

**CITY OF LAREDO  
RECOGNITION AND COMMUNICATION NOTICE  
M2019-R-07  
CITY COUNCIL CHAMBERS  
1110 HOUSTON STREET  
LAREDO, TX 78040  
May 6, 2019  
5:00 P.M.**

1. Presentation by Frank Rotnofsky, Regina Portillo and the Laredo Cycling Association regarding the 4<sup>th</sup> Annual Ride of Silence event.

Frank Rotnofsky of the Laredo Cycling Association and Bike Laredo reminded Council that May is National Bike Month; he invited the public to a series of events scheduled throughout the month, particularly the International Ride of Silence event on May 15, 2019, at 7:00 p.m. Participants should show up early to register; the Ride of Silence is a campaign to remind commuters to share the road harmoniously as well as a day of remembrance for those killed while riding their bikes on the road. The ride will start and end at the Outlet Shoppes of Laredo.

Regina Portillo of Bike Laredo noted that the 2019 Ride of Silence will honor Vicente Ramos Espinoza who was killed at the age of 65 when he was struck by a car while cycling to work in September 2018. She informed Council that over 40 events were planned for National Bike Month, noting a bike tour of Historic Downtown on May 18, 2019, during the Farmers' Market and a kid-friendly ride on Saturday, May 25, 2019, at 7:00 p.m. within North Central Park ending at La Golondrina Food Park.

Mr. Rotnofsky added that the calendar of events can be found on the City of Laredo website as well as on LCA and Bike Laredo's Facebook and Instagram pages.

**CITY OF LAREDO  
CITY COUNCIL MEETING  
M2019-R-07  
CITY COUNCIL CHAMBERS  
1110 HOUSTON STREET  
LAREDO, TX 78040  
May 6, 2019  
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 moment of silence.

**IV. ROLL CALL**

In attendance:

Pete Saenz	Mayor
Rudy Gonzalez, Jr.	District I
Vidal Rodriguez	District II
Mercurio “Merc” Martinez, III	District III
Alberto Torres, Jr.	District IV
Norma “Nelly” Vielma	District V
Dr. Marte Martinez	District VI
George J. Altgelt	District VII
Roberto Balli	District VIII, Mayor Pro-Tempore
Jose A. Valdez, Jr.	City Secretary
Rosario Cabello	Co-Interim City Manager
Robert Eads	Co-Interim City Manager
Kristina L. Hale	City Attorney

Cm. Vielma joined at 5:33 p.m.

**V. MINUTES**

Approval of minutes of April 15, 2019

Motion to approve the April 15, 2019 minutes.

Moved: Cm. Torres

Second: Cm. Balli

For: 7                      Against: 0                      Abstain: 0

Cm. Vielma was not present.

**Citizen Comments**

Victor Gomez spoke in opposition to the proposed water and wastewater rate increase. He asked for the citizens also opposing the rate increase to stand in solidarity together. He reminded Council that the public will remember the Council Members who voted for the rate increase come election time as the decision affects the less fortunate community in Laredo.

Judith Gutierrez of the Webb County Heritage Foundation Founders’ Day Celebration to celebrate the Foundation’s 264<sup>th</sup> birthday on Saturday, May 18, 2019, at 12:00 p.m. at the Laredo Center for the Arts. The Webb County Heritage Foundation is the only organization to commemorate the City’s founding. Margarita Araiza of the Webb County Heritage Foundation added that the Foundation will also be inaugurating the new President of the Republic of the Rio Grande, Millie Slaughter.

Ricardo Quijano stated that when the topic of Associate Municipal Court Judges was brought before Council, one Council Member stalled until the item was tabled. He asked if that Council Member stalled until the item was tabled. He asked if that Council Member stalled as a tactic to prevent anyone from speaking. Given the financial situation faced by the City, he spoke in opposition to wasting taxpayer money to dole out favors. He asked why the City would pay two Associate Judges \$52,000 each when the prior Municipal Court Judge was doing the job all by herself. He also asked why the two new part-time Associate Judges have benefits such as health insurance, asking if this was the standard other part-time employees in the City. He asked why Municipal Court Judge Jesus Dominguez did not take a pay cut to help offset these costs. Mr. Quijano noted his perception of economic inequality in the Municipal Court Judge and Associate Judge decisions.

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

1. Appointment by Council Member George Altgelt of Arnold Lozano to the Max A. Mandel Municipal Golf Course Advisory Committee.

Motion to approve the nomination of Arnoldo Lozano to the Max A. Mandel Municipal Golf Course Advisory Committee.

Moved: Cm. Torres

Second: Cm. Balli

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Cm. Altgelt were not present.

2. Appointment by Mayor Pete Saenz of Bernal Slight to the Max A. Mandel Municipal Golf Course Advisory Committee.

Motion to approve the nomination of Bernal Slight to the Max A. Mandel Municipal Golf Course Advisory Committee.

Moved: Cm. Torres

Second: Cm. Balli

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Cm. Altgelt were not present.

## **VII. PUBLIC HEARINGS**

1. Motion to open public hearing #1.

Moved: Cm. Torres

Second: Dr. Marte Martinez

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Cm. Altgelt were not present.

Public Hearing providing community residents an opportunity to comment on their housing and community needs and the projects that they wish to see funded. Comments received will be made part of the City's 2019 One Year Action Plan that will outline how funding for the programs listed below, made available through the U.S. Department of Housing and Urban Development (HUD), will be utilized. Allocation for the 45<sup>th</sup> Action Year is pending Congressional approval. The City's Community Development Department is planning its 2019 projects/activities based on the past 2018 allocation, as estimated below:

45<sup>th</sup> Action Year Community Development Block Grant (CDBG) \$3,729,949.00  
2019 HOME Investment Partnership Grant (HOME) \$1,178,458.00  
2019 Emergency Solutions Grant (ESG) \$306,204.00

Activities/Projects planned for the 45<sup>th</sup> Action Year are contingent on approved allocation amount. All proposed activities' budgets will be proportionally increased or decreased from the estimated funding levels to match actual allocation amounts. Any changes to the activities/projects due to changes in allocation will be reflected in the City's 2019 One Year Action Plan.

Also for discussion and comment is the Fiscal Year (FY) 2017-2018 Consolidated Annual Performance Evaluation Report (CAPER) regarding the City's administration of HUD Programs.

Arturo Garcia, Community Development Director, informed Council that the Department has started its public input process for this year's funding and received its general funding allocation from HUD since the agenda was posted. The current CDBG allocation for this year is \$3,730,742.00; the revised HOME allocation is \$1,085,399.00. The new ESG grant is \$316,494.00.

Motion to close public hearing with the amended grant totals.

Moved: Cm. Torres

Second: Dr. Marte Martinez

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Mercurio Martinez, and Cm. Altgelt were not present.

2. Motion to open public hearing #2.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Mercurio Martinez, and Cm. Altgelt were not present.

Public hearing and discussion of the voluntary annexation and initial zoning of AG (Agriculture District) on a tract of land totaling 478.31 acres, more or less, as described by metes and bounds in the attached Exhibit "A", and known as annexation Tract 1 (Cuatro Vientos South LTD Tract #1), north of Wormser Rd. and east of Loop

20/Cuatro Vientos Rd., as required by Section 43.063 of the Texas Local Government Code.

Armando Cisneros noted that the first and second public hearing for this item and other are on the same Council agenda. He asked for the reasoning.

Kristina L. Hale, City Attorney, stated that the Texas Local Government Code Section 43 does not require two separate meetings; staff asked for both public hearings to be on the same agenda.

Vanessa Guerra of the Planning Department explained that Council approved the schedule in January 2019 for the proposed annexation cycle. At this point, staff is in the public hearing phase and not seeking any action from Council. The Code requires two public hearings and allows for them to be on the same day. At the time of schedule formulation, the public hearings had to be held no less than 20 days and no more than 40 days from the institution of proceedings. Following these requirements, Council would need to introduce the ordinance through a special-called Council meeting to meet those deadlines. Staff was not in a rush but was following the directive of previous management to avoid special-called City Council meetings. Staff would normally have the two public hearings on separate days and then call a special-called Council meeting.

Rosario Cabello, Co-Interim City Manager, reminded Council that the calendar was already approved by City Council, so management did not give contradictory direction to staff.

Orlando Navarro stated that Council could request a special-called meeting if they felt it would help the situation. He noted that increasing a lot fee of 2% every year in an open-ended fashion would be problematic; he clarified that he is not involved with this annexation in any way.

Cm. Vielma stated that Council should not set a precedent of skipping public hearings and changes to procedure. Cm. Rodriguez assured the public that the next Council agenda will have an item to address this concern.

Riazul Mia, Utilities Director, confirmed that the annexation agreement is for water and sewage only. Ms. Guerra added that the 2% rate increase is for 10 years.

Jesus Ruiz of the Technical Review Board voiced his opposition to annexation fees as they add close to \$1,000-\$4,500 to the price of lots. Cm. Balli countered that the fee is contractual, meaning that the developers agreed to the fees. Mr. Ruiz stated that the fees are not contractual because if the developer does not agree, then he or she cannot annex. If the City continues to increase the upfront cost of purchasing a home or developing property, then the City is foregoing revenues later. He noted that the properties he is currently developing are already annexed, but he sees the effects that this will have on future development.

Mr. Mia clarified that the annexation fees for lots are scaled according to lot size.

Motion to close public hearing.

Moved: Cm. Gonzalez

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

3. Motion to open Public Hearing #3.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 8

Against: 0

Abstain: 0

Public Hearing and discussion of the voluntary annexation and initial zoning of AG (Agricultural District) on a tract of land totaling 328.98 acres, more or less, as described by metes and bounds in the attached Exhibit "A", and known as annexation Tract 2 (Cuatro Vientos South LTD Tract #2), located south of Wormser Rd. and east of Loop 20/Cuatro Vientos Rd., as required by Section 43.063 of the Texas Local Government Code.

Armando Cisneros reiterated that the first and second public hearings for this annexation are both on this Council agenda and asked why it is being rushed. If Council approved the schedule like this, it is clear that Council was not aware that the schedule was formulated in this way because Council questioned why the two public hearings are on the same day. He asked Council to hold them on separate days.

Jesus Ruiz of the Technical Review Board asked Council to consider the revenues from 1,200 lots annexed at \$4,500 per lot; he also asked how many homes the new sewer plant will supply.

