

**CITY OF LAREDO
CITY COUNCIL MEETING
M2018-R-05
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
April 2, 2018
5:30 P.M.**

I. CALL TO ORDER

Mayor Pete Saenz called the meeting to order.

II. PLEDGE OF ALLEGIANCE

Mayor Pete Saenz led in the pledge of allegiance.

III. MOMENT OF SILENCE

Mayor Pete Saenz led in a moment of silence.

IV. ROLL CALL

In attendance:

Pete Saenz	Mayor
Rudy Gonzalez	District I
Vidal Rodriguez	District II
Alejandro "Alex" Perez, Jr.	Mayor Pro-Tempore, District III
Alberto Torres Jr.	District IV
Norma "Nelly" Vielma	District V
Charlie San Miguel	District VI
George J. Altgelt	District VII
Roberto Balli	District VIII
Jose A. Valdez, Jr.	City Secretary
Horacio De Leon	City Manager
Cynthia Collazo	Deputy City Manager
Kristina L. Hale	City Attorney

V. MINUTES

Approval of the minutes of February 9 - 10, 2018 and March 19, 2018

Motion to approve the February 9-10, 2018, and March 19, 2018, minutes.

Moved: Cm. Balli

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Cm. Rodriguez were not present.

Citizen comments

Victor Gomez, local business owner, reported that his business was raided the past Thursday by undercover police detectives, the Fire Department, building inspectors, code enforcement officers, the Health Department, the Building Development Services Department, and Environmental Services Department. He voiced his opinion that this represented an army of City Department raiding his business premises. Even the food inspector asked what he was doing there, as Mr. Gomez does not sell food. This was a coordinated attack on his business from what he learned was an anonymous phone call. He asked to know who placed that call and see the proof that the call was made. He noted that it was unusual for so many inspectors to show up at the same time. Mr. Gomez noted that it took him three months to get all of the inspections to open his business, but they arrived en masse randomly. He noted that in the past he had an altercation with a City Council Member who is not present, and he stated that the raid on his business is retaliation to that altercation. He filed a police incident report of the altercation with the Council Member and voiced his belief that this Council Member attempted to shut down his business and intimidate and harass him. Mr. Gomez asked if it is possible through the Open Information Act to find out who coordinated this raid as it is not coincidental. He asked whoever has the authority to look into this matter do so, as attempts are being made to impact Mr. Gomez's livelihood.

Cm. Torres clarified that this business is located in District IV but that he is not the Council Member in question, nor is he the Council Member listed on the police incident report. He asked the City Manager and staff speak with Mr. Gomez to help answer his question and investigate the situation that he presented before Council.

Mayor Saenz agreed, asking that staff report back to Council upon completion of the investigation. He added that the incident as presented by Mr. Gomez is not the normal order of business conducted by the City.

David Cardwell noticed that Mr. Gomez's testimony caused him great concern. If six or seven Departments can coordinate a raid on a business owner conducting legitimate business in Laredo, then more action is required on the part of the City than simply directing the City Manager to speak with the business owner. He agreed with Mayor Saenz that the results of an investigation should be brought back to Council and made public. Whoever orchestrated this incident is wielding too much control. He encouraged Council to take action once it is revealed who is at the bottom of this incident.

Lakshmana "Vish" Viswanath stated that he has attended Council Meetings for the last three years as an outspoken citizen. He has often been told by friends to "watch his back" because others may wish to cause him harm because of his outspokenness. He does not live in fear, but Mr. Gomez's testimony has caused him to wonder what is going on in the City. He reported that his business was also attacked after sharing his testimony with Council. The day after he shared his testimony, his air conditioning unit was stolen from his business, and the Police Department could not do anything. Mr. Vish stated that the City Manager and Deputy City Manager are the only two people at the City who could pull off such an elaborate coordination. There are five Executive Directors in the City among all of the departments, so it is very strange that all departments would have managed to go to the business at the exact same time to perform inspections. He encouraged the guilty party to take responsibility and admit their role. If anyone at the City abused their power in coordinating this raid, they should be fired. Mr. Vish emphasized that Council should take action in this matter.

Armando Cisneros echoed the sentiments of his citizens regarding the right of citizens to demonstrate their First Amendment rights without living in fear of retaliation. Everyone has equal protection under the law and should not be singled out. He encouraged the Mayor to follow up with the investigation into this matter and bring the facts to light before the public.

