CITY OF LAREDO
CITY COUNCIL MEETING
A-2011-R-13
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
JULY 18, 2011
5:30 P.M.

DISABILITY ACCESS STATEMENT
Persons with disabilities who plan to attend this meeting and who may need auxiliary aid or services are requested to contact Gustavo Guevara, City Secretary at (956) 791-7308 at least two working days prior to the meeting so that appropriate arrangements can be made. The accessible entrance and accessible parking spaces are located at City Hall, 1100 Victoria Ave.

Out of consideration for all attendees of the City Council meetings, please turn off all cellular phones and pagers, or place on inaudible signal. Thank you for your consideration.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. MINUTES

Approval of the minutes of July 5, 2011

V. COMMUNICATIONS AND RECOGNITIONS

Recognitions

a. Recognition of Ms. Maria Rodriguez for her heroic actions held on Tuesday, July 5, 2011 at Inner City Pool.

b. Recognizing City of Laredo Fire Department responding to an incident held June 24, 2011 involving a 9 year old child found unconscious in a private pool.

c. Recognizing Northwest Senior Little League Team for their 2011 Baseball Season Achievements.
Communiqués


Citizen comments
Citizens are required to fill out a witness card and identify themselves at the microphone. Comments should be relevant to City business and delivered in a professional manner. No derogatory remarks will be permitted. There is a time limit of three minutes per speaker.

VI. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

a. Appointment by Council Member Esteban Rangel of Mr. Feliciano Garcia, Jr. to the Drug and Alcohol Commission.

b. Appointment by Council Member Cynthia Liendo Espinoza of Attorney Carlos Flores to the Civil Service Commission.

VII. PUBLIC HEARINGS

1. Public hearing and introductory ordinance amending the City of Laredo 2010-2011 Autotheft Task Force Annual Budget by reducing revenues in the amount of $8,825.00 and expenditures in the amount of $62,979.00 to fund the Laredo Autotheft Task Force and accepting a grant award in the amount of $433,514.00 from the State of Texas Auto Burglary and Theft Prevention Authority. The City of Laredo will be designating $235,507.00 in matching funds, and Webb County will be designating $43,000.00 in matching funds for a total grant amount of $712,021.00. This grant is effective from September 1, 2011 through August 31, 2012. (Approved by Operations Committee)

2. Public hearing and introductory ordinance amending the City of Laredo Code of Ordinances, Chapter 31, Article IV-Liquid Waste Transportation, Division 1 through 4, relating to new and revised definitions, additional permit requirements and responsibilities of transporters, and enforcement; increasing one-time application fee from $50.00 to $100.00, annual registration fee per truck from $25.00 to $75.00, and manifest booklet cost from $4.00 to $10.00; providing for a severability clause; providing for publication; and establishing an effective date. (Approved by Operations Committee)

3. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 1.1062 acres, as further described by metes and bounds in attached Exhibit “A”, located at 23451 F.M. 1492, from AG (Agricultural District) to B-4 (Highway Commercial District); providing for publication and effective date.
Staff supports the application and the Planning and Zoning Commission recommends approval of the zone change. District VII

(Recess)
(Press Availability)

VIII. INTRODUCTORY ORDINANCES

4. Authorizing the City Manager to execute a lease agreement with Johnny Cavazos DDS for approximately 4,272 square feet constituting Building No. 910 located at 4403 North Daugherty Avenue, at the Laredo International Airport. Lease term is for one (1) year commencing on November 1, 2011 and ending on October 31, 2012, and may be extended three (3) year(s) ending October 31, 2015. However, it is agreed by the parties that the lease may be terminated by either party upon giving sixty (60) day written notice from the party terminating to the other. Monthly rent shall be $3,700.00 and will be adjusted annually according to changes in the Consumer Price Index; providing for an effective date. (Approved by Operations Committee)

5. Authorizing the City Manager to execute a lease with Webb County for approximately 1,000 square feet constituting Building No. S-3 located at 1703 Sandman Street at the Laredo International Airport. Lease term is for one (1) year commencing on May 1, 2011 and ending on April 30, 2012, and may be extended for one (1) year ending on April 30, 2013. However, it is agreed by the parties that the lease may be terminated by either party upon giving a sixty (60) day written notice from the party terminating to the other. Monthly rent shall be $558.80 and will be adjusted annually according to changes in the Consumer Price Index; providing for an effective date. (Approved by Operations Committee)

