

# CITY OF LAREDO

CITY COUNCIL MEETING

A-2012-R-12

CITY COUNCIL CHAMBERS

1110 HOUSTON STREET

LAREDO, TEXAS 78040

JULY 2, 2012

5:30 P.M.



## DISABILITY ACCESS STATEMENT



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

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

- I. **CALL TO ORDER**
- II. **PLEDGE OF ALLEGIANCE**
- III. **ROLL CALL**
- IV. **MINUTES**

### **Approval of the minutes of June 18, 2012**

#### **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.

#### **V. PUBLIC HEARINGS**

- 1. **Public hearing and introductory ordinance** amending the City of Laredo Code of Ordinances Chapter 6 (Animals and Fowl) by adding additional definitions to Article I, Section 6-1 and amending Section 6-7 regarding management of small animals and fowl, section 6-18 regarding cruelty to animals, Section 6-119 regarding registration, vaccination and permit fees, and implementing an adoption fee of \$60.00 to become effective sixty (60) days from public hearing and introduction; and providing for effective date and publication. **(As amended and approved by Finance Committee)**
- 2. **Public hearing and introductory ordinance** authorizing the City Manager to accept a grant in the amount of \$22,974.89 from the Border Environment

Cooperation Commission (BECC), to appropriate the funds in fiscal year 2011-2012 under the Waterworks Fund, and to enter into a contract agreement (Exhibit A) with BECC to conduct the “Cease the Grease—South Texas FOG Abatement Workshop”, which will focus on the Border 2012 Texas-Coahuila-Nuevo Leon-Tamaulipas Region and will address two (2) of the Regional 2011 Priorities: to reduce water contamination and to improve environmental health.

3. **Public hearing** allowing interested persons to comment on the 2012 Consolidated One-Year Action Plan which identifies the projects proposed to be funded by the U.S. Department of Housing and Urban Development through \$3,347,669.00 in 38th Action Year Community Development Block Grant (CDBG) funds, and \$98,540.00 in CDBG Program Income; \$879,662.00 in 2012 HOME Investment Partnerships Program (HOME) funds, and \$20,052.00 in HOME Program Income; \$284,955.00 in 2012 Emergency Solutions Grants Program (ESG) funds; and \$60,000.00 through the Housing Rehabilitation Revolving Loan fund. The projects proposed to be funded are as follows:

**38<sup>th</sup> AY Community Development Block Grant**

Community Development Administration	\$665,328
Graffiti Removal Program	\$42,977
Code Enforcement	\$506,059
Housing Rehabilitation Administration	\$267,520
Housing Rehabilitation Loan Program (\$98,540 in Program Income)	\$450,000
Hamilton Hotel - Section 108 Loan Repayment	\$99,737
Slaughter Park Improvements	\$606,252
St. Vincent de Paul Section 202 Housing Improvements	\$282,084
Median Beautification Dist. V	\$ 62,084
Farias Recreation Center Boxing Gym	\$404,168
Demolition of Substandard Structures	<u>\$60,000</u>
<b>Total</b>	<b>\$3,446,209</b>

Housing Rehabilitation Revolving Loan Program	\$17,150
Housing Rehabilitation Revolving Loan Administration	<u>\$42,850</u>
<b>Total</b>	<b>\$60,000</b>

**HOME Investment Partnership Grant**

HOME Program Administration	\$66,634
Downpayment Assistance (\$20,052 in Program Income)	\$339,798
Tenant-Based Rental Assistance	\$361,332
15% CHDO Set-Aside	<u>\$131,950</u>
<b>Total</b>	<b>\$899,714</b>

**Emergency Solutions Grants Program**

ESG Program Administration	\$21,371
Homeless Prevention	\$30,192

Rapid Re-Housing	\$62,419
Operations	\$85,593
Essential Services-Shelter	\$44,028
Essential Services – Outreach	\$33,486
<b>Homeless Management Information System (HMIS)</b>	<b><u>\$7,866</u></b>
<b>Total</b>	<b>\$284,955</b>