Motion to close public hearing.

Moved: Cm. Torres (stepped out before the vote)

Second: Cm. Altgelt

For: 6

Against: 0

Abstain: 0

Cm. Torres and Cm. Vielma were not present.

4. Motion to open Public Hearing #4.

Moved: Dr. Marte Martinez

Second: Cm. Gonzalez

For: 6

Against: 0

Abstain: 0

Cm. Torres and Cm. Vielma were not present

Public Hearing and discussion of the voluntary annexation and initial zoning of M-1 (Light Manufacturing District) on a tract of land totaling 6.26 acres, more or less, as described by metes and bounds in the attached Exhibit "A", and known as annexation Tract 3 (El Retiro Tract), located north of FM 1472 and west of Copper

Mine Rd., as required by Section 43.063 of the Texas Local Government Code.

There was no public input.

Motion to close public hearing.

Moved: Dr. Marte Martinez

Second: Cm. Gonzalez

For: 6

Against: 0

Abstain: 0

Cm. Torres and Cm. Vielma were not present.

5. Motion to open Public Hearing #5.

Moved: Dr. Marte Martinez

Second: Cm. Gonzalez

For: 6

Against: 0

Abstain: 0

Cm. Torres and Cm. Vielma were not present.

Public Hearing and discussion of the voluntary annexation and initial zoning of M-1(Light Manufacturing District) on a tract of land totaling 76.22 acres, more or less, as described by metes and bounds in the attached Exhibit "A", and known as annexation Tract 4 (Holzman & Vasquez Tract), Located north of F.M. 1472 and west of FM 3338/Las Tiendas Rd., as required by Section 43.063 of the Texas Local Government Code.

Orlando Navarro, Armando Cisneros, and Jesus Ruiz reiterated their sentiments as transcribed in Public Hearing #2.

Motion to close public hearing.

Moved: Cm. Rodriguez

Second: Cm. Gonzalez

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

6. Motion to open Public Hearing #6.

Moved: Dr. Marte Martinez

Second: Cm. Altgelt

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

Public Hearing and discussion of the voluntary annexation and initial zoning of R-1 (Single Family Residential District) on attract or land totaling 24.43 acres, more or less, as described by metes and bounds in the attached Exhibit "A", and known as

annexation Tract 5 (Mandel Tract), located east of Max Mandel Municipal Golf Course and west of FM 1472, as required by Section 43.063 of the Texas Local Government Code.

Orlando Navarro, Armando Cisneros, and Jesus Ruiz reiterated their sentiments as transcribed in Public Hearing # 2.

Motion to close public hearing.

Moved: Cm. Torres

Second: Dr. Marte Martinez

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

7. Motion to open Public Hearing #7.

Moved: Dr. Marte Martinez

Second: Cm. Gonzalez

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

Public Hearing and discussion of the voluntary annexation and initial zoning of M-1 (Light Manufacturing District) on a tract of land totaling 1.5 acres, more or less, as described by metes and bounds in the attached Exhibit "A", and known as annexation Tract 6 (Lot 20, Block 2, Pinto Valle Industrial Park, Phase I Tract), located north of FM 1472 and east of Lampazos Loop, as required by Section 43.063 of the Texas Local Government Code.

There was no public input.

Motion to close public hearing.

Moved: Cm. Altgelt

Second: Cm. Gonzalez

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

8. Motion to open public Hearing 8.

Moved: Dr. Marte Martinez

Second: Cm. Gonzalez

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

Public Hearing and discussion of the voluntary annexation and initial zoning of M-1



(Light Manufacturing District) on a tract of land totaling 8.87 acres, more or less, as described by metes and bounds in the attached Exhibit "A", and known as annexation Tract 7 (COT Properties LLC Tract), located north of Anahuac Dr. and east of Pinto Valle Dr., as required by Section 43.063 of the Texas Local Government Code.

There was no public input.

Motion to close public hearing.

Moved: Cm. Altgelt

Second: Cm. Rodriguez

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

9. Motion to open Public Hearing #9.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

Public Hearing and Introductory Ordinance authorizing the Co-Interim City Managers to ratify and execute a contract from the Texas Department of State Health Services (DSHS), amending the FY 2018-2019 budget by appropriating additional revenues and expenditures in the amount of \$467,610.00 and amending the FY 2018-2019 Full Time Equivalent (FTE) Position Listing by adding one (1) Health Educator I, R29 position for the City of Laredo Health Department (CLHD) Zika Health Care Services Program for the term of July 1, 2019 through June 30, 2020.

There was no public input.

Motion to close public hearing.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

**VIII. SECOND PUBLIC HEARINGS**

10. Motion to open Second Public Hearing #10.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

Second Public Hearing and discussion of the voluntary annexation and initial zoning of AG (Agriculture District) on a tract of land totaling 478.31 acres, more or less, as described by metes and bounds in the attached Exhibit "A", and known as annexation Tract 1 (Cuatro Vientos South LTD Tract #1), north of Wormser Rd. and east of Loop 20/Cuatro Vientos Rd., as required by Section 43.063 of the Texas Local Government Code.

Ricardo Quijano stated his opinion that when Council Members raised questions during the first public hearing, others on Council began to rush the discussion which caused him concern. He asked if this process has been done in such a manner before because his research online shows that annexations start in May or June.

Vanessa Guerra of the Planning Department confirmed that staff typically starts annexation cycles in June but previous management requested that staff initiate a new annexation cycle as presented. While she could not recall personally whether staff ever had two public hearings on the same day, she noted that staff has confirmed that it has happened before.

Renee LaPerriere of the Laredo Public Library reported that she reviewed annexations from 2006-2013 and recalled seeing some public hearings at the same meetings either in 2011, 2012, or 2013 because it was difficult to get Council Members to come to a special-called Council meeting.

Mr. Quijano asked Council to take a step back and see why this procedure was done. Cm. Balli noted that Mr. Quijano's question has already been answered.

Motion to close public hearing.

Moved: Cm. Torres

Second: Dr. Marte Martinez

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

#### 11. Motion to open Second Public Hearing #11.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

Public Hearing and discussion of the voluntary annexation and initial zoning of AG (Agricultural District) on a tract of land totaling 328.98 acres, more or less, as described by metes and bounds in the attached Exhibit "A", and known as annexation Tract 2 (Cuatro Vientos South LTD Tract #2), located south of Wormser Rd. and east of Loop 20/Cuatro Vientos Rd., as required by Section 43.063 of the Texas Local

Government Code.

There was no public input.

Motion to close public hearing.

Moved: Cm. Torres

Second: Dr. Marte Martinez

For: 7                                      Against: 0                                      Abstain: 0

Cm. Vielma was not present.

12. Motion to open Second Public Hearing #12.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 7                                      Against: 0                                      Abstain: 0

Cm. Vielma was not present.

Second Public Hearing and discussion of the voluntary annexation and initial zoning of M-1(Light Manufacturing District) on a tract of land totaling 6.26 acres, more or less, as described by metes and bounds in the attached Exhibit "A", and known as annexation Tract 3 (El Retiro Tract), located north of FM 1472 and west of Copper Mine Rd., as required by Section 43.063 of the Texas Local Government Code.

There was no public input.

Motion to close public hearing.

Moved: Cm. Torres

Second: Dr. Marte Martinez

For: 7                                      Against: 0                                      Abstain: 0

Cm. Vielma was not present.

13. Motion to open Second Public Hearing #13.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 7                                      Against: 0                                      Abstain: 0

Cm. Vielma was not present.

Second Public Hearing and discussion of the voluntary annexation and initial zoning of M-1(Light Manufacturing District) on a tract of land totaling 76.22 acres, more or less, as described by metes and bounds in the attached Exhibit "A", and known as annexation Tract 4 (Holzman & Vasquez Tract), Located north of F.M. 1472 and west of FM 3338/Las Tiendas Rd., as required by Section 43.063 of the Texas Local

Government Code.

There was no public input.

Motion to close public hearing.

Moved: Cm. Torres

Second: Dr. Marte Martinez

For: 7                      Against: 0                      Abstain: 0

Cm. Vielma was not present.

14. Motion to open Second Public Hearing #14.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 7                      Against: 0                      Abstain: 0

Cm. Vielma was not present.

Second Public Hearing and discussion of the voluntary annexation and initial zoning of R-1 (Single Family Residential District) on attract or land totaling 24.43 acres, more or less, as described by metes and bounds in the attached Exhibit "A", and known as annexation Tract 5 (Mandel Tract), located east of Max Mandel Municipal Golf Course and west of FM 1472, as required by Section 43.063 of the Texas Local Government Code.

There was no public input.

Motion to close public hearing.

Moved: Cm. Torres

Second: Dr. Marte Martinez

For: 7                      Against: 0                      Abstain: 0

Cm. Vielma was not present.

15. Motion to open Second Public Hearing #15.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 7                      Against: 0                      Abstain: 0

Cm. Vielma was not present.

Second Public Hearing and discussion of the voluntary annexation and initial zoning of M-1 (Light Manufacturing District) on a tract of land totaling 1.5 acres, more or less, as described by metes and bounds in the attached Exhibit "A", and known as annexation Tract 6 (Lot 20, Block 2, Pinto Valle Industrial Park, Phase I Tract), located

north of FM 1472 and east of Lampazos Loop, as required by Section 43.063 of the Texas Local Government Code.

There was no public input.

Motion to close public hearing.

Moved: Cm. Torres

Second: Dr. Marte Martinez

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

16. Motion to open Second Public Hearing #16.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 7

Against: 0

Abstain: 0

Cm. Vielma were not present.

Public Hearing and discussion of the voluntary annexation and initial zoning of M-1 (Light Manufacturing District) on a tract of land totaling 8.87 acres, more or less, as described by metes and bounds in the attached Exhibit "A", and known as annexation Tract 7 (COT Properties LLC Tract), located north of Anahuac Dr. and east of Pinto Valle Dr., as required by Section 43.063 of the Texas Local Government Code.

There was no public input.

Motion to close public hearing.

Moved: Cm. Torres

Second: Dr. Marte Martinez

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

**IX. INTRODUCTORY ORDINANCES**

17. An Ordinance of the City of Laredo, Texas, providing regulations for the City Council community events; limiting the number of community events per fiscal year; requiring requests for community events to be submitted to the City Manager or designee in writing no later than thirty (30) days before the date of the event; providing for a cumulative clause; providing a severability clause; and declaring an effective date.