6. Authorizing the City Manager to execute a Foreign Trade Zone Operator Agreement with Bruni Supply Chain Solutions as Zone Site Operator located at 13599 N. Lamar and located within Foreign Trade Zone Site No. 3 at Killam Industrial Park; effective August 1, 2011 and ending September 30, 2014. Providing for activation, administration, annual and transaction fees to be paid to the City. (Approved by Operations Committee)

7. Authorizing the City Manager to execute a Foreign Trade Zone Operator Agreement with Sony Electronics Inc., as Zone Site Operator located at 11302 Eastpoint Dr. and located within Foreign Trade Zone Proposed New Site No. 11; effective October 1, 2011 and ending September 30, 2014. Providing for activation, administration, annual and transaction fees to be paid to the City. (Approved by Operations Committee)
8. Authorizing the City Manager to execute a lease agreement with U.S. Customs and Border Protection, (CBP), as an entity of the United States of America for a 2,622 square foot tract of land located along the Santa Isabel Right-of-Way further depicted in the attached survey document, Exhibit A. The purpose for the request is the installing and operating of an Integrated Railcar Inspection System by CBP. The lease term requested is for ten (10) year option with no rental fee.

IX. FINAL READING OF ORDINANCES

9. **2011-O-092** Amending Chapter 21, of the Code of Ordinances of the City of Laredo by re-adopting Article VII, 21-141 through 21-150, that establishes a juvenile day time and nighttime curfew, defines terms, offenses for minors, parents and guardians of minors, and business establishments violating curfew regulations, provides defenses, provides for enforcement by the Laredo Police Department, waiver by the Municipal Court of Jurisdiction over a minor when required under the Texas Family Code, provided for a penalty not to exceed $500.00; providing for a review by the City Council of the effects of this ordinance, before the third anniversary of the date of adoption of this curfew ordinance; providing for a public hearing providing for severability clause; establishing an effective date, and providing for publication.

**2011-O-093** Amending the Code of Ordinances, Chapter 6, Animals and Fowl, Article VII of the Laredo Code of Ordinances, by specifically amending Section 6-116(e)(3) by adding Section (c). The fee for purchasing and/or selling microchips is based on the actual cost of the chip plus any associated costs (shipping, handling fees and sales tax if appropriate). If the chip is used and inserted by the City of Laredo Health Department (CLHD) staff, in addition to the costs of the chip (plus any associated costs), an additional administrative fee not to exceed $12.00 will be added. Amending Section 6-119(a) by adding Sections (4) and (5). The microchip fee is the actual cost plus any associated costs. If the chip is inserted by the CLHD, an administrative fee not to exceed $12.00 will be added in addition to the cost of the microchip; providing for publication and effective date. (AS AMENDED)

**2011-O-094** Amending Chapter 19, Motor Vehicle and Traffic, Article II, Administration and Enforcement, Division 2, Transportation and Traffic Safety Advisory Committee, Section 19-49, Meetings, of the Code of Ordinances of the City of Laredo, to change the annual term of the election of officers from October 1 to April 1 and to provide for publication and effective date.
2011-O-095 Amending Ordinance 2010-O-17 Civil Service Commission for City employees (except employees who are subject to a Collective Bargaining Agreement) dated February 16, 2010 by adding language to Section 2, creation of commission, Sections 2 (A), 2(B), 2(C), 2(C)(i), and 2(D) to provide workable contingency plans for varying employee election results as they may occur so as to ensure a fully composed special trial board as needed for employee grievance dispositions; repealing any prior ordinances in conflict herewith; and, providing an effective date.

