

CITY OF LAREDO  
CITY COUNCIL MEETING

CITY COUNCIL CHAMBERS  
1110 HOUSTON STREET  
LAREDO, TEXAS  
5:30 P.M.

MINUTES

M-97-R-12

APRIL 7, 1997

I. CALL TO ORDER

With a quorum present Mayor Saul N. Ramirez, Jr. called the meeting to order.

II. PLEDGE OF ALLEGIANCE

Mayor Saul N. Ramirez, Jr. led in the Pledge of Allegiance.

III. ROLL CALL

IN ATTENDANCE:

SAUL N. RAMIREZ, JR., MAYOR  
JOSE R. PEREZ, COUNCILMEMBER, DISTRICT I  
LOUIS H. BRUNI, " , DISTRICT II  
ALFONSO I. "PONCHO" CASSO, " , DISTRICT III  
CECILIA MAY MORENO, " , DISTRICT IV  
ELISEO VALDEZ, JR. " , DISTRICT V  
JOE A. GUERRA, " , DISTRICT VI  
MARIO GEORGE ALVARADO, " , DISTRICT VII  
CONSUELO "CHELO" MONTALVO, " , DISTRICT VIII  
GUSTAVO GUEVARA, JR., CITY SECRETARY  
FLORENCIO PENA, CITY MANAGER  
JAIME L. FLORES, CITY ATTORNEY

IV. APPROVAL OF MINUTES

2. City Council Meeting of March 17, 1997  
City Council Meeting of March 24, 1997

Motion to approve.

Moved : Cm. Perez

Second: Cw. Montalvo

For: 7

Against: 0

Abstain: 0

(Cw. Moreno was not present)

V. INTRODUCTORY ORDINANCES

- 3. Authorizing the City Manager to execute all necessary documents to effectively convey title to the surface only of the North 29 feet of the South 100 feet of Lot 1, Block 83, Western Division, City of Laredo, Webb County, Texas, to Mr. Derly N. Ramirez and wife Guadalupe, and providing for an effective date. The City will receive \$1,611.00 (appraised value), of which \$1,400.00 will be paid to the various taxing entities and the remaining \$211.00, will be applied to force cleaning liens.

Ordinance Introduction: City Council

- 4. Designating as a Public Utility Easement, a 0.1275 (5555.6 square feet) acre tract of land to install a sanitary sewer line in order to provide sanitary sewer service to abutting properties along Chacota Street and which is being paved with Project 59 funds, said tract being the Westerly 20.00 feet of Lots 1, 2, 3, 4, 5, and 6, Block 1191, Eastern Division, Webb County, Texas, and more particularly described by metes and bounds.

Ordinance Introduction: City Council

- 5. Establishing a 15% penalty on delinquent tax accounts as of July 1, 1997, to defray costs of collection pursuant to Section 33.07 (a) of the Property Tax Code, with a presentation concerning the feasibility of the City doing its own Inhouse Delinquent Tax Collections.

Ordinance Introduction: City Council

Mrs Phyllis Colon, Tax Collector, reported that if the city wishes to pursue the collection of delinquent taxes inhouse it would require the hiring of staff in addition to those working in the Tax Department at the present. The estimated cost of doing the collection inhouse is based on the costs derived from three different property tax law firms and reviewed by Purchasing and the Legal Department. The cost to set up and operate is as follows:

Fixed Expenses .....	\$ 79,705.00
Annual Expenses .....	365,500.00

On the pending question regarding having the County do the collection of taxes for the City, Mrs. Colon stated that she will provide a report in the near future.

- 6. Authorizing the City Manager to execute all necessary documents to effectively convey title to the "Surface Only" of the east 2.3 feet of land, (Containing approximately 319.44 square feet of land) out of the Buena Vista Avenue right-of-way between Musser and Fremont Streets, and which abuts Lot 1, Block 1094,

Eastern Division, to Mr. Daniel Lombrana and wife Adriana Lombrana at the established Fair Market Value of \$599.00, which is adjusted after retention of a utility easement thereon by the City; said 2.3 feet of land being partially encroached-upon by a one-story wooden structure owned by Mr. and Mrs. Lombrana.

Ordinance Introduction: City Council

VI. FINAL READINGS

Motion to waive the final reading of ordinance #97-O-064, #97-O-069, #97-O-070, #97-O-071, #97-O-072, #97-O-073, #97-O-073, #97-O-074, #97-O-075, #97-O-076, #97-O-077, #97-O-078, #97-O-079, #97-O-080, #97-O-081, and #97-O-082.

Moved : Cm. Perez  
Second: Cm. Valdez  
For: 7

Against: 0 Abstain: 0

- 7. 97-O-064 Authorizing the City Manager to execute a lease with U.S. Cellular to construct a 100 feet high self-supporting tower and related equipment building for use as a cellular antenna site on a 100 x 100 foot parcel in the corner of Lot 4, Block 1866, E.D. of the City of Laredo, Webb County, Texas.
  - 1. Lease term is for 10 years commencing March, 1997 and ending March, 2007, and may be extended for one (5) year option ending March, 2012.
  - 2. Monthly rent shall be \$600.00 payable annually in advance and will be adjusted annually according during the primary term of this lease according to changes in the Consumer Price Index; providing for effective date. (City Council)

Motion to approve Ordinance #97-0-064.