Ordinance Introduction: City Council

18. Amending the City of Laredo Land Development Code Section 24.65.8 R-1A-single

family reduced area district; section 24-77.1 dimensional standards section 24-77(8) front yard setbacks; through section 24-77(11) rear yard setbacks, and section 24.77.1 dimensional standards chart; providing for publication and effective date.

Victor Linares, Acting Building Director, noted that the property includes a carport to the property line and requests a decrease of the setback 10 feet.

Riazul Mia, Utilities Director, informed Council that the existing plat has a utility easement and asked Council to exclude the easement so that the developers cannot build on it.

Ordinance Introduction: City Council

19. Authorizing the CO-Interim City Manager's to convey an Easement and Right of Way to AEP Texas Inc., for a six (6) foot wide tract of land for an electrical easement containing 736.20 sq. ft., being out of Lot No. 1, Lot 2, and the Western 29 ft. from Lot 3, out of Block 792 Eastern Division, as recorded in Volume 7, Page 15, Webb County, Texas; said 736.20 sq. ft. tract of land being more particularly described by Metes and Bounds as described by on Exhibit "A", attached hereto and providing for an effective date.

Ordinance Introduction: City Council

20. Authorizing the Co-Interim City Managers to execute a License Agreement between the City of Laredo ("Licensor") and Branch Towers III, LLC, a Delaware limited liability company ("Licensee") for ground space at El Eden Recreation Center located at 4735 Loma Vista Drive, Laredo, Webb County, Texas for the construction of a 120' monopole, installation of an equipment building and related communication facilities. Term of the license is five (5) years, with five (5) successive renewal terms of five (5) years. Annual base rent shall be \$25,000.00, with a three percent (3%) increase on each anniversary of the commencement date; and providing for effective date.

Ordinance Introduction: City Council

21. Amending Chapter 19, Motor Vehicles and Traffic, Article VIII, stopping, standing or parking, of the Code of Ordinances, City of Laredo, specifically adding Subsection 19-364 (27) which establishes a section of the north and south side of the 1900 block of Frees St., between US. Highway 83 and S. Buena Vista Ave., as a "No Parking/Tow-Away" zone between the hours of 8:00 a.m. to 6:00 p.m.; providing for severability, effective date and publication.

Ordinance Introduction: City Council

22. Amending the City of Laredo Waterworks Operating Fund FY2019 Annual Budget by drawing down fund balance and increasing the Transfer Out to Water Construction Fund in the amount of \$4,000,000.00 to be used for repairs at El Pico Water Treatment Plan and also amending the City of Laredo's Water Construction

Fund FY 2019 Annual Budget by increasing revenues and expenses in the amount of \$4,000,000.00.

Ordinance Introduction: City Council

## **X. FINAL READING OF ORDINANCES**

Motion to waive the final reading of Ordinances 2019-O-066, 2019-O-067, 2019-O-068, 2019-O-069, 2019-O-070, 2019-O-073, and 2019-O-074.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

23. 2019-O-066 Authorizing the CO-Interim City Managers to accept and enter into a continuation contract from the U.S. Department of Health and Human Services Health Resources and Services Administration (HRSA) and amending the FY 2018-2019 budget by appropriating additional revenues and expenditures in the amount of \$300,000.00 for the City of Laredo Health Department (CLHD) Ryan White Part C HIV outpatient early intervention, diagnosis, treatment and prevention of HIV in the STDC Region for the term from May 1, 2019 through April 30, 2020.

Motion to adopt Ordinance 2019-O-066.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

24. 2019-O-067 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning all that part of Block 2019, Eastern Division, located at 3203 Chacon St., from B-3 (Community Business District) to M-1 (Light Manufacturing District); providing for publication and effective date. ZC-28-2019 District III

Motion to adopt Ordinance 2019-O-067.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

25. 2019-O-068 Amending the Zoning Ordinance (Map) of the City of Laredo by

rezoning approximate 2.959 acres, as further described by Metes and Bounds on Exhibit A, located at, North of International Blvd., and West of Springfield Ave., from AG (Agricultural District) to B-3 (Community Business District); providing for publication and effective date. ZC-29-2019 District VI

Motion to adopt Ordinance 2019-O-068.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

26. 2019-O-069 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning approximate 2.067 acres, as further described by Metes and Bounds on Exhibit A, located, North of International Blvd., and West of Springfield Ave., from AG (Agricultural District) to B-3 (Community Business District); providing for publication and effective date. ZC-30-2019 District VI

Motion to adopt Ordinance 2019-O-069.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

27. 2019-O-070 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 1, Khan Subdivision, located at 8002 San Gabriel Dr. from M-1 (Light Manufacturing District) to B-4 (Highway Commercial District); providing for publication and effective date. ZC-27-2019 District VII

Motion to adopt Ordinance 2019-O-070.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

28. 2019-O-071 Amending Chapter 31, Article III, Division 3, Section 31-138 by increasing the water rates as follows: Residential base minimum charge and volume water rates adjustment from two (2) percent to five (5) percent effective each year from October 1, 2019 through October 1, 2022; and Commercial base minimum charge adjustment from two (2) percent to five (5) percent and the volume water rates



adjustment from two (2) percent to twenty (20) percent for one (1) year effective October 1, 2019, and then both the Commercial base minimum charge and volume water rates adjustment from two (2) percent to five (5) percent each year from October 1, 2020 through October 1, 2022, and then to an annual adjustment from two (2) percent to three (3) percent for all customer classes each October 1st thereafter as shown in Tables 1 and 2; and also amending section 31-141(b)(2) by deleting approval by the City Manager; providing for publication and an effective date.

Kurt Kraus spoke in favor of the utility rate increase, not because he likes paying more for water, but because Laredo needs more infrastructure and capacity. International trade is the lifeblood of the City, so that the infrastructure must be in place. He encouraged Council to take this necessary step even though it is a difficult decision to make. The average consumer will spend about \$28 more annually, which he conceded is a lot for some families. However, he noted that \$28 is not worth discouraging growth and development and incentivizing business from coming to Laredo.

Cm. Altgelt voiced his understanding that the new cold storage facility with Laredo Pinnacle pays a living wage and created jobs in Laredo and will bring about \$60 million back to Laredo. Mr. Kraus noted that there is a produce vendor interested in doing business in Laredo, but if the capacity is not available, investors are going to take their business elsewhere, and the opportunities will be lost for the long-term.

James Robert Muller, resident and developer on Mines Road, reminded Council of NAFTA's approval which caused unbearable traffic jams in Laredo's Downtown. The City Council at that time took a bold measure and worked with Mexico to finalize the World Trade Bridge; this bridge was designated for truck traffic only to remove them from the city limits. From this decision, the Mines Road area exploded with infrastructure houses, and warehouses. By the law of supply and demand, industrial parks began in the area. He reported that the Interamerica Industrial Park alone has brought over \$73 million to the City's tax base and added 954 jobs. The Mines Road and I-35 corridors are carrying these vehicles through Laredo, and developers are making major investments and taking major risks to fulfill the need for commerce in the city. Mr. Muller asked Council to adopt this ordinance.

Lakshmana "Vish" Viswanath spoke in opposition to the rate increase but clarified that it is not because he does not want to ensure infrastructure is in place. He voiced his concern that increasing the rate as proposed is a knee-jerk reaction to the issue, which has been present for a while. Council should first review all of its options before making this decision. Mr. Vish reminded Council that citizens'

property values are appraised at higher and higher values every year, so their rates are not only going up a few dollars per month or per year. Costs for citizens are increasing every year. He suggested charging heavy users more, which has not been done at this point.

Cm. Altgelt countered that the City does in fact charge heavy utility users a higher rate for their use. He also cautioned Mr. Vish not to compare apples to oranges by bringing up ad valorem tax rates and property appraisals, because those are separate issues. The water sewage rate should be proportional to cover the costs of providing those services.

Mr. Vish clarified that the top ten users of water and the top ten users of wastewater are not the same customers or accounts.

Dr. Marte Martinez reminded Council that the majority of utility customers over the age of 65 are very low-volume users, so they will not see a significant increase in their monthly bills. The vast majority of this investment is going into existing infrastructure that is no longer working at capacity, not new development.

Mr. Vish reiterated his opinion that the City has been mismanaging taxpayer funds and encouraged Council to spend responsibly and regain the public's trust. If Council can prove that they attempted to curtail expenditures of public funds and that raising the utility rates is the City's last option, then he would be able to support this decision.

Robert Eads, Co-Interim City Manager, reported that the El Pico Water Treatment Plant is operational though flawed. Riazul Mia, Utilities Director, stated that the cost of water and wastewater treatment chemicals along had increased in the last year; the City of Laredo cannot operate without these chemicals. He reiterated Dr. Martinez's claim that about 74% of the increased rate revenue will go towards the existing system.

Mayor Saenz reminded Council that this rate increase is good for the next five to ten years; he reported that residents in the inner city complain of subsidizing rich developers. Land prices in Laredo are so expensive that it is a natural deterrent to growth and development.

Cm. Altgelt noted that he studied other cities to determine how they calibrated their rate increase. The City of Austin hired an independent hearing examiner to hear from rate payers and rate payer advocates, the development community, and staff members. That examiner coordinated over 18 public meetings in order to educate the public as to the situation and to receive feedback regarding the rate increase proposals and find what was doable. He then reported that he had a difficult time accessing the 2015 water study done for the City of Laredo, and it was not in a user-friendly format. It lacked any

public input and was through the lens of an engineer rather than a progressive component. He conceded that the public is right to be suspicious of Council given past decisions, and he agreed that a comprehensive rate structure may be more fair and proportional to its use. He voiced his opinion that the one very important conversation that has not yet taken place is a secondary or emergency water source. It is disingenuous to incentivize investment in Laredo when there is no Plan B for emergencies.

Mr. Mia reminded Council that he has presented five times over this matter and was never directed to have a public meeting and gather public input on this issue. Cm. Altgelt countered that staff should not have needed council's directive to do so; getting public input should have been done on assumption of the public's best interest. Mr. Mia iterated his opinion that blaming staff is not fair since Council could have given the directive at any time during the past five presentations.

