vendor. Funding is available in the Fleet Maintenance Budget.

Motion to approve.

Moved: Mayor Pro Tem Rangel

Second: Cm. Garza

For: 6

Against: 0

Abstain: 0

Cm. Liendo was not present.

17. Consideration to award annual supply contract number FY15-008 to the sole bidder, Vulcan Construction Materials L.P., San Antonio, Texas in an amount up to \$298,050.00 for the purchase of crushed limestone rock asphalt, type I, grade AA. The term of this contract shall be for a one (1) year period. All

materials are purchased on an as needed basis utilizing the Public Works Department and construction project budgets.

Motion to approve.

Moved: Mayor Pro Tem Rangel

Second: Cm. Garza

For: 6

Against: 0

Abstain: 0

Cm. Liendo was not present.

18. Consideration to award a two (2) year contract FY15-003 to Anrige Inc., DBA A Clean Portoco, Harlingen, Texas in the estimated annual amount of \$71,000.00 to provide portable restroom rental services. This contract is subject to future appropriations and allows for additional extensions of two (2) twelve (12) month periods with the same specifications and pricing, upon mutual consent. Funding is available in the respective departmental budgets.

Motion to approve.

Moved: Mayor Pro Tem Rangel

Second: Cm. Garza

For: 6

Against: 0

Abstain: 0

Cm. Liendo was not present.

19. Consideration to authorize a construction contract with Fuquay, Inc., Austin, Texas, through the BuyBoard Cooperative Purchasing Program's contract pricing, in the total amount of \$107,274.00 for the sanitary sewer rehabilitation of two (2) 10" pipes crossing Highway 83 at Norton Street (330') and Frees Street (340'). The project shall consist of removing corroded material inside the cast-iron pipes and rehabilitating them with a fiberglass reinforced plastic liner. Funding for this project is available in the 2013 Sewer Revenue Bond.

Motion to approve.

Moved: Mayor Pro Tem Rangel

Second: Cm. Garza

For: 6

Against: 0

Abstain: 0

Cm. Liendo was not present.

20. Consideration to award contract number FY15-006 to the low bidder, MG Landscaping, Laredo, Texas, in an amount up to \$65,000.00 for lawn and landscaping repairs caused by utility repairs. This contract is based on



square and linear footage rates and when needed a licensed irrigator; plus any landscaping materials. The term of this contract shall be for a period of one (1) year beginning as of the date of its execution. Funding is available in the Water and Sewer Fund.

Motion to approve.

Moved: Mayor Pro Tem Rangel

Second: Cm. Garza

For: 6

Against: 0

Abstain: 0

Cm. Liendo was not present.

21. Consideration for approval of change order No.2, to MTZ Construction, Inc., Laredo, Texas with no increase to the total contract amount for the Lift Station, Booster Station and Force mains for the Max Mandel Municipal Golf Course. This change order consists of the removal and relocation of the existing cattle guard gate and chute area, backfill of the area and concrete to match the existing driveway and installation of 130 feet, 4' high fence matching the existing fence. The construction contract time is extended for an additional ten (10) working days. The contract amount is \$1,797,628.50. The new construction time including this change order will be one hundred eighty-seven (187) working days. Funding is available in the 2012 Sewer Revenue Bond.

Motion to approve.

Moved: Mayor Pro Tem Rangel

Second: Cm. Garza

For: 6

Against: 0

Abstain: 0

Cm. Liendo was not present.

22. Authorizing the City Manager to execute amendment No. 1, an increase of \$57,000.00, to the professional engineering services contract with Porras Nance Engineering for the Water and Wastewater Utilities Relocation at Loop 20 between U.S. 59 and Kansas City Southern Railroad (KCSR). The consultant will provide engineering and surveying services to develop plans, cost estimates, construction administration and as built plans. The total new contract amount is \$322,000.00. Funding is available in the 2012 Water Revenue Bond.

Motion to approve.