X. RESOLUTIONS

10. **2011-R-045** A resolution of the City of Laredo, Texas, determining that Peter Venegas Inc., (South Texas Waste Systems), a local bidder provides the best combination of contract price and additional economic development opportunities in accordance with Section 271.9051(b) (2) of the Texas Local Government Code for the contract for portable restroom services (bid FY10-049); and authorizing a renewal of this contract for a one (1) year term. **(Approved by Operations Committee)**

11. **2011-R-063** Authorizing the City Manager to submit a grant application to the Texas Department of Transportation in the amount of $50,000.00 and to accept said grant, if offered, for the FY 2012 Routine Airport Maintenance Program (RAMP) Grant at the Laredo International Airport. The City’s local match in the amount not to exceed $50,000.00 (100%) is available in the Airport Operations Fund. **(Approved by Operations Committee)**

12. **2011-R-066** Authorizing the City Manager to enter into and execute a Memorandum of Understanding, attached hereto as Exhibit A, between Texas A&M International University and the Laredo Fire Department for the purpose of providing an EMT program for clinical education, field work experience and office/classrooms for instructors. **(Approved by Operations Committee)**

13. **2011-R-067** Authorizing the City Manager to sign a water rights sales agreement, attached hereto as Exhibit A, between the City of Laredo & Olmito Water Supply Corp., whereby the City is agreeing to purchase the right to divert and use 200 acre ft. of municipal use water rights to the Rio Grande River at $2,250.00 per AC/FT; for a total purchase price of $450,000.00 and further authorizing the City Manager to file necessary applications with the Texas Commission on Environmental Quality on behalf of the City requesting that said water rights be served from certificate of adjudication no. 23-841, of the seller and combined with certificate of adjudication no. 23-3997, as amended, of the City and that the point of diversion, purpose and place of use of said water rights be changed as required by the City. Funding is available in the Water Availability Grant and Loan Fund. **(Approved by Operations Committee)**
14. **2011-R-069** Resolution in support of the Texas Department of Agriculture Mayor’s Challenge in support of the Summer Food Program. *(Co-Sponsored by Council Member Mike Garza and Council Member Cynthia Liendo Espinoza)*

XI. **MOTIONS**

15. Consideration to amend the current contract with Dogstar Productions, LLC., (formerly Petkey, LLC.) from $49,000.00 up to $75,000.00 to continue to purchase electronic animal identification system. This system includes pet microchips, scanners, and a municipal pet registration program. The term period is from June 1, 2011 through September 30, 2011. Funding is available in the Health Department budget. The contract can be continued pending appropriation in future fiscal years. *(Approved by Operations Committee)*

16. Award of construction contract to the lowest bidder ALC Construction, Inc., Laredo, Texas, in the base bid amount of $235,800.00 for the Civic Center Soft Walking Track (Re-Bid) with a construction contract time of twenty (20) working days; and authorizing the City Manager to execute all related contract documents contingent upon receipt and approval of insurance and bond documents. Funding is available in District VIII Discretionary Funds and the 35th Action Year CDBG Funds. *(Approved by Operations Committee)*

17. Consideration for approval of the Laredo International Airport Airfield Electrical Vault Improvements and Runway 17R-35L Lighting and Signage Improvements as complete; release of retainage; and, approval of final payment in the amount of $78,417.00 to F & W Electrical Contractors, Floresville, Texas. Final construction contract amount is $1,495,000.00. Funding is available in the Airport Construction Fund—FAA Grant No. 57. *(Approved by Operations Committee)*

18. Consideration for approval of the James and Maria Luisa Haynes Health and Wellness Center as substantial complete, approval of change order no. 3: a decrease of $140,000.00 a credit from unused contingency allowance balance; and, to add two hundred fifty-nine (259) calendar days to the construction contract time to the contract with Modern Construction, Inc., Laredo, Texas. Current construction contract amount with this change order is $10,637,300.00. Completion date for the project is scheduled for August, 2011. Funding is available in the 2009 C.O. Account. *(Approved by Operations Committee as to monetary issue only; justification of calendar delay left pending)*
19. Consideration for approval of change order no. 1 an increase of $211,607.00 to the construction contract with Modern Construction, Inc., Laredo, Texas, for the James and Maria Haynes Health and Wellness Center Auxiliary Buildings and Parking Improvements to construct an east side car parking area, lighting facilities and to add two hundred eighteen (218) calendar days to the construction contract time. Current construction contract amount with this change order is $2,039,637.00. Current construction contract time with this change order is three hundred sixty-eight (368) calendar days. Completion date for the project is scheduled for October 11, 2011. Funding is available in the 2009 and 2010 C.O. Issues. (Approved by Operations Committee as to monetary issue only; justification of calendar delay left pending)