Dr. Martinez asked when the rate study was initiated. Mr. Mia explained that the City first decided to do a rate study in 2017, which Council approved. When staff brought the study back, it was not acted upon. Dr. Martinez stated that to do something different would take another year and millions of dollars to likely have to increase the utility rate after all.

Dr. Hector Gonzalez, Health Director, reminded Council that every city in the country is facing the same issue as Laredo in terms of utilities services. From a public health standpoint, companies, and residents need clean running water. If the City does not invest in its infrastructure now, portions of the population will not have safe drinking water to their residence.

Steve Landin, Laredo Fire Chief, reminded Council that water pressure for firefighting is an issue in Laredo, so the water system is not sufficient for the City to meet its own needs. He urged the City to stop kicking the can down the road.

Andres Gonzalez Jr., of the Laredo Builders' Association voiced his support of the rate increase as it is intended to maintain the quality of service for the next 10 years. He encouraged Council to adopt the increase so that the Utilities Department can maintain its services and facilitate development in the City.

Dr. Martinez agreed that catching up is the most important thing that the City can do at this time while also committing to planning how the growth will occur over the next decade.

Cm. Vielma agreed with Cm. Altgelt's claim that not all of the stakeholders have been invited to the table. She noted that Laredo

is often compared to San Antonio and the Valley, but Mission and McAllen have lower utility rates than Laredo. Laredo should try to emulate those communities.

Mr. Mia informed Council that they can implement a per-tap fee or a per-lot fee at their own discretion. In the water system, adding a new meter comes with a \$300 connection fee; there is no fee for adding meters in the sewer system.

Armando Cisneros stated that the City's information does not match Dr. Martinez's statements; the public needs to learn the truth based on good data. He voiced his opinion that the development community has been getting everything that they want in this rate increase without the needs of the public being considered. The approach should be meticulous and coherent.

Mr. Mia reiterated that the capacity of the treatment facilities is not the issue; the City has plenty of water. The collection and delivery systems are the issue. The Zacate sewer treatment plant, which is half of the City's capacity, is more than 50 years old; it should have been retired 10 years ago. The City is currently not meeting the permit requirement for this plant and will soon face a violation from TCEQ. The City is processing more than the system can handle. He opposed Mr. Cisneros' implication that City staff are not presenting the truth and assured him that he can come to the Utilities Department for information.

Mr. Cisneros reminded Council that Willdan's recommendation was that the City raise the commercial account rates at a slightly higher percentage than residential rates because commercial rates are not covering commercial costs. Currently, Laredo's residential customers are carrying commercial customers despite commercial accounts establishing the City's peak demands.

Mr. Mia clarified that based on Willdan's recommendation, the proposed rate increase for commercial accounts is a slightly higher percentage increase than residential accounts. In the next five years, commercial customers will be paying more than residential customers; however, he cautioned that the City cannot put too much burden on commercial customers as they number only 8,000-9,000 accounts.

Dr. Martinez noted that residents buying new homes are paying for existing infrastructure, which is not fair. There is always a generational investment, but the City is not at that point yet.

Ricardo Quijano asked why the budget was not amended to make room for the water rate study in 2018 and its recommendations. Mr. Eads noted that discussion continued from then to now, but the City

also froze over 50 positions for a savings that could be applied to this issue. Cm. Altgelt clarified that the City was funding some positions with bond money and chose to freeze these positions so as not to be financing personnel.

Mr. Quijano mentioned that significant acreage is on the agenda for annexation with Cuatro Vientos and asked for an explanation. Mr. Mia explained that developers have to pay fees for their lots, but the City must invest in the infrastructure first and then collect their fee payments from developers later.

Orlando Navarro noted that none of the current Council or City Management staff were onboard when this problem first presented itself. He reported that he was on the Planning & Zoning Commission many years ago and did a lot of planning for the City. He countered the sentiment that the City does not have a plan, calling it erroneous and disrespectful. There have been capital improvement plans for each district that allow Council to set priorities and make amendments. Annexation agreements give Council the opportunity to review the plan for that land and vote on whether to accept that responsibility and annex the property or not.

Cm. Altgelt reiterated the need for a contingency in case the Rio Grande runs dry. Mr. Navarro continued that years ago in South Laredo, the landowners banded together and paid to join the sewer line. Later, when the City told the development community that they needed to reroute their sewage in their development and send it south, they did so. By spending so many years trying to avoid paying for infrastructure support, the City has gotten to the point at which it finds itself. He recalled members of the public coming to yell and argue with Council when North Central Park was being created as well as when the smoking ban was considered, adding that this happens but Council must still make the call.

Judd Gilpin stated that just because Council and City Management have changed their composition over the years does not mean that the planning did not occur. He reminded Council that it costs double to deliver secondary water as it does to facilitate the primary water source. If Council is so concerned with the backlash from the public about the proposed rate increase, he advised them to imagine if the City instead offered them double the rate increase for a secondary water source at this time. The recent rate study determined that about 10 comparable were looked at regarding their rates, and they were almost the same rates as Laredo. Most cities in that study were about 25% higher. He stated that Laredo would want to be the highest rate, but as anybody who does business can attest, the City should want to be the lowest. Most successful businesses are in the middle of the pack with their fees. He added that the City is experiencing unprecedented growth, particularly due to the food

industry coming to Laredo via cold storage. Cold storage has the opportunity to triple the facility's property value. These facilities don't use as much fire services, because new facilities have state-of-the-art fire protection. It would be highly significant for Laredo to get more involved in the food industry because it is constant and consistent as opposed to the various ups and down of manufacturing. The investment of cold storage can go a long way towards helping the rest of Laredo.

Monica Garcia, Laredo ISD Board Trustee for District 7, clarified that she could not speak for the whole Board of Trustees but noted that she has an upcoming \$95 million project in District 7 with a deadline. The project will convert Cigarroa Middle School and High School into solely a high school and build a new middle school campus with new infrastructure. The second phase of this project is to rebuild two elementary schools; she asked if this project is going to be compromised because of this issue.

Mr. Mia confirmed that staff has met with Laredo ISD; their infrastructure is old, and any redevelopment puts pressure on the system. Much of the City's infrastructure is old, but he stated that the City has been working with Laredo ISD on this project.

Mr. Navarro noted that the City issues a letter to a developer that they are cleared to begin their development and have the water and sewer capacity to do so. He asked if there are legal ramifications to the City not having the capacity and renege on its letters. Kristina L. Hale, City Attorney, confirmed that the developer would have legal rights to file a mandamus, but it would bring the potential for litigation from the City. Mr. Navarro cautioned Council that the City has already issued some letters to developers as he described for sewer connections.

Mr. Mia reported that some agreements have been signed between the City and developers as part of the land annexation. The City must honor those agreements, and he legally has no right to hold their plats. However, he has to do what must be done to avoid sewer overflow.

Victor Gomez voiced his concerns over the claims that only a quarter of the revenues will be used for new development. He noted that the Manadas Creek plant is existing infrastructure, but the replacements and improvements will serve new development. Mr. Mia clarified that the improvements to Manadas will serve to take half of the Zacate flow; everything from Mines Road goes to Zacate, creating a need to intercept some of the flow to Manadas.

Mr. Gomez continued that two expenses are obscure, particular the items labeled only as "Other Water CIP Projects" for \$29.7 million

and \$21.1 million, respectively. Mr. Mia explained that those expenses are from the Capital Improvement Program, which Council approved. They are small projects like line rehabilitation.

Noe Hinojosa of Estrada-Hinojosa & Company confirmed that this rate increase will increase the City's capacity for bond credit; Mayor Saenz added that once those CIP projects are distinguished, Council will scrutinize and prioritize them. The public will have as much of an opportunity to provide input as they always have.

Mr. Gomez reminded Council that the City has a Charter obligation, as it relates to borrowing, to only borrow 10% of valuation of properties. Total valuation for the City is \$14 billion; the City is already close to that bonding limit. He suggested doing away with discretionary funds and avoiding emergency-spending mentalities. He also suggested that the City sell the 500+ properties owned by the City that are currently sitting idle, privatizing the Max Mandel Municipal Golf Course as it is underutilized, and discontinuing the installation of ornate bus, stop, and street signs. He also suggested selling or privatizing Uni-Trade Stadium as it is a white elephant, closing 10% of the City's parks and/or laying off personnel, shutting down the Canseco House and lay off its personnel, selling the former Garcia Ranch east of the old Uniroyal test track which has no public road access to the ranch, curtailing expenses at the animal shelter, and laying off firefighters as done by the City of Houston.

Chano Aldrete reiterated the need for a secondary water source and stated that the City has conducted numerous studies and discussed this matter over and over without ever taking action.

Rosario Cabello, Co-Interim City Manager, explained that there is a nexus in the administrative fee that comes into the General Fund. Staff is proposing to leave it in the Utilities Department to let it build up about \$4 million so that the City can bond against it for the emergency/secondary water source.

Mr. Aldrete noted that in 2006, a secondary water fee was added to every utility account; Mrs. Cabello countered that this initiative was voted down. Mr. Aldrete continued that the City will increase every utility account rate by 2% annually until 2037. He reminded Council that a company has been available to provide a secondary water source for the City, who was already vetted by City staff.

David James encouraged Council to stop wasting more money on studies for a secondary water source. A secondary water source will not cost the City a penny until they begin utilizing it. If the City does not act now, another city will buy up that utility opportunity, and then the City will have to spend top dollar for water.

Ruben Saenz, the utility coordinator for Dimmitt County Utilities, reported that Dimmitt County came to Laredo with an investment opportunity for a pipeline development and were asked what else they could do for the community. Former Council and City Management asked Dimmitt County to split its pipeline, which was an extension of the County's investment.

Cynthia Vazquez asked Dr. Martinez if he previously served on the Planning & Zoning Commission; he confirmed that he had. She noted that some citizens cannot afford the five-year impact that the rate increases will have. She noted that the changes taking place simply make the poor poorer and the rich richer. If the City could come up with \$15 million to pay raises for the Fire Department, then this situation, which has been classified as an emergency, should be given the same commitment in the upcoming budget cycle. Ms. Vazquez voiced her concern about the hypocrisy of Council Members who claim to put the community first and instead vote to hurt the community, adding that she has no opposition to future development. However, she voiced her opposition to new development at the expense of the residents who are already living in Laredo. She suggested repairing the City's existing, damaged pipes first and implored Council to stop milking the poor people of the community for their own commitments that were not fully considered.