Moved : Cm. Perez  
Second: Cm. Bruni  
For: 7

Against: 0 Abstain: 0

- 8. 97-O-069 Ordinance authorizing the issuance of a Special Use Permit for gas extraction facility to Sonat Exploration Co. for a 2.75 acre tract out of Porcion 39, Abstract 250, located west of Hwy 83 and south of Santa Rita subdivision, known as the Johnson No. 3 Well, of the City of Laredo; providing for publication and effective date. (Cm. Jose R. Perez, Jr.)

Motion to approve Ordinance #97-O-069.







24.63.2 to provide for allowable zoning districts and special use permits for communication towers and antennas; amending Section 24.65.13 to delete provisions providing for radio and television antennas; creating Section 24.93.10 relating to special use permits for communication towers and antennas; amending appendix "A" establishing definitions accordingly; providing for publication and effective date. (City Council)

Motion to approve Ordinance #97-O-081.

Moved : Cm. Perez

Second: Cm. Bruni

For: 7

Against: 0

Abstain: 0

21. 97-O-082 Ordinance amending Section 24.63.2 of the Laredo Land Development Code of the City of Laredo by allowing the establishment of multi-family residential uses in R-O (Residential/Office Districts); providing for publication and effective date. (City Council)

Motion to approve Ordinance #97-O-82.

Moved : Cm. Perez

Second: Cm. Bruni

For: 7

Against: 0

Abstain: 0

## VII. RESOLUTIONS

22. 97-R-030 Authorizing the City Manager to execute a Consent to Transfer an assignment of Deed of Trust, Lien, Security Interest and Subordination, Non-Disturbance and Attornment Agreement with Aero Center, Inc., Lessee, the Laredo National Bank, Transferee, and Euroamerica Credit Corporation, a Cayman corporation, Transferor, and Deltamex Canada (USA) Inc., a Florida corporation, Transferor, thereby agreeing to the Laredo National Bank succeeding Euroamerica Credit Corporation and Deltamex Canada (USA) Inc., as Lenders, to Aero Center, Inc., Airport Lessee, under a Subordination, Non-Disturbance and Attornment Agreement approved by Resolution No. 96-R-029, approved on March 18, 1996; providing for effective date. This action will allow Euroamerica Credit Corporation to transfer its lien holder status to six leases between the City and Aero Center to the Laredo National Bank and thereby allow Aero Center to refinance its debt incurred in the construction of two hangers, an above ground fuel storage system, and the construction of an addition to the Border Patrol hanger.



26. 97-R-042 Authorizing the City Manager to accept a grant from the Office of National Drug Control Policy in the amount of \$356,086.00 for the 7th year of funding for a Multi-Agency Financial Disruption Task Force for the period beginning January 1, 1997 through December 31, 1997. This Task Force works in concert with the Drug Enforcement Administration (DEA) with its major focus being the identification and removal of drug-related assets.

Motion to approve Resolution #97-R-042.

Moved : Cm. Perez

Second: Cm. Guerra

For: 7

Against: 0

Abstain: 0

27. 97-R-043 Authorizing the City Manager to accept a grant from the Office of National Drug Control Policy in the amount of \$48,540.00 for 1st year funding of the Multi-Agency Major Organization Investigation Task Force for the period of October 1, 1996 through September 30, 1997. This Task Force will work in conjunction with the Federal Bureau of Investigations (F.B.I.) in investigating organized crime and drug trafficking in South Texas.

Motion to approve Resolution #97-R-043.

Moved : Cm. Perez

Second: Cm. Alvarado

For: 7

Against: 0

Abstain: 0

Cw. Moreno joined the meeting at 5:50 p.m.

#### VIII. MOTIONS

28. Approval of bid specifications and interest statements and authorization to advertise for bids and interest statements for the following:
- a) water meters, annual contract - Utilities Department,
  - b) fire hydrants, six month contract - Utilities Department,
  - c) tires and tubes, six month contract - Fleet Maintenance Division,
  - d) lubricants, six month contract - Fleet Maintenance Division,
  - e) concession services - Benavides Baseball complex, and the Civic Center Swimming Pool.
  - f) aerial fire truck - Fire Department.
- A tentative bid award for items a, b, & e is scheduled for May 5, 1997.
- A tentative bid award for items c, d & f is scheduled for May 19, 1997.

Motion to approve.

Moved : Cm. Perez  
Second: Cm. Valdez  
For: 8

Against: 0                      Abstain: 0

29. Approval of construction plans and authorization to advertise for bids for the Montgomery/India Drainage Improvements with tentative award May 19, 1997. Funding is available in the Capital Improvement Fund.

Motion to approve.

Moved : Cm. Perez  
Second: Cm. Valdez  
For: 8

Against: 0                      Abstain: 0

30. Authorization to advertise for Request for Proposals (RFPs) for consulting services to provide surveys and prepare plans and specifications for the construction of sidewalks along Community Development Block Grant (CDBG) residential neighborhoods to local schools. Funding is available in Community Development 19th Action Year and in the Community Development 20th Action Year Sidewalk.

