

CITY OF LAREDO  
CITY COUNCIL MEETING  
M98-R-49  
CITY COUNCIL CHAMBERS  
1110 HOUSTON STREET  
LAREDO, TEXAS 78040  
November 2, 1998  
5:30 P.M.

**I. CALL TO ORDER**

With a quorum present Mayor Elizabeth G. Flores called the meeting to order.

**II. PLEDGE OF ALLEGIANCE**

Mayor Elizabeth G. Flores led in the Pledge of Allegiance.

**III. ROLL CALL**

IN ATTENDANCE:

|                       |                              |
|-----------------------|------------------------------|
| Elizabeth G. Flores,  | Mayor                        |
| Alfredo Agredano,     | Councilmember, District I    |
| Louis H. Bruni,       | Councilmember, District II   |
| John C. Galo,         | Councilmember, District III  |
| Eliseo Valdez,        | Councilmember, District V    |
| Joe A. Guerra,        | Councilmember, District VI   |
| Mario Alvarado,       | Councilmember, District VII  |
| Consuelo Montalvo,    | Councilmember, District VIII |
| Gustavo Guevara, Jr., | City Secretary               |
| Florencio Pena, III,  | City Manager                 |
| Jaime L. Flores,      | City Attorney                |

Absences:

Motion to excuse Cw. Moreno.

Moved : Cm. Alvarado

Second: Cw. Montalvo

For: 7

Against: 0

Abstain: 0

Note: Cm. Alvarado arrived at 5:50 P.M.

Motion to waive the regular order of business and move up items #23, X, and XI.

Moved : Cm. Galo

Second: Cm. Guerra

For: 6

Against: 0

Abstain: 0

Cm. Alvarado not present.

**IV. INTRODUCTORY ORDINANCE**

1. Authorizing the City Manager to execute a lease with Juan Vargas d/b/a The Education Center for approximately 4,308 square feet constituting Building No. 1169 located at 4407 Foster Avenue at the Laredo International Airport.
  1. Lease term is for one (1) consecutive year commencing on October 1, 1998 and ending on September 30, 1999. 2. The monthly rent shall be \$850.00Ordinance Introduction: City Council
2. Authorizing the City Manager to execute a lease with Jose Santos for approximately 4,612 square feet constituting Building No. 1112 located at 1603 E. Calton Road at the Laredo International Airport.
  1. Lease term is for one (1) year commencing on October 1, 1998 and ending on September 30, 1999. 2. The monthly rent shall be \$1,250.00Ordinance Introduction: City Council
3. Authorizing the City Manager to execute a lease with Charles Haber d/b/a Bed Factory for approximately 9,024 square feet constituting Building No. 1334 located at 4016 North Jarvis Avenue at the Laredo International Airport.
  1. Lease term is for one (1) year commencing on October 1, 1998 and ending on September 30, 1999. 2. The monthly rent shall be \$1,804.00.Ordinance Introduction: City Council
4. Authorizing the City Manager to execute a lease with Charles Haber d/b/a Bed Factory for approximately 9,216 square feet constituting Building No. 1335 located at 4010 North Jarvis Avenue at the Laredo International Airport.
  1. Lease term is for one (1) year commencing on October 1, 1998 and ending on September 30, 1999. 2. The monthly rent shall be \$1,804.00.Ordinance Introduction: City Council
5. Authorizing the City Manager to execute a lease with Charles Haber d/b/a Bed Factory for approximately 9,216 square feet constituting Building No. 1336 located at 3912 North Jarvis Avenue at the Laredo International Airport.
  1. Lease term is for one (1) year commencing on October 1, 1998 and ending on September 30, 1999.

2. The monthly rent shall be \$2,425.00.

Ordinance Introduction: City Council

- 6. Authorizing the City Manager to execute an agreement providing possible reimbursement for part of the cost of constructing a sanitary sewer line incurred by Gerardo G. Salinas, part owner and developer of Hilltop Subdivision, Phase II. The total amount to be reimbursed is \$48,561.01 and will be paid to Gerardo G. Salinas as adjacent property owners connect to the system.

Ordinance Introduction: City Council, except Cm. Guerra

- 7. Authorizing the City Manager to execute an agreement providing possible reimbursement for part of the cost of constructing a water line incurred by Gerardo G. Salinas, part owner and developer of Hilltop Subdivision, Phase II. A total amount to be reimbursed is \$12,344.19 and will be paid to Gerardo G. Salinas as adjacent property owners connect to the system.

Ordinance Introduction: City Council, except Cm. Guerra

**V. FINAL READING**

Motion to waive the final reading of ordinances #98-O-281, #98-O-282, #98-O-283, #98-O-284, #98-O-285, #98-O-286, #98-O-287, #98-O-288, #98-O-290, #98-O-291, and #98-O-292.

Moved : Cm. Bruni

Second: Cm. Alvarado

For: 7

Against: 0

Abstain: 0

- 8. 98-O-281 Ordinance amending Chapter 32, Vehicles for Hire, Article V, Shuttle-Van operations, of the Code of Ordinances of the City of Laredo by specifically amending the following sections therein:

32-141, 32-143, 32-161, 32-162, 32-163, 32-164,  
 32-165, 32-170, 32-171, 32-172, 32-173, 32-174,  
 32-175, 32-176, 32-191, 32-192, 32-193, 32-194,  
 32-195, 32-196, 32-197, 32-198, 32-199, 32-221,  
 32-222, 32-223, 32-224, 32-225, 32-226 32-227,  
 32-228, 32-251, 32-252, 32-254, 32-255, 32-256,  
 32-258, 32-259, 32-260, 32-261, 32-262, 32-281,  
 32-282, 32-284, 32-285, 32-286, 32-287, 32-301,  
 32-302, 32-303, 32-304, 32-324 **and deleting**  
**Sections** 32-166, 32-167, 32-168, and 32-283.  
**(City Council)**

Motion to approve Ordinance #98-O-281.