20. Consideration for approval of the selection of a consultant to complete a landfill gas to energy feasibility study for the City of Laredo Municipal Landfill located at 6912 HWY 359, Laredo, Texas; to assess the potential benefit to the City of Laredo for implementing a landfill gas (LFG) to energy for design; preparation of plans and specifications; and, authorization to negotiate a professional services contract. (Approved by Operations Committee)

21. Consideration for approval of amendment no. 1: an increase of $23,440.00 to the testing contract with Terracon Consultants, Inc., Laredo, Texas, for the North Merida Drive Extension Project for additional field and laboratory services required due to increase in the project’s scope of work. Current engineering contract amount with this amendment is $67,985.00. Funding is available in the North Merida Extension Project. (Approved by Operations Committee)

22. Consideration to authorize the purchase of evidence lockers for the “property room” at the Laredo Police Station from Southwest Solution Groups, Addison, Texas, through the Texas State Contract purchasing program contract TXMAS no. 7-36030, in the amount of $75,664.37. Funding is available in the Police Trust Fund. (Approved by Operations Committee)

23. Consideration to award contract number FY11-089 to the sole bidder System Controls & Instrumentation, Converse, Texas, in the estimated amount of $330,845.00 for providing professional services for the maintenance of all water and wastewater SCADA monitoring and electrical controls under preventative maintenance and emergency responsive objectives. Pricing is based on a flat hourly rate for management/professional, technician, electrician, CAD Draftsmen, and clerical services. Funding is available in the Water and Wastewater Operational Fund. (Approved by Operations Committee)
24. Consideration for approval of amendment no. 1 for Black & Veatch Corporation associated with Civil Engineering Consultants Corporation dba Jeff Puig Engineering for the amount of $43,300.00 for additional design and construction plans and specifications of the Mines Road Tunnel Design, Miscellaneous Survey and Additional Construction Phase Services of the 60 Inch Water Transmission Main Project from El Pico Ranch on Mines Road to IH 35. The revised contract amount is $1,268,300.00. Funding is available in the 2008 Utility Bond. (Approved by Operations Committee)

25. Authorizing the City Manager to approve change order no. 1 to add forty (40) additional days to the contract with DEH Construction Co., LLC., Laredo, Texas, with no additional funding for the construction of Material Storage Concrete Bins with a modified construction time of one hundred fifteen (115) days. (Approved by Operations Committee)

26. Consideration for approval of amendment no. 2 to Camp, Dresser & McKee (CDM), Inc., in the amount of $547,900.00 for additional design and construction plans and specifications of the new Influent Pump Station and Extended Headwork sized for 18 MGD for the South Laredo Wastewater Treatment Plant. The revised contract amount is $4,565,350.00. Funding is available in the 2004, 2006 & 2007 Sewer Bonds. (Approved by Operations Committee)

27. Consideration to authorize the City Manager to award a contract to Smith Pumps for the repair of Raw Water Pump no. 1 at the Jefferson Street Water Treatment Plant at a cost of $72,404.00. Funding is available in the Utilities Construction Fund. (Approved by Operations Committee)

28. Approving monthly adjustments to the tax roll. The amounts to be adjusted for the month of June 2011, represent a decrease of $33,689.35. These adjustments are determined by the Webb County Appraisal District and by court orders.

XII. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

29.

A. Request by Council Member Mike Garza
   1. Status report on refrigerated warehouses, with possible action. (Co-Sponsored by Council Member Jorge A. Vera)

B. Request by Council Member Esteban Rangel
   1. Discussion with possible action on El Metro Bus Stop improvements including lighting and roofing.
C. Request by Council Member Alejandro “Alex” Perez
   1. Discussion with possible action on the cost of water sales to company from the oil and gas industry.

   2. Status report with possible action on the Cigarroa Building. (Co-Sponsored by Council Member Mike Garza)

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.

30. Request for executive session pursuant to Texas Government Code Section 551.072 to deliberate the value of real property pertaining to a potential purchase of real property located along Jacaman Rd., legally described as Lot 2, Block 2, Jacaman Ranch, Unit 1 to allow for culvert drainage improvements.

XIV. ADJOURNMENT

This notice was posted at the Municipal Government Offices, 1110 Houston Street, Laredo, Texas, at a place convenient and readily accessible to the public at all times. Said notice was posted on Wednesday, July 13, 2011 at 5:45 p.m.

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Gustavo Guevara, Jr.
City Secretary