Motion to approve.

Moved : Cm. Perez  
Second: Cm. Valdez  
For: 8

Against: 0                      Abstain: 0

31. Authorization to advertise for Request for Proposals (RFPs) for consulting services to provide a feasibility site, provide surveys, platting design and preparation of plans and specifications, and provide cost estimates for the construction of a facility to house the Department of Public Works, the Parks and Recreation Department, the Water Utilities administration office, and the Traffic and Fleet Management Departments. Funding is available in General Fund - Improvements Other Than Buildings Account.

Motion to approve.

Moved : Cm. Perez  
Second: Cm. Valdez  
For: 8

Against: 0                      Abstain: 0

32. Authorizing the issuance of requests for Engineer's design and project management for water and sewer improvements as described in the Colonias Facility Plan. The RFP's are being solicited in anticipation of the Texas Water Development Board approval of the facility plan in May or June of this year.

Motion to approve.

Moved : Cm. Perez  
 Second: Cm. Valdez  
 For: 8

Against: 0                      Abstain: 0

33. Award of a financial services contract to the firm of Estrada-Hinojosa, for an amount not to exceed \$48,300.00, (this amount is based on an estimated combination of a grant/loan total project cost of \$13,000,000.00, for the Colonias Infrastructure Project) to act as the City's financial advisor on the Colonias Water and Sewer Project. The financial application is prepared on a contingency basis with no cash disbursement by the City.

Motion to approve with the amendment to select Estrada-Hinojosa as Financial Advisers for the city as the Colonia Water/Sewer Project and bring back the contract for Council approval on April 21st.

Moved : Cm. Perez  
 Second: Cm. Valdez  
 For: 8

Against: 0                      Abstain: 0

34. Approval to reject all bids received for the purchase of automotive batteries for the Fleet Maintenance Division due to non-compliance with the City's bid specifications and authorize staff to solicit new bids. The two lowest bidders did not meet all the City's bid requirements and all other bids exceed the budgeted allocation for this commodity.

Motion to approve the second lowest bid subject to legal advice and bring back to Council at the next meeting.

Moved : Cm. Guerra  
 Second: Cm. Bruni  
 For: 8

Against: 0                      Abstain: 0

35. Award of contracts to the LOW BIDDERS, La Yerba Buena, Laredo, Texas, for landscaping services, in the amount of \$22,416.24, and Yardart, Inc., Laredo, Texas, for irrigation services, in the amount of \$18,000.00 for the Farias, Tarver, and Cigarroa Recreation centers. Funding for these projects is available from Community Development Block Grant (CDBG) funds.

Cm. Guerra stated for the record that he wants that the city be provided, at all times with insurance certificates from these service providers, so that the city will be held harmless from any liability that these people may incur on our behalf.

Motion to approve.

Moved : Cm. Perez  
 Second: Cm. Bruni  
 For: 8

Against: 0

Abstain: 0

36. Award of contract to the LOW BIDDER, Vallen Safety Supply Co., Corpus Christi, Texas, in the amount of \$34,941.69, for the purchase of 43 sets of protective clothing (bunker gear) for the Fire Department. The sets include the protective coat, trousers, boots, gloves, suspenders, hoods, and helmets. The proposed gear meets all the standards of the National Fire Protection Association (NFPA). Funding is available in the Fire Department's Capital Outlay Account. The bid pricing is approximately 9% more than the previous year.

Motion to approve.

Moved : Cm. Perez  
 Second: Cm. Bruni  
 For: 8

Against: 0

Abstain: 0

37. Award of a two year service contract to the LOW BIDDER, Walker Security Inc., Laredo, Texas, in the yearly amount of \$301,457.52, for providing security guard services for the City's three International Bridges, the Health Department Complex, Civic Center/West Martin Field, and the City Hall building. Funding is available in the particular department's Budget. The overall bid pricing remained the same as our current price structure.

Cm. Casso stated that Mr. Walker has indicated that he will withdraw his application for Chief of Police if this contract is awarded to him because it would be a conflict.

Mr. Victor Soliz was concerned and stated he was the low bidder (one cent on each) however, his attorney told him that come September 1st the new minimum hourly requirement will come in and had questions in that regard.

Motion to table for the next meeting for the purpose of clarifying from the lowest bidder on the increase in minimum wage and how we anticipate covering that expense and explore the possibility to provide separate contracts.

Moved : Cm. Guerra  
 Second: Cw. Montalvo  
 For: 8

Against: 0

Abstain: 0

38. Award of contract to the LOW BIDDER, Sames Motor Co., Laredo, Texas, in the amount of \$335,257.00, for the purchase of eleven, police package sedans six of which will immediately be placed on patrol with the remaining five being placed on reserve. Staff

is recommending that these vehicles be purchased with conventional gasoline engines due to the limited range (150 miles) of the CNG packages. Delivery is expected within sixty to ninety days and all units will be assigned to the Police Patrol division. Funding is available in the Police Trust Fund Budget. The bid pricing is 3% lower than the previous contract pricing.

Motion to approve.