VI. COMMUNICATIONS

1. Recognizing the Laredo Mayhem Baseball team 13U Division.

Cm. Gonzalez recognized the baseball players in attendance, noting that the team have won two gold rings and represented Laredo throughout the country. He recognized the parents of the team members as well as their coaches.

Mayor Saenz presented the team members with a certificate of recognition for their accomplishment.

2. Recognizing Ken Yaguchi an 8th grade student at Harmony Science Academy for competing in Washington, D.C. for the national competition Spelling Bee. Ken has participated and won the campus level competition during his 6th, 7th, and 8th grade years. He is a top student at Harmony Science Academy who is also an officer of the National Junior Honor Society, a finalist in the Regional Science Fair and a participant of the Mathcounts Club. One of his primary mentors at our campus is his Spelling Bee Coach Mrs. Lyliana Santana.

Mayor Saenz presented Mr. Yahuchi with a certificate of recognition for his achievements.

3. Recognizing four (4) Laredo students Heber Vazquez, Gerardo Pena, Francisco Cerda, and Cristina Salazar from Harmony School of Excellence out of 1,187 Texas students from 13 regional fairs participated with well over 1,000 projects in the Texas Science and Engineering Fair. These 4 students were our local area 10th grade students. The students are under the direction of Mrs. Marissa Laurel Wilson, their Science Fair Coach.

Mayor Saenz presented the students with certificates of recognition.

4. Recognizing the Predatechs from Harmony School of Innovation for receiving 1st Place Champions Award and 1st Place Robot Performance Award - the two highest awards possible, the Predatechs set off to San Antonio, TX to compete among 60 other teams from their region. The Predatechs brought home 3rd Place Champions Award and 3rd Place Robot Performance Award. Not only did they proudly represent Harmony Public Schools, but the City of Laredo as a whole. The team is proud of their accomplishments, but above all are happy to help put Laredo on the map for a quality STEM education. The team is made up of 5th graders Alek Leven, Cesar Garay, Edgar Lara Jr., Elias Rodriguez, Julio Castilla and 6th graders Eduardo Almanza and Alejandro Alcaraz.

Cm. Vielma noted that she had the opportunity to see the Predatechs' display, which was very environmentally-conscious. She thanked the team members, their

parents, and their coaches for making Laredo proud.

Mayor Saenz presented the team with a certificate of recognition for their accomplishment.

VII. PUBLIC HEARINGS

1. Motion to open public hearing #1.

Moved: Cm. Torres

Second: Cm. Balli

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Cm. Altgelt were not present.

Public Hearing and Introductory Ordinance of the City of Laredo, Texas, providing for the amendment of Chapter 31, Article II, Division 1 Section 31-19 increasing the notice requirement from 24 to 72 hours; Division 2, Section 31-35 adding the additional requirement of annexation except as provided by Section 31.3 for industrial purpose properties; deleting Section 31-36 (Same-Issuance); deleting Section 31-37 (Same-Fees Paid with Application); deleting Section 31-38 (Same-Subject to Revocation); renumbering Section 31-39 as 31-36 (Inspections); replacing all references to "Permit" with "Plumbing Permit"; replacing all references to "Water Board" with "Utilities Department"; replacing all references to "Media" with "Public"; deleting Section 31-40 (Plumbing Permits, Notice to Water Board); renumbering Section 31-41 to Section 31-37 (Liability for Injuries to Sewers and Streets; Bonds); replacing all references to "Board of Trustees" with "Building Development Services Department"; and renumbering Section 31-42 as Section 31-38 and also amending 31-97 (e) (12) adding a sewer connection fee for Colonias Residential and LUE Connections. Also providing for publication and effective date.

There was no public input.

Motion to close public hearing and introduce.

Moved: Cm. Torres

Second: Cm. Balli

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Cm. Altgelt were not present.

2. Motion to open public hearing #2.

Moved: Cm. Balli

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Cm. Altgelt were not present.

Public Hearing and Introductory Ordinance amending Ordinance No. 2018-O-026, Chapter 31 (Utilities), Article III, (water), Division 3 (rates and charges) Section 31-138

(water rates) by charging monthly minimum water rate according to table - 5 up to 10,000 gallons as an incentive for citizens who want to convert their residential lawn to implement water conservation plans, under Article III, Division 4, Section 31-141.36 landscape requirements for 36 months from the date of the meter installation as irrigation meter. Also, clarifying the security deposits for new customers who are 65 years or older and veterans to include homestead only; providing for severability; providing this ordinance shall be cumulative; providing for publication; and providing an effective date.