Motion to adopt Ordinance 2019-O-071.

Moved: Dr. Marte Martinez

Second: Cm. Mercurio Martinez

For: 5

Against: 4

Abstain: 0

Mayor Saenz Cm. Torres

Cm. Gonzalez Cm. Vielma

Cm. Rodriguez Cm. Altgelt

Cm. Mercurio Martinez Cm. Balli

Dr. Marte Martinez

29. 2019-O-072 Amending Chapter 31, Division 1, Article II, Section 31-92 of the City of Laredo Code of Ordinances, by increasing the sewer rates as follows: Residential base charge and volume rates adjustment from two (2) percent to six (6) percent effective each year from October 1, 2019 through October 1, 2022; and Commercial base minimum charge from two (2) percent to six (6) percent and volume rates from two (2) percent to fifteen (15) percent for one (1) year effective October 1, 2019, and then both the Commercial base charge and the volume rates adjustment from two (2) percent to six (6) percent each year from October 1, 2020 through October 1, 2022, and then to an annual adjustment from two (2) percent to three (3) percent for all customer classes each October 1st thereafter as shown in the Residential and Commercial/Multifamily tables provided within this ordinance; providing for publication and an effective date.



Motion to adopt Ordinance 2019-O-072.

Moved: Dr. Marte Martinez

Second: Cm. Mercurio Martinez

For: 5                      Against: 4                      Abstain: 0

Mayor Saenz Cm. Torres

Cm. Gonzalez              Cm. Vielma

Cm. Rodriguez              Cm. Altgelt

Cm. Mercurio Martinez      Cm. Balli

Dr. Marte Martinez

30. 2019-O-073 An Ordinance of the City of Laredo, Texas, amending Chapter 25 "Plumbing" of the Code of Ordinances by providing that no drip system or vegetation shall be allowed within forty-eight (48) inches from the back of the curb of a public street; providing standards for irrigation components located within twenty feet of a public street; providing for a cumulative clause; providing a severability clause; providing for publication and establishing an effective date.

Motion to adopt Ordinance 2019-O-073.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 7                      Against: 0                      Abstain: 0

Cm. Vielma was not present.

31. 2019-O-074 Authorizing Co-Interim City Managers to amend the City of Laredo 2018-2019 Transit Center Budget by drawing down from fund balance \$104,622.00 and increasing expenditures in the amount of \$104,622.00; and authorizing the Co-Interim City Managers to amend the 2018-2019 Transit Sales Tax by appropriating revenues and expenses to develop and implement a Pilot Urban Circulator Program (\$104,622.00) and any related expenses.

Motion to adopt Ordinance 2019-O-074.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 7                      Against: 0                      Abstain: 0

Cm. Vielma was not present.

## **XI. CONSENT AGENDA**

### **XI (a) RESOLUTIONS**

32. 2019-R-052 Authorizing the CO-Interim City Managers to submit a grant

application in the amount of \$1,402,488.00 to the Office of the Governor's Homeland Security Grants Division (HSGD) for the purpose of funding the 2018 Operation Stonegarden Grant (OPSG). This funding will be used for the purchase of two patrol units and for overtime and fringe benefit expenses, for Stonegarden Operations. No local match is required.

Motion to adopt Resolution 2019-R-052.

Moved: Cm. Torres  
Second: Cm. Altgelt  
For: 7                      Against: 0                      Abstain: 0

Cm. Vielma was not present.

33. 2019-R-053 Authorizing the Co-Interim City Managers to submit a grant application and accept said grant in the amount of \$12,959.65 from the office of the Governor's Homeland Security Grants Division (HSGD) for the purpose of funding the 2018 Operation Stonegarden Grant (OPSG). This funding will be used for overtime and fringe benefit expenses, for Stonegarden Operations by Airport Law Enforcement. No local match is required.

Motion to adopt Resolution 2019-R-053.

Moved: Cm. Torres  
Second: Cm. Altgelt  
For: 7                      Against: 0                      Abstain: 0

Cm. Vielma was not present.

34. 2019-R-054 Authorizing the Co-Interim City Managers to accept and enter into a contract with the Texas Department of State Health Services through the South Texas Development Council (STDC) in the amount of \$412,303.00 for the continuation of the City of Laredo Health Department Ryan White Program to provide health care, diagnostic and specialty care and medical case management for persons with HIV/AIDS and aligning positions with duties and program performance measures for the term of April 1, 2019 through March 31, 2020.

Motion to adopt Resolution 2019-R-054.

Moved: Cm. Torres  
Second: Cm. Altgelt  
For: 7                      Against: 0                      Abstain: 0

Cm. Vielma was not present.

35. 2019-R-055 Accepting the conveyance of a 7,288 sq. ft. tract of land, in the vicinity between the area known as sacred Heart Childrens Home and Taco Palenque on Zapata Highway, more or less, being out of Porcion 35, Jose M. Diaz, Original Grantee, Abstract 546, Webb County, Texas and being out of Lot 1, Block 1, Lafon Subdivision Phase I, as recorded in Volume 27, Page 43, Webb County Plat Records to serve as a Utility and Access Easement for the purpose of excavating, constructing, inspection, repairing, replacing, locating, relocating, and maintaining underground utility lines and any appurtenant or necessary facilities, in over, upon, across, and through said 7,288 sq. ft. tract of land said easement is further described by boundary survey and metes and bounds in attached Exhibit A; and providing for an effective date. Transaction to be accounted for in the City's Fixed Asset System.

Motion to adopt Resolution 2019-R-055.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

36. 2019-R-062 Authorizing and approving a fee waiver and a Tax Abatement Agreement between the City of Laredo and Jose Lopez-Emvi Investments LLC for a proposed project located at 3314 Clark Blvd., Lot 2; Block 2; Eastwood IV Subdivision that consists of new construction, in accordance with authorized guidelines and criteria established for the Neighborhood Empowerment Zone (NEZ). This agreement will be for a ten (10) year period and will abate taxes on new improvements for the purpose of economic development. The project has an estimated capital investment total of \$428,478.50, estimated annual tax abatement total of \$2,716.57 and estimated total fee waivers of \$6,559.00. Guidelines and criteria for the agreement are set forth in the attached agreement and information.

Motion to adopt Resolution 2019-R-062.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

37. 2019-R-064 A Resolution of the City of Laredo, Texas, authorizing the City's creation of the Laredo Center for Urban Agriculture and Sustainability, a local government corporation; approving the form of the certificate of formation and bylaws; containing other provisions relating to the subject; and declaring an effective date.

Motion to adopt Resolution 2019-R-064.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

38. 2019-R-065 Authorizing the Co-Interim City Managers to execute a Donation Acceptance Agreement by and between the United States of America, acting by and through the U.S. Department of Homeland Security, U.S. Customs and Border Protection (“CBP”) and the U.S. General Services Administration (“GSA”), Public Buildings Service (“PBS”) and the City of Laredo (“Donor”) for the proposed donation of a roadway in support of an increase of traffic at the World Trade Bridge Land Port of Entry (“LPOE”) located in Laredo, Texas. Donor seeks to design, construct and donate a roadway in support of processing inbound empty commercial vehicles due to an increase in traffic volume at the World Trade Bridge LPOE, which is owned by the United States and under the jurisdiction, custody and control of GSA.

Motion to adopt Resolution 2019-R-065.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

## **XI (b) MOTIONS**

39. Consideration to award contract FY19-019 to Able City, Laredo, TX in the amount of \$588,570.00 for the assessment and recommendations related to City of Laredo’s adoption of 2015 International Building Codes and Land Development Codes to include but not limited to Planning, Building, Utilities, Engineering, Environmental, Traffic & Fire. Upon selection and negotiations, city staff and Able City project team have negotiated fair and reasonable terms and are in agreement of bringing proposed contract for City Council consideration. Funding for this contract is available in General Fund – Professional Services.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Gonzalez

For: 7

Against: 0

Abstain: 0

Cm. Balli was not present.

40. Consideration to award contract FY19-035 to Relic, for the US Campaign Rebranding for an amount not to exceed \$109,500.00. Services for this contract include advertising/marketing to implement a brand roll-out campaign and related marketing initiatives. The overall goal of this project is to develop a stronger brand, efficient and strategic messaging by building a more position perception of Laredo, Texas. The term of the contract will be for one (1) year, with an option to renew the contract services for one (1) additional year. Funding for this contract is available in the Convention & Visitor's Bureau budget.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Gonzalez

For: 7

Against: 0

Abstain: 0

Cm. Balli was not present.

41. Consideration for approval of the Bartlett Sports Complex Park Basketball Metal Shade – District V as complete, release of retainage, and approval of final payment in the amount of \$15,200.00 to ALC Construction Co., Inc, Laredo, Texas. Final construction contract amount is \$152,000.00. Funding is available in 2017 CO Bond.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Gonzalez

For: 7

Against: 0

Abstain: 0

Cm. Balli was not present.

42. Approval of selection of consultant of and authorization to negotiate a professional services contract to provide consulting services for design and preparation of plans and specifications to prevent erosion of stream bank by Fasken Recreation Center utilizing alternate technologies such as rock-filled gabions, vegetative geo-grids, vegetative rip-rap etc. for stream bank protection.

John Porter, Environmental Services Director, reported that staff received three submittals for this project. After grading, staff recommends CEC Engineering as the consultant.

Cm. Gonzalez abstained from the vote as Mr. Puig, who operates CEC Engineers, is an appointee of his on a committee.

Motion to approve.

Moved: Cm. Altgelt

Second: Cm. Torres

For: 7                      Against: 0                      Abstain: 1  
Cm. Rodriguez    Cm. Gonzalez  
Cm. Mercurio Martinez  
Cm. Torres  
Cm. Vielma  
Dr. Marte Martinez  
Cm. Altgelt  
Cm. Balli

43. Consideration to award contract FY19-051 for the purchase of Chevrolet/GM Original Equipment Manufacturer (OEM) parts for the City's fleet vehicle repairs to the sole bidder Family Chevrolet, Laredo, Texas in an amount up to \$100,000.00. The term of this contract shall be for a period of one (1) year beginning as of the date of its execution. The contract may be extended for three, additional one (1) year periods. Funding for the additional extensions is subject to future budget appropriations. All parts will be purchased on an as needed basis and funding will be secured from the Fleet Management Fund.