Moved : Cm. Perez  
Second: Cw. Moreno  
For: 8

Against: 0 Abstain: 0

39. Award of contract to the LOW BIDDER, Aqua Chlor Commercial Services, San Antonio, Texas, in the estimated amount of \$24,505.00 for the purchase of trichlor tablets needed for the chlorination process for all the City's swimming pools. Funding is available in the Parks Department - Chemicals Account. The bid pricing is approximately 7% less than the previous contract pricing.

Motion to approve.

Moved : Cm. Perez  
Second: Cw. Moreno  
For: 8

Against: 0 Abstain: 0

40. Award of contract to the LOW BIDDERS, Mission Clay Products, San Antonio, Texas, in the estimated amount of \$201,394.75 and U.S. Filter, Laredo, Texas, in the estimated amount of \$114,453.50, for the purchase of clay pipe, PVC/clay pipe fittings, and related materials, for use by the Utilities Department - Wastewater operations for construction and repair projects. Funding is available in the Utilities Department's Budget. The contract pricing is approximately 4% higher than the previous contract.

Motion to approve.

Moved : Cm. Perez  
Second: Cw. Moreno  
For: 8

Against: 0 Abstain: 0

41. Award of contract to the LOW BIDDERS, Gonzalez Auto Parts, Laredo, Texas, in the estimated amount of \$47,790.03, and HiLo Auto Supply, Laredo, Texas, in the estimated amount of \$36,832.13, for the purchase of automotive parts for the Fleet Maintenance Division. All replacement automotive parts will be purchased on an as need basis. Funding is available in the Fleet Maintenance Division's - Vehicle Repair Account. The contract pricing is approximately 4% higher than the previous contract.

Motion to approve.

Moved : Cm. Perez  
Second: Cm. Moreno  
For: 8

Against: 0 Abstain: 0

42. Award of contract to the SOLE BIDDER meeting specifications, J&A Pharmacy, Laredo, Texas, in the amount not to exceed \$90,000.00, for pharmaceuticals as prescribed by licensed physicians to the clients of the HIV/AIDS Ryan White Title II Consortium Program of the City of Laredo Health Department. Funding for this purchase is available in the form of State grant monies located in the Health Department's Budget.

Motion to approve.

Moved : Cm. Perez  
Second: Cm. Moreno  
For: 8

Against: 0 Abstain: 0

43. Award of contract to the LOW BIDDER meeting specifications, Home Care of Texas (Gulf Coast Home Health Care, Inc.), Laredo, Texas, in the amount not to exceed \$37,500.00 for the delivery of home health care to the clients of the HIV/AIDS Ryan White Title II Consortium Program of the City of Laredo Health Department. Funding for the purchase of this service is available in the form of State grant monies located in the Health Department's Budget.

Motion to approve.

Moved : Cm. Perez  
Second: Cm. Bruni  
For: 8

Against: 0 Abstain: 0

44. Approval of a Proposal for Professional Services for an amount not to exceed \$25,772.76 from Brown & Root, Inc., Houston, Texas, for engineering services at the Gateway to the Americas International Bridge No. 1 related to the emergency repairs, structural evaluation and assessment of load carrying capacity, and recommendation for strengthening of the bridge, if required. Funding is available in the Bridge Fund Construction Project Architectural Fees.

Motion to approve.

Moved : Cm. Perez  
Second: Cm. Bruni  
For: 8

Against: 0 Abstain: 0

45. Award of an Professional Services Contract to WSBC Civil Engineers, Inc., Houston, Texas, in association with Rods

Surveying, Inc., Laredo, Texas, for an amount not to exceed \$28,308.70 to provide consulting engineering services to include design, surveys and preparation of plans and specifications for the Resurfacing, and for the Expansion Joints Replacement of the Juarez-Lincoln International Bridge No. 2. Funding is available in the Bridge System Construction Project Import Lot. The City received a total of two RFP's.

Motion to approve.

Moved : Cm. Perez

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

46. Award of an Professional Services Contract to Fernandez, Frazier, White & Associates, San Antonio, Texas, for an amount not to exceed \$13,600.00 to provide surveys, design and the preparation of plans and specifications for the Azteca Neighborhood Park at Zacate Creek. Funding is available in the Community Development 22nd Action Year Azteca Park. The City received a total of 7 RFP's.

Cw. Montalvo wanted to know the procedures on how this contract was awarded.

Mr. Pena explained that there is a departmental committee that meets and interviews the candidates, and based on council direction to distribute the work load to local architects and engineers, they also look at the specific experience that the architect or engineer has in that particular project. They go through a waiting period and recommend to his office and then they place the matter before council. He added that this is a council selection and a staff recommendation.

Mr. Joe Garza, Parks and Recreation Director who is member of the Departmental Committee, explained other key points in their recommendation and added that the firm has had previous experience working with Zacate Creek in the early 80's. They did an extensive study on possible Zacate Creek improvements which are two points in the criteria that weighed heavily in their recommendation.

Cm. Valdez stated that he understands that there were other firms including another local firm that has invested a lot of time on the Azteca neighborhood and on that area.

Mayor Ramirez suggested that the item be tabled and that staff revisits and reconsiders Frank Architects, Inc. for this particular contract in regards to the experience that they have within this area and see if after it is reviewed that perhaps maybe this may be the firm they would want to employ for this project.