**(Approved by the Finance Committee)**

**(Recess)**

**(Press Availability)**

## **VI. INTRODUCTORY ORDINANCES**

4. Authorizing the City Manager to grant a License by and between the City of Laredo, Texas, an AT&T Corp., a New York Corporation, hereinafter designated as “Licensee”, dated July 2, 2012 for the use of one (1) innerduct in the Juarez Lincoln Bridge and 555.5 linear feet of right-of-way.
  1. Term of the License shall be for five (5) years commencing 12:00 a.m. on October 1, 2012 and terminating at 12:00 p.m. on September 30, 2017.
  2. Annual duct fee shall be \$21,696.78 and will increase by five percent (5%) every year the license is in place. In addition to the duct fee, Licensee shall pay a \$7.65 linear foot right-of-way fee, and will increase by five percent (5%) every year. **(Approved by the Finance Committee)**
5. Authorizing the City Manager to execute a License Agreement between the City of Laredo, Texas, and New Cingular Wireless PCS, LLC., a Delaware limited liability company, for space on the water tower located at 7803 Mines Road, Laredo, Webb County, Texas, for the installation and operation of antennae facilities. Term of the lease is five (5) years, with three (3) successive renewal terms of five (5) years. Annual license fee shall be \$15,000.00, with a four percent (4%) increase on each anniversary of the commencement date: and providing for effective date. **(Approved by the Finance Committee)**

## **VII. FINAL READING OF ORDINANCES**

6. **2012-O-088** Authorizing the issuance of City of Laredo, Texas Subordinate Waterworks and Sewer System Revenue Bonds, Series 2012, in the principal amount of \$48,750,000, for the purpose of improving and extending the City’s combined Waterworks System and Sewer System, making provisions for the security thereof; authorizing amendment to the City’s budget to appropriate such proceeds for purposes authorized herein;

awarding sale of the bonds to the Texas Water Development Board, and ordaining other matters relating to the subject.

**2012-O-089** Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 47 and 48, El Rancho Subdivision, Unit I, located at 4219 State Highway 359, from R-3 (Mixed Residential District) and B-3 (Community Business District) to B-4 (Highway Commercial District); providing for publication and effective date.

**2012-O-090** Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 2, Block 1, Westgate Commercial Subdivision, located at 1016 East Calton Road, from B-3 (Community Business District) to B-4 (Highway Commercial District); providing for publication and effective date.

**2012-O-091** Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 1, Block 1, Villas San Agustin, Unit 1 Subdivision; Lot 1, Block 5, Villas San Agustin, Unit 2 Subdivision and Lots 1 thru 3, Block 2, Villas San Agustin, Unit 8 Subdivision, located at 7801 and 7811 W. Bob Bullock Loop, 11210 Atlanta Drive; and 702 and 710 Fasken Boulevard, from R-2 (Multi-Family Residential District) and B-3 (Community Business District) to R-1A (Single Family Reduced Area District); providing for publication and effective date.

**2012-O-092** Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for an indoor/outdoor amusement services (batting cages) on Lot 2, Block 4, Hilltop Subdivision Phase II, located at 102 Hilltop Road; providing for publication and effective date.

**2012-O-093** Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 8, Block 1930, Eastern Division, located at 3102 Jaime Zapata Memorial Highway, from R-2 (Multi-family Residential District) to B-4 (Highway Commercial District); providing for publication and effective date.

**2012-O-094** Authorizing the City Manager to amend Ordinance no. 92-O-118 and grant the U. S. International Boundary & Water Commission (USIBWC) permission to install approximately 800 feet of conduit and wiring from the USIBWC gauge house to the center of the bridge to upgrade the current pressure based water level sensor to a modern radar water level sensor at the Colombia Solidarity Bridge. USIBWC will be responsible for all expenses related to design, installation and maintenance associated with this upgrade.

**2012-O-095** Authorizing the City Manager to execute a lease with Full Service Auto Parts of San Antonio, Inc., for approximately 7,220 square feet of building space with associated land located at 1605 E. Hillside at the Laredo International Airport, Block 24, Lot No.1. The initial monthly rent shall be \$4,852.05 and will be adjusted annually according to changes in the Consumer Price Index. The term shall commence on the first day of

June 2012 and shall terminate on the thirty-first day of April, 2014 plus two (2) five-year renewal options until April 30, 2019, and April 30, 2024, providing for rent adjustment in accordance with LESSOR'S appraised value effective May 1, 2014; providing for an effective date.

**2012-O-096** Authorizing the City Manager to execute a lease with Border Med Solutions, for approximately 5,500 square feet of building space with associated land located at 1605 E. Hillside at the Laredo International Airport, Block 24, Lot No.1. Lease term shall commence June 1, 2012 and end on April 30, 2013, and may be extended for two (2) terms of one (1) year each ending on May 31, 2014 and May 31, 2015. Initial monthly rent shall be \$4,644.00 and will be adjusted annually according to changes in the Consumer Price Index; providing for an effective date.