Moved: Mayor Pro Tem Rangel

Second: Cm. Garza

For: 6

Against: 0

Abstain: 0

Cm. Liendo was not present.

23. Consideration for acceptance and release of 2% retainage in the amount of \$1,714,596.10 to Western Summit Contractors, Inc./McAllen Construction, Inc., a Joint Venture Contractor, Fort Worth, Texas, for El Pico Water Treatment Plant 20 MGD. The total contract amount is \$85,729,805.17. Funding is available in Water 2008, 2009, 2010, 2011, 2012 & 2013 Revenue Bonds.

Motion to approve.

Moved: Mayor Pro Tem Rangel

Second: Cm. Garza

For: 6

Against: 0

Abstain: 0

Cm. Liendo was not present.

## **XII. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS**

24. A. Request by Mayor Pete Saenz

1. Discussion with possible action regarding the roles and responsibilities of the Internal Auditor.

Internal Auditor Veronica Baeza reported that the oversight as of the November 2010 Charter shifted from the City Manager to the City Council.

Mayor Saenz said that he proposed that they expand the role of the Internal Auditor. His concern was that if a complaint reached their office if they had sufficient authority to go to the FBI, the District Attorney or the Attorney General if impropriety were occurring in the top tier.

Cm. Vela said that he knew there had been some issues with travel expenses. He wished for that to be looked at to see who was over budget and who was within their budget.

Motion to order an audit of travel expenses.

Moved: Cm. Vela

Second: Cm. Garza

For: 7

Against: 0

Abstain: 0

Cm. San Miguel said that there had been concern about the Max and Uni-Trade Stadium.

Motion to conduct an audit of Uni-Trade Stadium.

Moved: Cm. San Miguel

Second: Mayor Pro Tem Rangel

For: 7

Against: 0

Abstain: 0

Motion to do a five-year audit on engineering, architecture, cash handling, Uni-Trade Stadium, and the golf course as amended.

Moved: Mayor Pro Tem Rangel

Second: Cm. San Miguel

For: 7

Against: 0

Abstain: 0

Deputy City Manager Cindy Collazo asked that they might contract out some of these audits to some of the local certified tax auditing firms.

Cm. Garza said that they should let staff come up with a plan and bring it to Council for their approval.

B. Request by Council Member Mike Garza

1. Discussion on the procedure for withdrawing complaints with the Ethics Committee, with possible action.

Cm. Garza reported that once a complaint has been filed and the committee has heard it, it should not be withdrawn afterward.

City Attorney Raul Casso explained that they could not withdraw it before the committee heard it. They had no choice but to give it to the committee.

Motion to allow for the filing of a complaint to follow its process to conclusion.

Moved: Cm. Garza

Second: Cm. Vela

For: 6

Against: 0

Abstain: 0

Cm. Liendo was not present.

C. Request by Mayor Pro-Tempore Esteban Rangel

1. Status report on the hiring of a consultant for a City-wide employee classification analysis.

Human Resources Interim Director Monica Flores reported that the RFQ went out last Wednesday and should be out until January 6<sup>th</sup>.

Assistant City Manager Horacio De Leon said that once they would get the qualifications, they would bring back a recommendation to Council. He added that the RFQ said that they wanted a scope of work with proposals with all classifications including skilled labor. He concluded that afterward they could do a longer study with a more comprehensive classification for city departments.

2. Discussion with possible action to consider installing a railing along Highway 359 westbound to U.S. 83 to address safety concerns.

Traffic Director Roberto Murillo reported that that TxDOT was aware of the request and would proceed with their evaluation and recommendations. He concluded that they were preparing a report.

D. Request by Council Member Alejandro "Alex" Perez

1. Discussion with possible action to remove the requirement that an agenda item with financial impact first go before Operations and Finance Committees before being placed on the City Council agenda for a regularly scheduled City Council meeting.

Motion to table.