Cm. Casso stated for the record that he concurs with Cm. Valdez that Frank Architects probably has more knowledge than an out-of-town firm regarding the Zacate Creek, which also borders his district. He stated that if we have experienced and qualified local firms we should award contracts to local firms and take care of our own people first.

Mr. Pena stated for the record that there was a local architect considered.

Mayor Ramirez said they want to see what criteria was used to get to this point and why the other firm that has more hands on knowledge of that area and more inhouse information built in, might have not been looked at.

Motion to table for the next Regular City Council Meeting.

Moved : Cm. Perez

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

47. Award of a construction contract to the LOWEST BIDDER, Brothers Paving, Laredo, Texas, in the amount of \$100,451.60 for Parking Lot Improvements for Three Neighborhood Centers (Cigarroa, Northeast-Hillside and Tarver). Three (3) bids were opened on March 26, 1997. Funding is available in the Community Development 22nd Action Year and in the Recreational Center - Improvements Other Than Building.

Motion to approve.

Moved : Cm. Perez

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

48. Approval of change order no. 1 an increase of \$6,239.00 to the construction contract with Ramex Construction Company, Houston, Texas, to furnish and install a 5'x 5' junction box and lower a section of a conflicting 36-inch drainage pipe located at the intersection of Thomas and Calton Road for the Sidewalks, Storm Drainage, and Curb and Gutter Improvements on Calton Road, Maher Avenue, and Thomas Avenue (3 streets -approximately 1,700 L.F.) around the New Laredo Police Station Project. This work is needed as a result of a surveying/elevation error by Ueckert Engineering, the engineering consultant for the project. Original contract amount was \$44,265.00. This change order will bring the total to \$50,504.00. Funding is available in the Capital Improvement Fund - Police Sidewalk/Curb and Gutter Project Account.

Motion to approve.

Moved : Cm. Guerra  
 Second: Cw. Moreno  
 For: 8

Against: 0                      Abstain: 0

49. Approval of change order no. 2 an increase of \$25,900.00 to the construction contract with N.G. Painting, Inc., Kerrville, Texas, for the Repairs to the North Ground Water Storage Tank located at Lyon Street and Meadow Avenue to repair an additional 518 feet of cracks as noted through an inspection by the City's Utilities Department and to add 60 working days to the construction contract time. Original contract amount was \$80,900.00. This change order will bring the total to \$119,755.00. Funding is available in the Waterworks System Fund.

Motion to approve.

Moved : Cm. Guerra  
 Second: Cw. Moreno  
 For: 8

Against: 0                      Abstain: 0

50. Approval of amendment no. 5, an increase of \$15,925.00 to the engineering contract with Frontera Associates International, Inc., San Antonio, Texas, for the South Laredo (Chacon Creek) Wastewater Interceptor Project for additional archaeological and environmental information requested by the USEPA; additional services related to the archaeological findings at the Killam Tract, and for additional surveying services to avoid conflicts between the gas drilling authorized at the Southside Wastewater Treatment Plant and the interceptor project alignment. Original contract amount was for \$645,000.00. This amendment will bring the total to \$808,756.32. Funding is available in the Sewer System Fund.

Motion to approve.

Moved : Cm. Guerra  
 Second: Cw. Moreno  
 For: 8

Against: 0                      Abstain: 0

51. Approval of amendment no. 2, an increase of \$10,870.00, to the engineering contract with Sherfey Engineering in association with Naismith Engineering, Inc., Laredo, Texas, for the Manadas Creek Wastewater Interceptor Project on a fast track basis in compliance with ASTM E 1527-94 Practice of Environmental Site Assessment, subject to EDA approval for additional archaeological work to uncover cultural materials which warrant further investigation. These services were not anticipated but due to the nature of investigation, additional archaeological and testing is required. Original contract amount was for \$18,880.00. This amendment will bring the total to \$46,310.00.

Funding is available in Capital Improvement Fund - Economic Development Administration (EDA) Fund.

Motion to approve.

Moved : Cw. Moreno

Second: Cm. Casso

For: 8

Against: 0

Abstain: 0

52. Approval of amendment no. 1, an increase of \$2,000.00 to the architectural contract with Design Group International, Laredo, Texas, for additional roofing inspections and re-design of the roof edge detail not part of the original contract, for the Re-Roofing of the Airport Hangar 182 at the Laredo International Airport. Original contract amount was for \$9,900.00. This amendment will bring the total contract amount to \$11,900.00. Funding is available in the Airport Fund.

Motion to approve.

Moved : Cw. Moreno

Second: Cm. Casso

For: 8

Against: 0

Abstain: 0

53. Acceptance of the Re-Roofing of the Airport Hangar No. 182 at the Laredo International Airport, approval to assess liquidated damages in the amount of \$3,800.00 for exceeding 19 days beyond the contract time allowed, and approval of net payment in the amount of \$6,994.00 to Ponce's Roofing Company, Mission, Texas. Original contract amount was \$74,400.00. Assessing liquidated damages will bring the total contract amount to \$70,600.00. Funding is available in the Airport Fund.

Motion to approve.