Horacio De Leon, City Manager, asked Council to consider tabling this motion, as it offers an incentive for xeriscaping. This goes against the City's model in which it offers water rates.

Motion to table.

Moved: Cm. Rodriguez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Cm. Altgelt were not present.

3. Motion to open public hearing #3.

Moved: Cm. Balli

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Cm. Altgelt were not present.

Public Hearing and Introductory Ordinance authorizing the City Manager to amend the Capital Improvement Fund FY 2017-2018 budget by appropriating revenues and expenditures in the amount of \$125,000.00 from Webb County as specified in the lease agreement for the construction and paving of the parking lots at the Cedar complex in proximity to the Community Action Center (Fernando Salinas Community Center). Funds from Webb County are to be released in lump sum to begin the construction project.

There was no public input.

Motion to close public hearing and introduce.

Moved: Cm. Torres

Second: Cm. Balli

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Cm. Altgelt were not present.

4. Motion to open public hearing #4.

Moved: Cm. Balli

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Cm. Altgelt were not present.

Public Hearing and Introductory Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit for a Restaurant Serving Alcohol, on Lot 1, Block 1, Villarreal Enterprises Plat, located at 611 Shiloh Dr. Suites, 13 & 14; providing for publication and effective date.

Staff supports the application and Planning & Zoning recommends approval of the Special Use Permit. ZC-27-2018 District VI

There was no public input.

Motion to close public hearing and introduce.

Moved: Cm. Torres

Second: Cm. Balli

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Cm. Altgelt were not present.

VIII. FINAL READING OF ORDINANCES

Motion to waive the final readings of Ordinances 2018-O-042, 2018-O-043, 2018-O-044, 2018-O-045, 2018-O-046, 2018-O-047, 2018-O-048, 2018-O-049, 2018-O-050, 2018-O-051, 2018-O-052, 2018-O-053, and 2018-O-054.

Moved: Cm. Balli

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Cm. Altgelt were not present.

5. 2018-O-042 Authorizing the City Manager to amend the Fiscal Year 2017-2018 Department of Community Development budget by increasing revenues and expenditures in the amount of \$126,818.00 in order to appropriate Community Development Block Grant (CDBG) funds available from the property sale of 3002 Anna Street.

Motion to adopt Ordinance 2018-O-042.

Moved: Cm. Balli

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Cm. Altgelt were not present.

6. 2018-O-043 Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit for a mini-storage facility, on 1.15 acre tract (further described by metes and bounds in attached

Exhibit "A"), located at South of Del Mar Blvd. and East of Bartlett Avenue; providing for publication and effective date. ZC-28-2018 District V

Motion to adopt Ordinance 2018-O-043.

Moved: Cm. Balli

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Cm. Altgelt were not present.

7. 2018-O-044 Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for Shuttle Services (Van) on Lots 6 and 7, Block 42, Western Division, located at 502 San Bernardo Ave. ZC-23-2018 District VIII

Motion to adopt Ordinance 2018-O-044.

Moved: Cm. Balli

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Cm. Altgelt were not present.

8. 2018-O-045 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning the West One Half (1/2) of Lot 4, Block 101, Eastern Division, located at: 115 Mier St., from M-1 (Light Manufacturing District) to R-3 (Mixed Residential District). ZC-25-2018 District VIII

Motion to adopt Ordinance 2018-O-045.

Moved: Cm. Balli

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Cm. Altgelt were not present.

9. 2018-O-046 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 7, Block 1654, Eastern Division, located at 2704 Clark Blvd., from R-1 (Single Family Residential District) to R-O (Residential/ Office District). ZC-26-2018 District IV

Motion to adopt Ordinance 2018-O-046.

Moved: Cm. Balli

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Cm. Altgelt were not present.

10. 2018-O-047 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning approximately 8.8577 acres, out of Abstract 296, Porcion 32, Antonio Trevino Tract, located south of State Highway 359 and west of EG Ranch Rd., from R-1 (Single Family Residential District) to M-1 (Light Manufacturing District). ZC-78-2017 District II

Motion to adopt Ordinance 2018-O-047.

Moved: Cm. Balli

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Cm. Altgelt were not present.

11. 2018-O-048 authorizing the City Manager to accept and execute a grant amendment and appropriate 2018 Operating Budget from the Texas Department of Transportation (TxDOT) on State Urban Grant No. STATE-U-2017-LAREDO-00107 PGA for fiscal year 2018 in the amount of \$77,296.00 for a grand total of \$658,851.00 to be used for Preventative Maintenance and Bus Facilities for the City of Laredo Transit Department.