Motion to approve.

Moved: Cm. Torres  
Second: Cm. Altgelt  
For: 8                      Against: 0                      Abstain: 0

44. Consideration to award annual contract FY19-053 to the following bidders:
- 1) McNeilus Truck & Manufacturing, Dodge Center, Minnesota in an amount not to exceed \$140,000.00 for (OEM Parts);
  - 2) Laredo Mechanical, Laredo, Texas, in an amount not to exceed \$100,000.00 (Labor Only);

for the purchase of McNeilus Original Equipment Manufacturer (OEM) equipment repair parts and service for the City's refuse trucks. The term of this contract shall be for a period of one (1) year beginning as of the date of its execution. This contract has three extension periods. All parts and services will be secured on an as needed basis. Funding is available in the Fleet Maintenance Budget.

Motion to approve.

Moved: Cm. Torres  
Second: Cm. Gonzalez  
For: 7                      Against: 0                      Abstain: 0

Cm. Balli was not present.

45. Authorizing the City Manager to enter into a contract with AT&T Corp., in the total amount of \$88,770.60 for citywide Internet service. This contract is for a period of thirty-six (36) months, utilizing direct AT&T MIS tariff MIS1306415, and payable in monthly payments of \$2,465.85. Funding is available in the Information Services

and Telecommunications department budget.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Gonzalez

For: 7

Against: 0

Abstain: 0

Cm. Balli was not present.

46. Authorizing the Co-Interim City Managers to approve payment for a one-year renewal option of the services agreement with Superior Public Sector for OpenGov Open Data Software Services. Renewal term is for one (1) year effective January 1, 2019 and ending December 31, 2019; and shall automatically renew for successive one (1) year terms; unless terminated by either party with at least sixty (60) days written notice prior to expiration of the then-current term. Second year cost is \$129,945.90; funding is available in the Information Technology Fund.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Gonzalez

For: 7

Against: 0

Abstain: 0

Cm. Balli was not present.

47. Consideration to authorize the purchase of two (2) unmarked policy units from Silsbee Ford, Silsbee, TX in the amount of \$61,168.00. The purchase of these vehicles shall be made utilizing the Goodbuy Contract Pricing Program. Funding is available in the Financial Task Force (HIDTA) Fund.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Gonzalez

For: 7

Against: 0

Abstain: 0

Cm. Balli was not present.

48. Consideration to authorize the purchase of three (3) unmarked police units from Lake Country Chevrolet, Jasper, TX in the amount of \$72,507.00. The purchase of these vehicles shall be made utilizing the Goodbuy Contract Pricing Program. Funding is available in the Financial Task Force (HIDTA) Fund.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Gonzalez

For: 7

Against: 0

Abstain: 0

Cm. Balli was not present.

49. Consideration to amend supply contract FY18-005 by 25% to Vulcan Materials, San Antonio, Texas for the purchase of asphalt cold lay used for street paving projects. The contract was originally awarded for \$100,000.00, this would allow for 25% increase amount of \$25,000.00 for a new contract total of \$125,000.00. Any price changes to this contract will be governed by an index made up of the composite posted prices in the Laredo area of those companies published in the daily publication of Oil Price Information Service (OPIS). All materials are purchased on an as needed basis utilizing the construction project budgets. Funding is available in the Public Works construction project budget.

Miguel Pescador, Purchasing Director, reported that staff is only asking for an increase of 25% as they ran out of money for the current contract amount at this time; staff is putting out a new bid. There is no price increase, just more use than anticipated.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

50. Consideration to renew annual service contract FY18-040 with Austin Wood Recycling, Cedar Park, Texas in an amount up to \$100,000.00 for the grinding of wood waste material (brush, branches, pallets, etc.) at the City Landfill. Approximately 100,000 cubic yards of material will be disposed on an annual basis. The term of this contract shall be for a period of one (1) year beginning as of the date of its execution. There was no price increase during the last extension period. This is the first of two extension options allowed. Funding is available in the Solid Waste Services Department Fund.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Gonzalez

For: 7

Against: 0

Abstain: 0

Cm. Balli was not present.

51. Authorizing the Co-Interim City Managers to execute a contract with Southern Trenchless Solutions of Weslaco, Tx to install eight hundred ninety feet (890) of thirty six inch (36") sewer line on San Francisco Avenue in order to relieve the current wastewater backup at that location. The contract amount will be \$995,989.10 and will provide for ninety (90) working days to complete. The bid was awarded using BuyBoard Cooperative Purchasing, under program contract number 555-18. Funding is available in the 2015 Sewer Revenue Bond.



Motion to approve.

Moved: Cm. Torres

Second: Cm. Gonzalez

For: 7

Against: 0

Abstain: 0

Cm. Balli was not present.

## END OF CONSENT AGENDA

## XII. STAFF REPORTS

52. Discussion with possible action on ongoing audits and/or irregularities identified by the Internal Auditor including the potential assignment of other and/or additional auditing duties; and any other matters incident thereto.

Motion to accept the auditor's report.

Moved: Cm. Torres

Second: Dr. Marte Martinez

For: 8

Against: 0

Abstain: 0

53. Discussion with possible action to consider an eighth request for an extension of Injury Leave with pay in accordance with 143.073(b) of the Texas Local Government Code for Patrol Officer Alfredo Rodriguez. Police Chief, Risk Manager, and Legal department recommend extension. Total number of days as of April 6, 2019 pay period: 451 days.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Mercurio Martinez

For: 8

Against: 0

Abstain: 0

54. Discussion with possible action to consider a first request for an extension of Injury Leave with pay in accordance with 143.073(b) of the Texas Local Government Code for Patrol Officer Heriberto Rodriguez Jr. Police Chief, Risk Manager, and Legal department recommend extension. Total number of days out as of April 6, 2019 pay period: 246 days.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Mercurio Martinez

For: 8

Against: 0

Abstain: 0

55. Discussion with possible action on the status of contract with 2L4L Baseball LLC for the use of the Uni-Trade Stadium; and any other matters incident thereto.

Motion to go into executive session to discuss this item.

Moved: Cm. Altgelt

Second: Cm. Torres

For: 8

Against: 0

Abstain: 0

Following executive session, Mayor Saenz reported that no action was taken.

Dr. Marte Martinez asked management to bring a new report to Council at the next Council meeting regarding the outcome.

56. Discussion with possible action to approve the naming of the residential development located at 802 Convent Avenue to the Martha C. Narvaez City Hall Apartments.

Jose A. Valdez, Jr., City Secretary, clarified that the address is 820 Convent Avenue, not 802. The Facility Naming & Recognition Commission met to discuss this recommendation and approved it unanimously.

Motion to approve with correction.

Moved: Cm. Torres

Second: Cm. Gonzalez

For: 6

Against: 0

Abstain: 0

Cm. Rodriguez and Cm. Altgelt were not present.

57. Staff Report on the status of contract for the City of Laredo's Payment & Collection Processing System, with possible action.

Miguel Pescador, Purchasing Director, reported that staff has tried to get a payment and collection contract for a while. Staff met with a hurdle on limitation and liability in its contract with Prementus and has been consulting with the City Attorney's Office on the matter.

Kristina L. Hale, City Attorney, noted that the City received a letter with liability and damages amounts, and staff has no objection to that.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Balli

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

58. Discussion with possible action on the funding source for Texas A&M International University's 50th Anniversary Celebration funding request, as previously presented to City Council by TAMIU; and any other matters incident thereto.

Dr. Pablo Arenaz, Texas A&M International University President, reminded Council that the University presented last month to ask for help with the TAMIU 50th Anniversary Celebration funding in September. He stated that he is attempting to bring the A&M System Board of Regents meeting to Laredo in January 2020. This would bring about 300 people to the City for three days.

Roseanne Palacios, Vice President for Institutional Advancement at TAMIU, reported that the 50th Anniversary Celebration will have five or six signature events to celebrate TAMIU's presence and contributions to Laredo. She noted that TAMIU has worked with Aileen Ramos of CVB to determine if and how many funds were available; the funds will be used for catering, decorations, staffing, entertainment, and all of the details that make a celebration successful. The more funding made available to TAMIU, the grander the celebration.

Aileen Ramos, Convention & Visitors Bureau Director, reported that staff presented its recommendation at the last Council meeting based on the events exclusive to the 50th Anniversary Celebration as presented by TAMIU. The recommendation from staff was \$25,000 based on the process by CVB staff and the history of funding other similar events. She also noted that staff recommended having TAMIU go through the Third Party Funding process so that they could see if that route was a better fit for their purposes.

Dr. Arenaz and Ms. Palacios stated that \$25,000 would be very helpful and appreciated.

Motion to authorize \$25,000 from whichever fund management designates.

Moved: Cm. Torres

Second: Cm. Balli

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Cm. Altgelt were not present.

### **XIII. EXECUTIVE SESSION**

None

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

Motion to recess as the Laredo City Council and convene as the Laredo Mass Transit Board.

Moved: Cm. Balli

Second: Cm. Altgelt

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

59. Consideration to award a two-year contract FY19-050 to the single responsible bidder Gonzalez Auto Parts, Laredo, Texas for the purchase of Automatic Transmission Fluid and CNG Synthetic Blend 15W40 Engine Oil for estimated yearly amount of \$283,500.00 for the Revenue Vehicle Fleet. Funding is available in the Laredo Transit Management, El Metro Operations Fund.

Motion to approve.

Moved: Cm. Balli

Second: Cm. Gonzalez

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

#### **XV. ADJOURN AS THE LAREDO MASS TRANSIT BOARD AND RECONVENE AS THE LAREDO CITY COUNCIL**

Motion to adjourn as the Laredo Mass Transit Board and reconvene as the Laredo City Council.