## VIII. RESOLUTIONS

7. **2012-R-053** Authorizing the City Manager to accept the contract with the Texas Department of State Health Services through the South Texas Development Council for a total award of \$419,193.00 for the City of Laredo Health Department HIV/Ryan White Program to continue to provide medical care, case management, and supportive care for the term period beginning April 1, 2012 through March 31, 2013. **(Approved by the Finance Committee)**

## IX. MOTIONS

8. Authorizing the selection of a consultant and to enter into negotiations for the ADA Paratransit Plan Update for Laredo, Texas. The recommended consultant for selection is The Collaborative, Inc., the Laredo Metropolitan Planning Organization (MPO) has budgeted \$101,238.00 for this project using Federal Planning Grant (PL112) funds.
9. Submitting the proposed 2013-2017 Capital Improvement Program (CIP) as per Article VI, Section 6.05, of the City Charter, which states that "the City Manager shall prepare and submit a five (5) year capital program at least sixty (60) days before the end of the fiscal year." **(Approved by the Finance Committee)**
10. Consideration to award a contract to a sole source provider, Pictometry International Corp., in the amount of \$151,449.00 to provide digital aerial imagery for Webb County. The aerial images will be used by 9-1-1 database and mapping personnel and 9-1-1 centers to update the existing level of service. Funding is available in the 9-1-1 Regional Fund. **(Approved by the Finance Committee)**
11. Consideration to authorize a contract with Kraftsman Commercial Playgrounds through the Buyboard Cooperative Purchasing Agreement Program's contract pricing, in the total amount of \$57,269.91 for the

purchase and installation of a play structure at La Ladrillera Park. Funding is available in the Community Development 2011 Block Grant. **(Approved by the Finance Committee)**

12. Consideration for approval of the La Ladrillera Park Basketball Court Cover and Lights as complete, release of retainage and approval of final payment in the amount of \$20,667.00 to T.F. Harper and Associates, L.P., Austin, Texas. Final construction contract amount is \$206,670.00. Funding is available in the 2010 C.O. District VIII Fund. **(Approved by the Finance Committee)**
13. Consideration to authorize the purchase of three (3) trucks with grapple dump bodies for the Solid Waste Services Division from the following vendors:
  1. Santex Truck Center, Ltd., San Antonio, Texas, in the amount of \$235,998.00 for three (3) cab and chassis trucks utilizing H-GAC Cooperative Contract Pricing; and
  2. Heil of Texas, Houston, Texas, in the amount of \$220,389.00 for three (3) grapple dump bodies utilizing BuyBoard Cooperative Contract Pricing.

Funding is available in the Solid Waste Services budget. **(Approved by the Finance Committee)**

14. Consideration to award contracts to the following vendors utilizing the H-GAC Cooperation Contract for the purchase of equipment for the Utilities Department:
  1. Santex Truck Center, San Antonio, Texas, in the amount of \$123,959.00 for the purchase of one (1) international cab and chassis,
  2. Utility Trailer Sales SE, Inc., Houston, Texas, in the amount of \$35,932.00 for the purchase of one (1) dump trailer.

Funding is available in the Utilities Department fund. **(Approved by the Finance Committee)**

15. Consideration to exercise the renewal option for annual contract FY11-089 awarded to System Controls & Instrumentation, Converse, Texas, in the amount of \$330,845.00 for providing maintenance services for all water and wastewater SCADA monitoring and electrical controls under preventative maintenance and emergency responsive objectives. Funding is available in the Water and Wastewater Operational Fund. **(Approved by the Finance Committee)**