Moved : Cw. Moreno

Second: Cm. Casso

For: 8

Against: 0

Abstain: 0

#### IX. CITY MANAGER'S REPORT

54. Presentation concerning a staff recommendation to discontinue the \$200.00, administrative fee for unauthorized water usage, and to develop a program to refund those fees that have been charged if and only if a person can produce a receipt.

Florencio Pena, City Manager, stated that it appears that since 1992 this fee has been levied without the appropriate documentation approved by council.

Cm. Guerra pointed out that the City Council on a previous meeting instructed staff that they wanted the Tax Assessor

Collector, City Attorney, and the Utilities Director to bring all the utilities ordinances in line with state regulations and for some reason they have not been able to coordinate all these different ordinances.

Mayor Ramirez stated that there are a couple of them, Mr. Pena and the staff are working to bring in a more encompassing ordinance, that maybe by budget time it would be a more appropriate time as it would involve fees and charges. He concluded by saying that this clearly indicates that they will discontinue the \$200 charge that has been in place.

City Manager Pena requested that council authorize him to refund administrative fees collected by the Tax Department Utilities Division under the following guidelines:

- 1 - Customers complete an application for refund and submit proof of payment in the form of a receipt or canceled check within 90 days of notification by the City of Laredo.
- 2 - Customers with an outstanding utility account balance for water consumption, be issued a credit to their account to liquidate their balance. The remaining amount will then be refunded.

Motion to authorize the City Manager to refund administrative fees collected by the Tax Department Utilities Division in accordance with the guidelines presented.

Moved : Cm. Perez

Second: Cw. Montalvo

For: 8

Against: 0

Abstain: 0

Motion to waive the rules of order and move item XI.D(1).

Moved : Cm. Alavarado

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

55. Presenting a status report on the progress of the water and wastewater Colonias project.

Eddie Garza, Crane Engineering, briefed the council on the status of the Colonias project. He said that they will go ahead and submit an environmental study on the sensitive areas, but it may require additional study. On March 25th he brought his consultants to expedite the construction and route it around the environmental sensitive areas. They are presently negotiating with Tex-Mex Railway for right-of-ways and will resolve it in the next 10 days to 3 weeks. They will submit a revision route and will continue with the project.

56. Authorizing the submission of an application in partnership with the International Bank of Commerce (IBC) to the Federal Home Loan Bank (FHLB) for a grant in the amount of \$175,000.00. The grant will be applied to 35 of the 50 dwelling units to be constructed under the Laredo Municipal Housing Corporation (LMHC) Lease/Purchase Program to be located at the Riverhill Subdivision. The subsidy being requested for the 35 dwelling units will reduce the total dwelling unit purchase price by \$5,000.00. The 35 dwelling units in which subsidy is being requested are targeted to families at 80% of the area median income. The other 15 units are targeted to families with incomes ranging above 80% to 115% of the area median income. All efforts are being made by the City of Laredo and LMHC to make the Lease/Purchase Program affordable. The LMHC Lease/Purchase Program is being developed in response to the need for affordable single family homes and to increase the availability of affordable housing through homeownership opportunities within our community. The concept of the Lease/Purchase Program is to assist families that do not have or are not able to save for the downpayment and closing costs required to purchase an affordable home. This program is targeted to families that are first time buyers, have a steady record of employment for two years prior to application and agree to undergo mandatory credit and homeownership counseling.

Motion authorizing the submission of an application in partnership with the International Bank of Commerce (IBC) to the Federal Home Loan Bank (FHLB) for a grant in the amount of \$175,000.00.

Moved : Cm. Perez

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

#### X. COMMUNICATIONS

- A. Presentation by the Library Board requesting a change order for the new main library's Serpentine Wall.

Motion to table indefinitely.

Moved : Cm. Perez

Second: Cm. Alvarado

For: 8

Against: 0

Abstain: 0

#### XI. CITY COUNCIL DISCUSSION AND PRESENTATION

57. Requests by Mayor and City Councilmembers for discussion and presentation.

## A. Requests by Mayor Saul N. Ramirez Jr.

1. Presentation concerning the renaming of West Martin Field after Vietnam Veteran and former Martin High School Tiger, Rudy Gonzalez.

Mr. Ed Dancause spoke on behalf of Mr. Felix Garcia to name the West Martin Baseball Field after one of the first Vietnam veterans to die from Laredo and who played baseball in that field.

Mr. Jorge Haynes, member of the American Legion and G.I. Forum, spoke in favor of naming the field after Rudy Gonzalez.

Motion to have this item be brought back to council for formal presentation by resolution and to incorporate that staff bring different suggestions on the actual naming.

Moved : Cm. Bruni

Second: Cm. Perez

For: 8

Against: 0

Abstain: 0

## B. Requests by Councilmember Jose R. Perez, Jr.

1. Discussion and possible action concerning the waiving of tipping fees with the exception of the mandated \$1.25/ton State fee, to the Laredo Independent School District for 500 tons of contaminated soil in the City's Type IV Landfill.  
(Co-sponsored by Councilmember Louis H. Bruni)

Motion to approve the waiving of the tipping fees with the exception of the mandated \$1.25/ton State fee and that it be done on Sundays.