Moved: Mayor Pro Tem Rangel

Second: Cm. Garza

For: 6

Against: 0

Abstain: 0

Cm. Liendo was not present.

2. Status on utility line replacement and resurfacing of streets in the Heights area.

Utilities Director Tomas Rodriguez reported that the following projects were under design:

1. Agave, Hemlock, Hibiscus, Cactus, Post Oak, Rosewood, Hackeberry, Mahogany, Jasmine, Teak, Poinsetta, Cypress, Los Ebanos & Alta Vista by AZ&B Engineering Co. – 95% complete
2. Las Cruces, San Gabriel, San Lorenzo, San Mateo and Tejas Loop by Mejia Engineering – 90% complete
3. Zaragoza, Santa Maria, Main, Grant, Davis, Salinas, Piedregal, Gilbert, Wilhelm, Evans, Ventura, Eagle Pass, Mowry and Water by CEC Jeff Puig – 50% complete
4. 24" Water Transmission main on Casa Verde Road from Del Mar

Blvd to Unitrade Base Ball Park to Loop 20 by Premier Engineering – 30% complete

5. 24" Water Transmission main from Jefferson WTP to EPC Project (River Drive Mall) by Porrás Nance Engineering – 30% complete
6. McDonald Plat between Loop 20 & Hwy 359 by Sherfey Engineering – 100% complete – COL Utilities will start this project by Dec. 20<sup>th</sup> and should complete by February 28, 2015 – Public Works will pave the street after work by Utilities is completed
7. 16" Water Transmission main on Cuatro Vientos Road from Agua Nieve (UISD Elementary School) 1,200 feet north, connecting to existing 18" Water Transmission main by Porrás Nance Engineering – 30% complete
8. Castle Heights Water Line & Wastewater Line Replacement – 10% complete – Dedication of easements and right of ingress and egress is in process
9. TxDOT Loop 20 & Clark by Porrás Nance Engineering – 90% complete – Dedication of Easements from Killam are pending

We have 135 city blocks in Districts II, III, IV & VIII that we plan to break into six projects once we receive funding from the 2014 bonds. The projects can be awarded to six engineering firms for design. We can start the advertising for "Request for Qualifications" in December and make recommendations to City Council at January 20, 2015 meeting.

3. Status update from April 21, 2014 Council meeting regarding the waiving or reduction of rec center fees for elderly, handicap, and veterans. (Co-Sponsored by Mayor Pro-Tempore Esteban Rangel and Council Member Charlie San Miguel)

Parks Director Osbaldo Guzman reported that they had 361 members registered from ages 62 and up and had collected \$18,050. He added that there were 263 from ages 65 and up. He recommended that they not totally remove the fees.

Cm. Garza said that this cost \$4.16 per month. He would be willing for them to be allowed that amount on a quarterly basis to make it easier for that age bracket and the handicapped and veterans.

4. Discussion with possible action to install speed cushions on Willow St., between Meadow Ave. and Hendricks Ave., and on Green St., between Loring Ave. and Stone Ave., under the Special Provision of the Speed Hump Installation Policy adopted by City Ordinance using District III Discretionary Funds. (Contingent upon approval of item No.1)

Motion to table.

Moved: Mayor Pro Tem Rangel

Second: Cm. Garza

For: 6

Against: 0

Abstain: 0

Cm. Liendo was not present.

E. Request by Council Member Roque Vela, Jr.

1. Discussion with possible action to enter into an agreement with the Alexander Trust to allow for the placement of temporary speed humps on Melville Drive under the special provisions of the speed hump policy, and allowing the acting or interim City Manager to execute all relevant documents. Associated costs to be paid for by the Alexander Trust.

Cm. Vela said that that Alexander Trust was willing to put in the speed humps but they needed the city's permission. He asked that they get together and do whatever is necessary to make this happen.