Motion to adopt Ordinance 2018-O-048.

Moved: Cm. Balli

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Cm. Altgelt were not present.

12. 2018-O-049 Authorizing the City Manager to accept a loan from the State Energy Conservation Office (SECO) in the amount of \$1,033,558.00 (one million thirty three thousand five hundred fifty-eight dollars), and amending the City of Laredo's FY 2017-2018 Waterworks budget by appropriating the said loan revenue to the appropriate expenditure accounts. Funds received from lender pursuant to this agreement to be used for VFD'S and power factor correction implementation at Jefferson Water Treatment Plant as projects identified in Attachment A-1 of the agreement.

Motion to adopt Ordinance 2018-O-049.

Moved: Cm. Balli

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Cm. Altgelt were not present.

13. 2018-O-050 An Ordinance amending Division 1 "Generally," of Chapter 2 "Administration," Article V "Boards, Commissions, Councils, etc.," of the Laredo City Code to adopt uniform policies for all Boards

Commissions and Committees created by the City Council; making various findings and provisions related to the subject; providing that this ordinance shall be cumulative; providing a severability clause; providing for publication; and providing for an effective date (As amended).

Motion to adopt Ordinance 2018-O-050.

Moved: Cm. Balli

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Cm. Altgelt were not present.

14. 2018-O-051 An Ordinance of the City of Laredo, Texas amending Chapter 2, Article V, Boards, Commissions, Councils, etc., of the Code of Ordinances by adding Division 6, Section 2-242 formalizing the creation and composition of the Public Safety Advisory Committee and by adding Section 2-243 providing for duties and powers and by adding Section 2-244 providing for its advisory capacity; providing that this ordinance shall be cumulative; providing a severability clause; and declaring an effective date.

Motion to adopt Ordinance 2018-O-051.

Moved: Cm. Balli

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Cm. Altgelt were not present.

15. 2018-O-052 Authorizing the City Manager to execute an Amended and Restated License Agreement between the City of Laredo ("Licensor") and New Cingular Wireless PCS, LLC, ("Licensee"), for space on the water tower located at 1801 Hillside Road, Laredo, Webb County, Texas, for the continued maintenance and operation of wireless communications facilities and related ground facilities. Term of the License Agreement is one (1) initial term of five (5) years commencing February 18, 2018 and ending February 17, 2023, with one (1) additional five (5) year renewal option. The annual license fee will be \$25,000.00 with a four percent (4%) annual escalator.

Motion to adopt Ordinance 2018-O-052.

Moved: Cm. Balli

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Cm. Altgelt were not present.

16. 2018-O-053 Authorizing the City Manager to execute an Amended and Restated License Agreement between the City of Laredo (“Licensor”) and New Cingular Wireless PCS, LLC, (“Licensee”), for space on the water tower located at 8711 McPherson, Laredo, Webb County, Texas, for the continued maintenance and operation of wireless communications facilities and related ground facilities. Term of the License Agreement is one (1) initial term of five (5) years commencing February 18, 2018 and ending February 17, 2023, with one (1) additional five (5) year renewal option. The annual license fee will be \$25,000.00 with a four percent (4%) annual escalator.

Motion to adopt Ordinance 2018-O-053.

Moved: Cm. Balli

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Cm. Altgelt were not present.

17. 2018-O-054 An Ordinance of the City of Laredo, Texas amending Chapter 17, Article 1, Section 17-5, of the Code of Ordinances by adding Subsection (E) Amnesty to provide that City Council shall be authorized to declare limited periods of "Amnesty" to allow borrowers of items from the Laredo Public Libraries to return overdue items or items previously considered lost without payment of fines or other charges and to allow the Laredo Public Libraries to accept return of such items without assessment of such fines, fees, and/or charges; providing that this ordinance shall be cumulative; providing a severability clause; and declaring an effective date.

Motion to adopt Ordinance 2018-O-054.

Moved: Cm. Balli

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Cm. Altgelt were not present.

IX. EXECUTIVE SESSION

None.

X. ADJOURN

Motion to adjourn.

Moved: Cm. Torres

Second: Cm. Perez

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Cm. Altgelt were not present.

I, Jose A. Valdez, Jr., City Secretary, do hereby certify that the above and foregoing is a true and correct copy of the minutes contained in pages 01 through 11 and they are true, complete, and correct proceedings of the City Council meeting held on April 2, 2018.

Jose A. Valdez, Jr.
City Secretary