Moved : Cm. Bruni

Second: Cm. Valdez

For: 6

Against: 0

Abstain: 2

Cm. Perez

Cw. Moreno

## C. Requests by Councilmember Louis H. Bruni

1. Status report on the natural gas riser located at the intersection of Del Mar Boulevard and Loop 20 with possible action.

Cm. Bruni requested a report on the timeline for its removal.

Luis Landin, Traffic Manager, reported that he had talked to Mr. Ross and that he reported that within two (2) weeks the riser will be relocated to the northwest corner on the city's

right of way, TxDot did not approve the moving of the riser to the TxDot right-of-way. In two weeks he will get together with the City Engineer to find out the exact location where that riser will be located. He concluded by saying that it will cost them approximately \$8,000-\$10,000 and council will receive a report within two weeks of the timetable and how long it is going to take them to move it.

2. Status report on the drainage problem and street recycling at the intersection of Ejido and Highway 59, with possible action.

Cm. Bruni stated that a previous City Council report had a concern by Mr. Rivera that there was still some ponding on that street and that he had some recommendations. He would like to see if the recommendations have been submitted and if so, he wants a timeline on the drainage problem and on the resurfacing of that intersection.

Gabriel Martinez, Engineering Department, reported that in looking closer at that situation on Ejido they realized that there was a ditch that flows along the south side of Highway 59 which is in need of maintenance from time to time. He added that Public Works took a backhoe and cleaned that ditch so that drainage could flow in the meantime. As far as finding a permanent solution, they have talked about resurfacing, but that would not allow for proper drainage of the situation. He acquired some plans from the storm drainage improvements from TxDot and they are proposing a 36" storm drain line at that location which will aid in draining that intersection. In addition to installation of the main line, the city would be required to repair the existing surface because it is in poor shape right now and possibly to extend a storm drain system from the center of U.S. 59 south along Ejido the point at mid block. They ran figures and are looking at a cost of approximately \$40,000-\$50,000 to remedy the problem. They could suggest adding this work to a current work project or working in conjunction with TxDot to allow them to do the work as they install their main line. The main line will be at TxDot's expense, but any lateral extensions to drain would need approximately \$30,000-\$40,000. The timeline according to TxDot is June of 1997 for bids.

Cm. Bruni requested that a temporary measure be taken until it goes to the budget hearings.

Mr. Martinez stated that in the meantime they can keep the drainage ditch area cleaned out.

Mr. Pena suggested that staff begin engineering so they will be ready to consider this project with the other CIP projects that council will be considering.

Mayor Ramirez suggested that staff see if some of the work can be done inhouse to reduce the cost.

Cm. Bruni also asked that staff give him a report if there is going to be street recycling of India/Montgomery, India/San Jose and Canada/San Jose because these intersections are in poor shape.

Motion to instruct staff to proceed with preparing the engineering work at this intersection so that they have an idea as to what type of work would be required, and see if some of the work can done inhouse to duck tail the work that TxDot will be doing in June.

Moved : Cm. Bruni

Second: Cm. Perez

For: 8

Against: 0

Abstain: 0

D. Requests by Councilmember Mario G. Alvarado

1. Recognition of Habitat for Humanity Board and volunteers.

Cm. Alavarado presented a video on the work being done by Habitat for Humanity and its volunteers. He proceeded by presenting a recognition award to Sister Cristine Blair and her group of volunteers and Beto Gutierrez from Armadillo Construction and his volunteers. Those presented and recognized were Father Alfonso Narvaez, Tommy Narvaez, Jose Guerra, Emilio Martinez, Mr. Fernandez and Mr. Ornelas from Laredo Ready Mix, Big Loui Bruni, Raul Flores, Filiberto Morales, Jorge Flores, Wayo Ruiz, and Jesus Ruiz.

2. Presentation by Juan Avila concerning the speed bumps located at the GSA Facility (Bridge II).

Motion to table for next meeting.

Moved : Cm. Alvarado

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

3. Discussion and possible action concerning bus charter fees for non-profit organizations, with a presentation by the Laredo Restaurant Association.

Motion to instruct staff to bring back a fee schedule so that cost of operations would be the only charges that would be made to non-profit organizations.

Moved : Cm. Bruni

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

Motion to instruct staff that any non-profit organization that have come to the City of Laredo for charter buses at this time, that they be advised that this is the position that City Council will be taking and any bills sent to them would be pending until further action from this council.

Moved : Cm. Perez

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

E. Requests by Councilmember Consuelo Montalvo

1. Appointing Juvencia Gutierrez as my nominee to the Laredo Beautification Board.

Motion appointing Juvencia Gutierrez as Cw. Montalvo's nominee to the Laredo Beautification Board.

Moved : Cw. Montalvo

Second: Cm. Guerra

For: 8

Against: 0

Abstain: 0

XII. PUBLIC HEARINGS

58. Public hearing amending the City of Laredo's 1996-1997 LEOSE account fund budget in the amount of \$22,756.35 from the State's Law Enforcement Officers Standards and Education (LEOSE) account for continuing education for police officers for the period of October 01, 1996 through September 30, 1997.

INTRODUCTION OF AN ORDINANCE

Ordinance amending the City of Laredo's 1996-1997 (LEOSE) account fund budget in the amount of \$22,756.35 from the State's Law Enforcement Officers Standards and Education (LEOSE) account for continuing education for police officers for the period of October 01, 1996 through September 30, 1997.