Moved: Cm. Balli

Second: Dr. Marte Martinez

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

#### **60. GENERAL COUNCIL DISCUSSION AND PRESENTATIONS**

##### **A. Request by Council Member Nelly Vielma**

1. Discussion with possible action directing Co-Interim City Managers to develop standing operating procedures (SOP's) for city sponsored events, checklists per department/type of project/assistance request, forms for co-sponsors, waivers, flow chart of revision process of pertinent departments with timelines, financial impact, training for staff to implement & assure a uniform process for all events; and any matters incident thereto. (Co-Sponsored by Council Member George Altgelt)

Cm. Altgelt noted the need to standardize City events. Cm. Torres agreed and voiced his opinion that this is a problem that current staff inherited because Council Members decide to have events about a week in advance and put the burden on staff to bring those events to fruition. He stated that Council wastes resources on poorly-planned events that Council Members decide to host on a whim.

Kristina L. Hale, City Attorney, confirmed that a City ordinance dictates that events be planned or initiated 30 days prior to the event date.

Cm. Torres suggested one of the procedures be that Council Members make requests for their events in writing rather than calling staff. He noted his agreement with the sponsorships in the spirit of transparency and showing what other elected officials are providing. For an event to be committed and executed, the City should establish a public benefit and benefit itself from these events. The event should have an itemized inventory of what is utilized or distributed, because it is beginning to seem like Council Members are using their events and flyers for their own political gain. He suggested a statement from the Council Member provide a statement or form that states that an individual is providing the good or service with an estimated value that is specified. The actual transaction of that good or service should be verified so that the flyer can justifiably have someone's picture or likeness represented.

Mrs. Hale confirmed that staff has created a form for sponsorships that Council can use moving forward. Rosario Cabello, Co-Interim City Manager, added that staff has also created a checklist that is nearly finalized. Council Members can hold up to six events per year, not counting ribbon-cuttings and groundbreakings. Staff considered adding a financial cap, but that matter has been debated without a final decision to-date.

Cm. Rodriguez asked about clean-up events after the City has made a park available for an event. He asked if those are counted towards the six-event limit because they are necessary and would have a negative impact on local residents if removed.

Cm. Altgelt reminded Council that the intention of this item is to standardize what is required of Council and staff in advance in order to hold an event. Cm. Vielma agreed and recalled being told one day out of the blue that her stalled event needed new requirements that had never been applied to any other Council Member but her. The operating procedures must be consistent and across the board to avoid the appearance of political favoritism. She also emphasized the importance of having staff properly trained on the requirements necessary for different event or project applications.

Cm. Torres noted that the City has not had City Managers as fair as the current Co-Interim City Managers. Implications of special treatment or "playing politics" among the Co-Interim City Managers is unwarranted. Cm. Vielma reiterated that the co-sponsor of her event approached her after the meeting in which multiple restrictions were imposed upon her and said, "This has never been done or asked before." Different parameters were placed on Cm. Vielma than on other Council Members, so she restated that the requirements should be standardized and consistent.

Motion to direct staff to develop standard operating procedures (SOPs) for City-sponsored events, checklists per department/type of project/assistance requests, forms for co-sponsors, waivers, flow chart of revision process of pertinent departments with timelines, financial impact, training for staff to implement and assure a uniform process for all events.

Moved: Cm. Altgelt  
Second: Cm. Vielma  
For: 8

Against: 0

Abstain: 0

2. Discussion with possible action directing Co-Interim City Managers to develop standing operating procedures (SOP's), forms, flowchart and training to document staff's review, recommendations, pros and cons, on projects, contracts, donations, agreements, to provide this valuable information to city council prior to agenda submission in order to improve the decision making process by council with all relevant information; and any matters incident thereto. (Co-Sponsored by Council Member George Altgelt)

Cm. Vielma noted that some of the Council agenda items do not have sufficient background information to ensure that Council is most informed to make the best available decision on City matters.

Cm. Torres countered that the Council agenda has background information on each item; the responsibility is on Council to review that information for each item. While he receives the full packet agenda at this residence, he can also access it online at the City's website and review who submitted the item and what date it was submitted along with management recommendations. This is why the full packet agenda is often 2,000 pages long.

Robert Eads, Co-Interim City Manager, added that time is compressed when agenda items are submitted on Wednesday right before the deadline. Staff has very little time to provide any sort of background information or recommendation to Council. Rosario Cabello, Co-Interim City Manager, reported that agenda items are due at 12:00 p.m., but staff often receives items at 6:00 p.m.

Cm. Rodriguez reminded Cm. Vielma that she has the right to request the hard copy of the full packet agenda that comes in a large binder. Mrs. Cabello agreed, noting that staff stopped sending out hard copies automatically in order to reduce their paper waste and environmental impact.

Mayor Saenz stated that staff should do everything in their power to ensure that agenda items are submitted by noon on Wednesday and not past the deadline.

Cm. Altgelt noted that Council is partially to blame for the late agenda items submitted in the final hour.

Cm. Vielma clarified that staff recommendations need to be clearly specified and in writing rather than through telephone conversation. Her intention is to formalize a standard operating procedure (SOP) to ensure that the appropriate, formal steps have been completed before the agenda item is placed before Council for action.

Mayor Saenz asked what is to be done if agenda items continue to be submitted after the noon deadline. Mr. Eads stated that the Council agenda creation process goes through a checks and balances step in the software across multiple

departments before it gets to the City Manager's Office. He voiced his belief that a previous City Management team reviewed the agenda items a certain way while he and Mrs. Cabello review it a different way. Based on their agenda item reviews, he stated his opinion that City Management properly provides background information and staff recommendations. He also reminded Council that for the most part, agenda items that have been placed on the final Council agenda are ones in which management wants Council action in the affirmative. The City Attorney also reviews those recommendations and usually approves of them as well.

Dr. Marte Martinez noted that he often tries to do his own research regarding Council items but will also call City staff to get clarification. Instead of staff having to field nine phone calls about one thing, staff could provide more information in the full packet agenda for the sake of clarification, such as signaling to Council that an item is a controversial topic or noting that a percentage increase is of significance or not, or related matters.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Altgelt

For: 8

Against: 0

Abstain: 0

3. Discussion with possible action directing Co-Interim City Managers to authorize the purchase and installation of a traffic signal and turning lanes at university and Bartlett intersection. Funding to be provided from District V priority funds.

Cm. Vielma noted that the funding would be about \$108,000.

Motion to approve.

Moved: Cm. Vielma

Second: Dr. Marte Martinez

For: 8

Against: 0

Abstain: 0

## **B. Request by Council Member Dr. Marte A. Martinez**

1. Discussion with possible action to amend the Policies and Procedures Manual and change the agenda format where it is organized by department in order to provide better clarity and transparency to the public; and any other matters incident thereto.

Rosario Cabello, Co-Interim City Manager, noted that public hearings cannot necessarily be grouped by Department, but ordinances, resolution, and motions can. Grouping the agenda by Department rather than document type may be easier on the eyes and bring Departmental staff before Council to answer all questions together.

Dr. Marte Martinez stated that in the future he would like to add a budget impact

visual aid with the previous budget balance and the proposed expenditure to generate the new balance.

Cm. Torres suggested adding the Director's name by the Department section headings. Mr. Eads noted that the Director's name is assumed but confirmed that staff could add it if Council wishes.

Motion to approve and include the Department Director's name along with the Department section heading.

Moved: Dr. Marte Martinez

Second: Cm. Altgelt

For: 8

Against: 0

Abstain: 0

2. Discussion with possible action to instruct Co-Interim City Managers to reduce the ad valorem tax rate from 0.634 – 0.624 during the 2019-2020 budget workshop. (Co-Sponsored by Mayor Pete Saenz and Council Member Mercurio Martinez, and Council Member Alberto Torres, Jr.)

David Cardwell stated that reducing the tax rate by one cent per \$100 valuation is not enough; he recommended instead lowering it to \$0.60, which would still be higher than the tax rate in San Antonio, Eagle Pass, McAllen, and Austin. Reducing the tax rate only one cent will save the taxpayer in a \$100,000-valued home about \$15 per year; reducing the rate to \$0.60 will save the same taxpayer \$51 per year. Last year, the City's tax rate reduction only saved the taxpayers the value of a fast food combo meal. This year's proposed savings is equivalent to only three fast-food combo meals per year. By using this recommended tax rate of \$0.60, families can use their savings to buy groceries or pay their water bill or insurance bill. A tax rate of \$0.60 will not impact the City negatively because almost every property increased in value over the last tax year, which will increase tax revenue; that revenue will offset the tax rate deduction to \$0.60. The City will also receive almost \$2 million in new property tax revenues that were not on the tax rolls in 2018. He encouraged Council to consider their constituents, many of whom live paycheck-to-paycheck or on fixed or sole incomes, who are struggling to pay their bills. A one-cent reduction is not helpful or meaningful.

Cm. Torres reported that last year, Council made a small reduction in an effort to start the process of reducing the tax rate to where it should be. He noted that he has voted against tax rate increases because even if left unchanged, home values are increasing, meaning that the City will still generate more tax revenue. He voiced his opinion that the issue is not the City's tax rate but rather the appraisals that are coming out of the Appraisal District. The people of Laredo should be educated and well-versed on how they can appeal their appraised values. He voiced his concerns that the Appraisal District makes the minimum effort to reach out to the community with a small newspaper advertisement, which does not work. He suggested that City staff could be assigned with the educational campaign to inform and assist the public with this matter.

Rosario Cabello, Co-Interim City Manager, agreed, adding that staff could be



assigned from the Tax Department or the Laredo Public Library. She confirmed that staff would pursue this suggestion.

Mayor Saenz added that Cm. Rudy Gonzalez, as a member of the Webb CAD board, could serve as a resource as well. He cautioned Council that at the end of the day, the only element over which the City has control is the tax rate.

Mr. Cardwell disagreed with the statement that the City has no control with the Appraisal District, reminding Council that the Appraisal District has been hosting Saturday meetings to get input and feedback and keeping their offices open on the weekend to educate the public. The Appraisal District, by law, must appraise properties between 95-105%; their hands are tied, but the City's is not. The City is getting more money with a reduction to \$0.60 than was received last year.

Cm. Mercurio Martinez explained that the one-cent reduction reflects the amount of monies that the rate increase would be as an offset attempt. Come budget time, he noted his intention to reduce the rate even further.

Lakshmana "Vish" Viswanath stated that Cm. Gonzalez, as a representative of the City on the appraisal board, should not be going to the board and asking for rate reductions but to instead ask why the Appraisal District is increasing property values year after year.