F. Request by Council Member Charlie San Miguel

1. Discussion with possible action to host two community favorite events. (Co-Sponsored by Mayor Pro-Tempore Esteban Rangel, Council Member Alejandro "Alex" Perez and Council Member Cynthia Liendo)
  - Light the Way for Christmas Celebration on Thursday, December 11, 2014, at North Central Park: a free holiday Christmas celebration that serves as a toy drive for The Toy Chest, a non-profit organization that provides toys to local children undergoing cancer treatments and their siblings, featuring local school, church and dance group performances, vendors and Santa Claus, and the lighting of two natural Christmas trees at North Central Park, one in memory of all Laredo veterans who never made it home for Christmas, Co-sponsored by PILLAR.
  - No Mud! No Glory! One Tough Mud'r 3!, the 5K boot-camp style mud race, on Saturday, April 11, 2015 at North Central Park that features over approximately 40 mud and water obstacles and draws over 1,000 participants. Teams compete for the Border Patrol Agent Jeffrey Ramirez Team Championship, in honor of BP Agent Jeffrey Ramirez who died the day of the first Mud Run, who was also an athlete and enjoyed participating in such events. Individuals compete for the Firefighter Marcos Aranda Individual Male and Individual Female Champion. City of Laredo Firefighter Marcos Aranda lost his courageous battle with cancer and was a star athlete throughout his life.

Elizabeth Cardenas reported that the Toy Chest was in its developing stages. She added that they were concerned that their children were being displaced while going through medical treatments. She asked that they please push the tree lighting event because each toy would go to the hospital.

Cm. Vela stated that he didn't necessarily have an issue with the tree lighting event; however, he had concerns about the Mud Run. He added that he did not think that the City of Laredo should be in the Mud Run business. He also did not think that the timing was appropriate because there was liability behind this and they needed to be fiscally responsible.

Parks Director Osbaldo Guzman reported that the cost was \$6,100 which was their manpower.

Public Works Director John Orfila stated that it took his staff about three weeks to complete all the obstacles of that project which cost about \$800 per day. He added that some posts were donated and some were left there.

Fire Chief Steve Landin explained that they had paramedics on duty during the last mud run and there had been about 13 injuries, so it cost about \$4,000 in addition to their fire pumper at the scene.

Police Chief Ray Garner stated that they had from eight to ten police officers and the cost was about \$3,500.

Mayor Pro Tem Rangel said that he felt that they were not in the business of making money. He added that he was willing to use some of his discretionary monies to help with this event; some in his district had participated and it was a good event, so he was supporting it.

Cm. Narvaez said that the event did cost them money because all the money collected was given to charity. He added that fundraisers should take care of expenses first and then the rest can be given to charity. He suggested that if they could get 80% of the money collected within the next 90 days; otherwise, it would not work because minimal expenses would not be covered.

Cm. Liendo said that in looking at the website, she looked at upcoming events and it was empty. She wanted to make sure that all events were on the website and that there was an opportunity for the business community to get involved. She concluded that with sponsorships perhaps they could cover part of the cost.

Finance Director Rosario Cabello reported that in the past, they have used departmental operating money; however, this was hurting the department.

Motion to approve both events provided that neither event impacts the budget as amended.

Moved: Cm. San Miguel

Second: Cm. Perez

For: 5

Mayor Pro Tem Rangel

Cm. Perez

Cm. Narvaez

Cm. San Miguel

Cm. Liendo

Against: 2

Cm. Garza

Cm. Vela

Abstain: 0

### **XIII. STAFF REPORTS**

25. Consideration to approve the former City Manager's, Carlos R. Villarreal, early retirement contract supplanting his employment contract with the City as approved and directed by the City Council at its regularly scheduled meeting on November 17, 2014, and authorizing the acting or interim City Manager to execute the agreement.