Motion to open the public hearing.

Moved : Cm. Perez

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Perez

Second: Cm. Alvarado

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council



Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Perez

Second: Cm. Alvarado

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

61. Public hearing amending the City of Laredo's 1996-1997 Annual Budget in the amount of \$3,338,041.00, for a grant award from the Economic Development Administration (EDA) of \$2,000,000.00, including a private contribution by Mercy Regional Medical Center of \$1,054,602.00, of which \$430,000.00, are attributable through off-site and on-site improvements constructed by Mercy Regional Medical Center, and \$283,439.00, as a local match from the Airport Fund, and amending the Airport Fund to appropriate \$283,439.00, from fund balance to the Economic Development Administration Grant for the development of the Airport Medical Infrastructure Improvements Project.

#### INTRODUCTION OF AN ORDINANCE

Ordinance amending the City of Laredo's 1996-1997 Annual Budget in the amount of \$3,338,041.00, for a grant award from the Economic Development Administration (EDA) of \$2,000,000.00, including a private contribution by Mercy Regional Medical Center of \$1,054,602.00, of which \$430,000.00, are attributable through off-site and on-site improvements constructed by Mercy Regional Medical Center, and \$283,439.00, as a local match from the Airport Fund, and amending the Airport Fund to appropriate \$283,439.00, from fund balance to the Economic Development Administration Grant for the development of the Airport Medical Infrastructure Improvements Project.

Motion to open the public hearing.

Moved : Cm. Perez

Second: Cw. Moreno

For: 8

Against: 0

Abstain: 0

Joe Flores, Airport Director, explained the project to the council and public.

Mr. Jesus Ponce stated that this is a good project, but something has to be done with Meadow to widen along with other streets such as Cherry Circle.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Bruni

Second: Cm. Perez

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Bruni

XIII. MOTION TO RECESS AND CONVENE AS THE LAREDO MASS TRANSIT BOARD

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

Moved : Cm. Guerra  
 Second: Cw. Montalvo  
 For: 8

Against: 0                      Abstain: 0

62. To authorize issuance of request for proposals for:
- a) operation of the food service facility at the Laredo Transit Center.
  - b) the leasing or purchasing of tires for the El Metro bus and van fleet.
  - c) the installation of telephone and data wiring at the Laredo Transit Center.

Motion to authorize issuance of request for proposals.

Moved : Cm. Guerra  
 Second: Cw. Montalvo  
 For: 8

Against: 0                      Abstain: 0

Motion to recess as City Council and convene as The Laredo Municipal Housing Corporation.

Moved : Cm. Perez  
 Second: Cm. Bruni  
 For:

Against: 0                      Abstain: 0

XIV. MOTION TO RECESS AND CONVENE AS THE LAREDO MUNICIPAL HOUSING CORPORATION

Motion to recess and convene as The Laredo Municipal Housing Corporation.

Moved : Cm. Perez  
 Second: Cm. Bruni  
 For: 8

Against: 0                      Abstain: 0

63. Approval of bid specifications and authorization to advertise for bids for awarding a contract for the purchase of approximately 1,200 cases of floor tile. Orders will be placed on a monthly basis (100 cases per month) and installed by Laredo Municipal Housing Corporation staff at the Jose A. Flores and Tomas Flores Apartment complexes.

Motion to approve.

Moved : Cm. Perez  
 Second: Cm. Bruni  
 For: 8

Against: 0                      Abstain: 0

64. Award of a two year service contract to the LOW BIDDER, Walker Security Inc., Laredo, Texas, in the yearly amount of \$24,537.24, for providing security guard services for the Tomas Flores Apartment Complex. One security guard is assigned Monday through Sunday patrolling this complex.

Motion to table.

Moved : Cm. Perez  
 Second: Cm. Bruni  
 For: 8

Against: 0                      Abstain: 0

65. Award of contract to the LOW BIDDER, Laredo Discount Metals Building Components, Laredo, Texas, in the amount of \$26,760.87, for the purchase of all the materials needed for the installation of security fencing at the Tomas Flores Apartments. This project has been identified in the 1997 Capital Improvement Project budget. A security fence of approximately 2,265 linear feet will be installed around the perimeter of this apartment complex.

Motion to approve.

Moved : Cm. Perez  
 Second: Cm. Bruni  
 For: 8

Against: 0                      Abstain: 0

XIV. MOTION TO RECESS AND CONVENE AS THE LAREDO CONVENTION AND VISITOR'S BUREAU BOARD

Motion to recess and convene as The Laredo Convention and Visitors Bureau Board.

Moved : Cm. Alvarado  
 Second: Cm. Bruni  
 For: 8

Against: 0                      Abstain: 0

66. Status report on the ongoing activities of the Laredo Convention and Visitor's Bureau.

Larry Dovalina, C&V Director, gave the council a brief overview of the coming activities such as the developing of brochures which have not been developed in the past, photo library as well as creating three year projection plans for advertising in Mexico and U.S., including tour group development which include tour buses to come into the city to see the historical sites or visit Mexico. They are working with eight different groups which includes a research and development association who has a