16. Consideration for acceptance, final payment and release of retainage in the amount of \$215,907.65 and approval of final change order, a credit in the amount of \$153,064.76 bringing the total contract amount to \$3,909,995.24 from \$4,063,060.00 to QroMex Construction, Inc., for the construction of a 24" Transmission Water Main Improvements for the Utilities Department. Funding is available in the 2009 Utility Bond-Line Rehabilitation Account. **(Approved by the Finance Committee)**
17. Consideration for acceptance, final payment and release of retainage in the amount of \$211,884.00 and approval of final change order, a credit in the amount of \$62,875.49, reducing the contract amount to \$4,334,580.74 to Pesado Construction, Schertz, Texas, for the Hendricks, Milmo and Lyon Water Booster Pump Station Improvements. The project is subject to Texas Water Development Board approval. Funding is available in the 2009 Water Utility Bond. **(Approved by the Finance Committee)**
18. Consideration for acceptance, final payment and release of retainage in the amount of \$131,238.18 and approval of final change order no. 1, a credit in the amount of \$108,761.14 reducing the contract amount to \$1,585,105.26 to Pesado Construction, Schertz, Texas, for the 16" Water Main, Mines Road—FM 1472. Funding is available in the 2010 Water Utility Bond. **(Approved by the Finance Committee)**
19. Consideration for approval of change order no. 1 (final) in the amount of \$1,227.50 and authorizing forty (40) additional working days to QroMex Construction Co. Inc., for US 83-Lope De Vega. This change order consists the cost of 50 LF of 48" steel casing due to the fact that two (2) of the City furnished steel casing sections were found to be non-concentric and needs to be replaced. The total amount \$11,437.50 is partially paid by the contingency allowance (10,000.00) and deletion of silt fence (\$210.00) pay item. Funding is available in the 2010 Sewer Bond.
20. Consideration for approval of amendment no. 4 to Camp, Dresser & McKee (CDM), Inc., in the amount of \$205,000.00 for additional scope requirements established under the Texas Water Development Board and TCEQ that includes the design of a security wall and modifications to the plant's Storm Water Discharge Permit, and providing for the inclusion of a reclaimed water dispenser at the South Laredo Wastewater Treatment Plant. The revised contract amount is \$4,810,350.00. Funding is available in the 2010 Sewer Bond. **(Approved by the Finance Committee)**
21. Consideration for approval of change order no. 7, in the amount of \$633,342.00 to Pepper-Lawson Construction, L.P., Katy, Texas, for the Jefferson Street Water Treatment Plant 65-mgd process and electrical upgrade. This change order is required to enhance and upgrade existing facilities. The revised contract amount is \$36,648,805.58. Funding is provided by a grant from the American Recovery and Reinvestment Act subject to Texas Water Development Board and by Line Rehabilitation

account, 2011 Water Revenue Bond. **(Approved by the Finance Committee)**

22. Consideration for approval of change order no. 2, in the amount of \$16,220.00 and authorizing thirty (30) additional working days to Zertuche Construction LLC., Laredo, Texas, for Santa Rita Park Drainage Improvements Project. This change order consists of labor only done on the imported backfill for this project which required to water, compact and grade the additional backfill material. The additional days recommended due to rain days and other work requested. Funding is available in the 2007 Sewer Bond. **(Approved by the Finance Committee)**

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

23.

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

1. **2012-R-052** Consideration to recognize Mario Luis Kreutzberger Blumenfeld, aka "Don Francisco," for his contributions to Latino cultural promotion through his show on "Sabado Gigante," the longest running television show in the world, as well as his work to help physically challenged children throughout Latin American countries, with the establishment of Teletóns in each country, that help build hospitals and provide treatment for these children.
2. Establishing a three (3) member citizen committee to oversee the naming of city facilities/parks/improvements after war veterans and/or heroes in our community, who have died in the line of duty. **(Co-sponsored by Mayor Pro Tempore Cindy Liendo Espinoza, Council Member Esteban Rangel & Council Member Jorge Vera)**

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

1. Discussion with possible action on the possibility on requiring college degree on command positions within the Police Department. **(Co-Sponsored by Council Member Alejandro "Alex" Perez & Council Member Jorge Vera)**
2. Discussion with possible action modifying the wrecker service ordinance and/or creating a new ordinance addressing wrecker services and how they interact with the City and the public.

### **C. Request by Council Member Esteban Rangel**

1. Discussion possible action on building a park in the Concord Hills subdivision.



**D. Request by Council Member Johnny Rendon**

1. Status report on the Uni-Trade Baseball Stadium, with possible action.

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

1. Discussion with possible action regarding the placement of utility easements to the front of the lot rather than at the rear of the lot.

**XI. 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.

24. Request for executive session pursuant to Texas Government Code Section 551.071(1) (A) to consult with attorney on contemplated litigation with a return to open session for possible action regarding Independence Casualty and Surety Company and Insurance Company of the West as surety; Modern Construction, Inc., as principal; and, the City of Laredo as obligee. Project implicated is the James and Maria Luisa Haynes Health and Wellness Center (Phases I & II and auxiliary) located at 2102 Clark's Crossing.; performance/payment bond no. 2302942.
25. Request for executive session pursuant to Texas Government Code Section 551.071(1) (A) to consult with attorney on contemplated litigation with a return to open session for possible action regarding Hanover Insurance Company as surety; Modern Construction, Inc., as principal; and, the City of Laredo as obligee. Projects implicated are the South Laredo Library and Northwest Community Center; performance bond nos. 1977770 and 1977772.

**XII. ADJORNMENT**

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 27, 2012 at 6:00 p.m.

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**Gustavo Guevara, Jr.**  
City Secretary