City Attorney Raul Casso stated that the agreement draft had been tweaked a little. For example, there was a paragraph which forbade anyone from the Council making derogatory remarks about the City Manager's performance; they had defaulted to regular slander and libel laws. Furthermore, there was a clause that talked about this agreement surviving and being passed on to heirs of both parties, but the City of Laredo does not have any heirs. He further stated that TMRS and ICMA had their own schedules by which they calculated when benefits were extended. He concluded that there was a request by the attorney of Carlos Villarreal to pay his fees, as well as a few typos.

Motion to approve as amended.

Moved: Cm. Garza

Second: Cm. Narvaez

For: 6

Against: 0

Abstain: 0

Cm. Liendo was not present.

26. Discussion with possible action on creating a City Charter Review Ad-Hoc Committee.

Motion to approve.



Moved: Cm. Garza  
Second: Cm. San Miguel  
For: 7

Against: 0

Abstain: 0

27. Appointment by Council Members of an interim City Manager to exercise the powers and perform the duties of City Manager until such time as a new City Manager is appointed by the City Council pursuant to Laredo City Charter, §3.01, APPOINTMENT, COMPENSATION, and related matters.

Motion to appoint Assistant City Manager Jesus Olivares as Interim City Manager as amended to include that they must occupy their post for thirty days after which, on the 31<sup>st</sup> day, they can be elevated to the salary of the City Manager retroactive to their first day of appointment.

Moved: Mayor Pro Tem Rangel  
Second: Cm. Liendo

For: 6

Against: 1

Abstain: 0

Cm. Garza

Cm. San Miguel

Mayor Pro Tem Rangel

Cm. Perez

Cm. Narvaez

Cm. Vela

Cm. Liendo

28. Discussion with possible action regarding the process of the search for a new City Manager.

Human Resources Interim Director reported that she had provided a packet on Wednesday with a recruitment summary. She added that it included executive search firm information and survey information on other cities. She concluded that in 2006, the process was done in-house.

29. Discussion with possible action regarding the purposes and objectives of the Technical Review Board Ad-Hoc Committee to provide recommendations jointly with staff regarding the review of both existing and proposed policies & ordinances before they are approved by City Council.

Building Director Ramon Chavez reported that they were directed to bring this item back for action.

Cm. Garza said that their charge had been to review items and bring back a recommendation for Council. He asked if they could expand the role of the Board of Adjustment to add appeals at that level. He went on to say that he would not mind using this group as a subcommittee of the Planning and Zoning body. He added that if they were zoning issues, they could make recommendations and then they could go before the Planning and Zoning Commission. If they related to Building Standards, they could go before

Council.

Planning and Zoning Director Nathan Bratton said that originally they were going to be looking at ordinances coming before Council but it was not necessary in the case of planning ordinances. He added that he thought it would be ordinances dealing with land development, the building code, amendments to the subdivision and sign ordinances that they would want to focus on.

Cm. Garza said that they could limit them to that.

Cm. Vela said that he wanted to make sure that they concentrated on the minimum standards for their streets. He felt that they needed some kind of mechanism to make sure they were putting in the kind of streets that they needed.

Cm. San Miguel suggested that they look at another option that allows a development to be more price-friendly so that people could afford homes instead of a condo.

Motion to have the Technical Review Board Ad-Hoc Committee review ordinances and provide recommendations to Council as amended to reflect the total package when it comes to development of a subdivision such as construction standards.

Moved: Cm. Garza

Second: Mayor Pro Tem Rangel

For: 6

Against: 0

Abstain: 0

Cm. Liendo was not present.

#### **XIV. EXECUTIVE SESSION**

None.

#### **XV. ADJOURNMENT**

Motion to adjourn.

Moved: Cm. Garza

Second: Cm. San Miguel

For: 6

Against: 0

Abstain: 0

Cm. Liendo was not present.

I, Gustavo Guevara, Jr., City Secretary, do hereby certify that the above and foregoing is a true and correct copy of the minutes contained in pages 01 to 27 and they are true, complete, and correct proceedings of the City Council meeting held on December 1, 2014.

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Gustavo Guevara, Jr.  
City Secretary