Cm. Gonzalez reminded the public that the next board meeting is Thursday, May 9, 2019. Cm. Vielma agreed with Mr. Vish's comments and noted that the public wants to hear how the City is cutting its expenses just as much as the new expenses before the City. She recommended amending this item to include the \$0.60 tax rate as suggested by Mr. Cardwell.

Dr. Martinez accepted the proposed amendment at the new tax rate but voiced his concern that the State of Texas is currently working on rollback taxes; it is unclear what the City's situation and how those decisions will play into the ad valorem rate. Mrs. Cabello added that the issue is in a joint committee that will decide if that new rollback tax decision will take effect in the upcoming year or the next. Dr. Martinez clarified that the current action before Council is a way to signal Council's intent to make a concerted effort at reducing the tax rate and encouraging economic development in the city. He voiced Council's belief that the City's revenue should be based on sales taxes rather than ad valorem taxes. The tax rate decrease is a true talking point, but it is only a start. He voiced his hesitation to say that the City has the budget worked out to commit to a \$0.60 tax rate at this time.

Mrs. Cabello cautioned Council that the city already has a commitment to its bond holders, and lowering the City's grades will have a future detrimental effect. About \$0.14 goes towards the City's debt, and the remainder goes towards operations. Mrs. Cabello assured Council that the City can always change that percentage. In preparation for the budget cycle, Mrs. Cabello noted that the City has strong commitments to the Police and Fire Departments, streets, insurance benefits, the new detox center, and living wages. Most of those priorities affect the General

Fund. She asked Council for more time to continue to monitor the situation, meet with Departments to find more cuts, and then make this decision during the budget process.

Robert Eads, Co-Interim City Manager, added that the City has contractual obligations to Police and Fire, which amount to \$3 million at the beginning of the process.

Mayor Saenz asked if the budget process would identify these areas of needs and priorities. Mrs. Cabello confirmed that it would asking that Council wait until that time to make this decision. Mayor Saenz encouraged Council to follow Mrs. Cabello's request and wait for the budget cycle to see where the City stands.

Mr. Cardwell suggested that Council make the rate reduction now as a good faith effort and giving the Co-Interim City Managers the challenge to bring a good budget back to Council.

Cm. Torres noted that the directive being given by Council from now until the budget meeting is not going to affect the City's bond rating.

Cm. Altgelt voiced his opinion that nothing gives a better direction to staff to tighten their belts than the directive being discussed by Council at this point. He noted his support of Dr. Martinez's initiative.

Cm. Torres suggested that Council direct management to bring back two reports, one reflecting the one-cent reduction and the other depicting the reduction to \$0.60, showing what would have to be cut or amended in order to achieve either scenario. Mrs. Cabello agreed that this would be helpful. She noted that the City of El Paso did something similar and largely cut their Parks Department; she voiced her concern that cutting Parks services is not something that the City of Laredo wants to do. Dr. Martinez accepted Cm. Torres's suggestion as an amendment.

Noe Hinojosa of Estrada-Hinojosa & Company voiced his opinion that Council's requests are fair but will be met with some policy issues. He noted that his firm could run sensitivity tests and determine if these changes will result in a bond rating decrease.

Motion to instruct Co-Interim City Managers to bring back two reports of reducing the ad valorem tax to \$0.624 and \$0.600 including what other services or expenses would need to be cut to achieve these reductions, as amended.

Moved: Dr. Marte Martinez

Second: Cm. Altgelt

For: 8

Against: 0

Abstain: 0

### **C. Request by Council Member George Altgelt**

1. Discussion and possible actin to change the name of Santa Maria Avenue

between 4200 Santa Maria Avenue and 4500 Santa Maria Avenue to Canizalez Avenue so as to avoid confusion with the actual street addresses along the Actual Santa Maria Avenue and to honor the Canizalez and their contributions to Laredo and the boxing world. In addition, install a pedestrian island using concepts of tactical urbanism and the AASHTO manual should be used in the closure and repurposing of the intersection of Tacuba and the Main Street of Santa Maria Avenue and any matter incident thereto.

Cm. Balli voiced his support of this item as that particular intersection is very confusing and has caused accidents and injuries. It is near a school and is also near the home where the Canizalez brothers grew up.

Cm. Torres asked if any properties will be affected by an address change. Vanessa Guerra of the Planning Department confirmed that approximately 32 properties would be affected. They appear to all be residential.

Cm. Rodriguez suggested sending this item to the Facility Naming & Recognition Commission. Jose A. Valdez, Jr., City Secretary, noted that the Commission considers naming and renaming of any City-owned facility, such as building and open areas like parks and streets.

Ramon Chavez, Building Director, reminded Council that there is a street closure process that will need to be followed. Alec Martinez, Cycling and Pedestrian Coordinator, added that no vehicular traffic will be reduced as the street is one-way. A lane of parking for staff has been allotted so that a food truck can continue to park along this street.

Motion to send the naming portion of this item to the Facility Naming & Recognition Commission independent of the traffic design and manual usage.

Moved: Cm. Altgelt

Second: Cm. Gonzalez

For: 8

Against: 0

Abstain: 0

2. Discussion and possible action to direct staff to convert Public Access Resources into a full service studio available to the public as per the existing ordinance and to upgrade current equipment to state of the art audio visual filmmaking gear and to make the facility available after hours for all qualified individuals; and any matters incident thereto.

Homero Vazquez, IST Director, reported that PAC normally has two studios but has been reduced to one currently as the other studio is being used by the 311 division. The single available studio would have to be shared by both City work and public use. The public would have to make arrangements with City staff in advance, but that availability is already in place. Any members of the public wanting to film or broadcast would need to go through a training program. Mr. Vazquez asked Council to review the City ordinance, which was created in 2009 and is outdated and needs to be updated. He added that the estimated cost for two camera rigs and two edit bays totals \$22,369.56. The equipment could be

checked out and taken into the field for filming; members of the public can edit on-site.

Motion to direct staff to come back with an updated ordinance as it relates to the use of Public Access resources that reflects the spirit of the existing ordinance and provides more accurate and updated information and technology and to direct staff to bring quotes for equipment once the ordinance is refined.

Moved: Cm. Altgelt

Second: Cm. Balli

For: 8

Against: 0

Abstain: 0

3. Discussion with possible action to obtain an outside consultant to conduct and audit/survey and scorecard as to the City's implementation of the Viva Laredo Comprehensive Plan; and any matters incident thereto.

Rosario Cabello, Co-Interim City Manager, reported that staff was asked last month to provide an update of respective areas. Staff has already built a website with various topics and priorities. The topic sections exhibit the City's goals and policy numbers that govern those matters. Mrs. Cabello stated that the web design and writing of this portal was all performed in-house. She could not confirm the cost of this item as staff is attempting to do much of the work in-house to save on the costs.

Cm. Altgelt clarified that once the City engages a consultant, they can determine the estimated cost; if that cost is unacceptable, then the City can continue to perform the work in-house. He iterated the importance of this item as the City needs data to determine whether its goals and missions are being achieved in a way that serves the public. He cited the fact that the Comprehensive Plan calls for urban density, but the City is still obtaining land and growing in a suburban sprawl.

Dr. Marte Martinez asked if Council could wait until the budget workshop. Robert Eads, Co-Interim City Manager, suggested waiting until the new Planning Director has started, noting that he could perform this function.

Motion to obtain a quote from an outside consultant to conduct an impartial audit/survey and scorecard as to the public's perception and City staff's perception of the Viva Laredo Comprehensive Plan implementation.

Moved: Cm. Altgelt

Second: Cm. Balli

For: 5

Against: 2

Abstain: 0

Cm. Gonzalez

Cm. Rodriguez

Cm. Mercurio Martinez

Dr. Marte Martinez

Cm. Torres

Cm. Altgelt

Cm. Balli

Cm. Vielma was not present.

**D. Request by Council Member Rudy Gonzalez, Jr.**

1. Discussion with possible action to instruct the Co-Interim City Managers to authorize staff to install speed humps at Eisenhower ST., under the Special Provision of the Speed Hump Installation Policy, and to authorize the use of asphalt type speed humps, instead of speed cushions, which is currently required under the policy: and any other matters incident thereto. City Council District I Priority Funds will be used for this project. Total cost \$2,000.00.

Robert Eads, Interim Co-City Manager, clarified that the total cost should be \$2,500.

Motion to approve for three blocks with a total cost of \$2,500.

Moved: Cm. Gonzalez

Second: Cm. Rodriguez

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

2. Discussion with possible action to instruct the Co-Interim City Managers to authorize staff to install a three-way stop sign on Eisenhower and Santa Barbara. City Council District I Priority Funds will be used for this project. Total cost \$2,000.00.

Robert Eads, Co-Interim City Manager, clarified that there should not be a cost for this as it is done in-house.

Motion to approve without using District I Priority Funds.

Moved: Cm. Gonzalez

Second: Cm. Altgelt

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

3. Discussion with possible action to instruct the Co-Interim City Managers to authorize staff to evaluate the possibility of several outdoor book exchange program also known as mini library boxes within District I.

Motion to approve.

Moved: Cm. Gonzalez

Second: Cm. Altgelt

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

**E. Request by Council Member Vidal Rodriguez**

1. Discussion with possible action to instruct the Co-Interim City Managers to authorize staff to install a speed hump at the 2900 S. Bartlett, under the Special Provision of the Speed Hump Installation Policy, and to authorize the use of asphalt type speed humps, instead of speed cushions, which is currently required under the policy: and any other matters incident thereto. City Council District II Priority Funds will be used for this project. Total cost \$2,000.00.

Motion to approve for a cost of \$5,000.

Moved: Cm. Rodriguez

Second: Cm. Gonzalez

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

**F. Request by Council Member Alberto Torres, Jr.**

1. Discussion with possible action to re-evaluate Ordinance 2018-O-050, specially Section 2-157 (Automatic Forfeiture); and any other matters incident thereto.

Motion to table for the next Council meeting.

Moved: Cm. Torres

Second: Cm. Gonzalez

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

2. Discussion with possible action to establish an Office of the Public Integrity responsible for investigating complaints of violations of law, including but not limited to ethics violations and other city ordinances, and any other matters incident thereto. (Co-Sponsored by Mayor Pro-Tempore Roberto Balli)

Motion to table for the next Council meeting.

Moved: Cm. Torres

Second: Cm. Gonzalez

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

**XVI. ADJOURN**

Motion to adjourn.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.