Moved : Cm. Bruni













whether or not a non-profit corporation or some other structure can be set up.

Cm. Galo stated that the July's motion instructed staff to get RFP's and go out and have a benchmark to compare to.

After some discussion on how July's motion was handled, Mr. Pena was given the opportunity to make his presentation on this matter. He stated that -"We have been working on this issue since July of this year. We retained an attorney to investigate the possibilities of managing El Metro in-house. There were various alternatives developed and the attorney will explain them to you. But it has been determined that the first step is that council needs to decide whether or not they want to manage El Metro by a non-profit corporation. If they do not want to do it non-profit then, staff will get other proposals".

Mr. Roliff Purrington, the retained Attorney, gave a presentation on the analysis made on the current transit service management structure. He explained that ATE/Ryder is the management company and has an affiliate called Transit Management Company of Laredo (TMCL) which is the entity that employs the Union transit employees. There are three parties involved: The City of Laredo, TMCL and the Union. There are two contracts (1) a transit management contract between the City of Laredo and TMCL, and (2) a Collective Bargaining Agreement between TMCL and the Union. Because the City of Laredo is prohibited from engaging in collective bargaining with the Union, a private management company (TMCL) is in the middle.

Mr. Purrington then informed that the Austin Model, employed by Austin, Tx. since 1992, has the same contract and the same collective bargaining agreement with the Union. The only difference is that a non-profit corporation has been set up, and such non-profit corporation effectively substitutes for TMCL. If the City Council decides to eliminate TMCL for the cost savings, then a non-profit corporation could easily be set up. This non-profit corporation will then enter into the management contract with the City of Laredo and will assume the collective bargaining agreement with the Union.

Mr. Pena stated that the non-profit will consist of a board of directors and management employees of the NPC. The decision of who will be on the board of directors shall be from the City Council. Mr. Pena recommends that the incorporator shall be the City

Manager and that the Finance and Administrative Services Directors be considered to be Directors for the NPC.

Then, Mr. Purrington outlined the steps that will follow if the NPC is set up. First the articles of incorporation are filed with the Secretary of State. The NPC will then enter into a management contract with the City. The NPC will assume the obligations of the Union contract. Union employees become employees of the NPC, and a notice must be given to the Department of Labor as to the substitution.

Robert Ocampo, El Metro Bus Driver and Union member, stated that El Metro employees knew nothing about what was going on. He feels that they should be involved on this issue.

William Caine, General Chairman of the local Union for El Metro, stated that these people were not informed on the above issues because they did not attend the local meetings.

**VII. MOTIONS**

- 24. Authorizing the issuance of a request for proposals to provide architectural services for the stabilization and preservation of the Benavides Herrera home, an Intermodal Surface Transportation Efficiency Act Enhancement Project.

Motion to approve.

Moved : Cm. Alvarado  
Second: Cm. Agredano  
For: 7

Against: 0                      Abstain: 0

- 25. Approval of bid specifications and authorization to advertise for bids for the following:
  - a) light bars - Police Department
  - b) photo ID system - Health Department
  - c) Hurst "Jaws of Life" Rescue Tools/Air Bags - Fire Department - EMS Division
  - d) Cardiac Monitors - Fire Department - EMS Division

Motion to approve.

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

Against: 0                      Abstain: 0

- 26. A motion to approve bid specifications for multiple book

vendors for library materials, collection development, and authorizing the City Manager to advertise for bids.

Motion to approve.

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

Against: 0 Abstain: 0

27. Authorize the purchase of thirty mobile radios for the Police Department through the Houston Galveston Area Council of Governments (HGAC) - Cooperative Purchasing Program, in the total amount of \$97,559.10. These voice secure radios will be purchased through the cooperative purchasing contract vendor Motorola. This equipment is needed for the thirty new vehicles that will be ordered for the Police Department. Delivery of these radios is expected within ninety days to one hundred and twenty days.

Motion to approve.

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

Against: 0 Abstain: 0

28. Award of a construction contract in the amount of \$547,450.00 to the **LOWEST BIDDER**, Service Station Constructors and Fuel Systems, Inc., San Antonio, Texas, for a Fueling Facility for the City of Laredo Service Center to be located along North Daughtery, North of Hillside Road and adjacent to the City's Park and Ride Facility at the Laredo International Airport. Funding is available in the DPW Infrastructure Improvements Other Than Building. This contract is part of the EDA Airport Redevelopment Project (EDA Project No. 8-01-03159).

Mr. Alvin Robertson, from Dynamic Construction Company, is unsatisfied with the bidding process that took place on the above item. He claims that the awarded bid, which was the lowest one, did not meet one of the addendum criteria. He feels that such bid should be labeled non-responsive because it lacked a certain addendum thus, did not carry out the stipulations.

Robert Sepulveda, Project Architect, explained that at the bid opening they had four bids turned in. If there is a bid bond, and the insurances are met, and the power of attorney certificate is provided, then the bid is open automatically. If there is a technicality, which is what happened here, that someone did not acknowledge an addendum then is up to City Council and through the Legal Department to make an opinion to waive formalities. In this case the lowest bidder did not acknowledge addendum #2, but our recommendation, with all due respect to Mr. Robinson, is to award it to this lowest bidder

because this is only a technicality.

Mr. Robertson reiterated on his argument, there is a procedure that takes place when bidding on any type of package as a contractor. In principle, it is mandatory to check off the checklist before closing the bidding package. Certain criteria needs to be met before a package is submitted as a bid. If those qualifications are not met, then you're scratched off as non-responsive. You don't give an opportunity to reach a number to decide if you are the lowest bidder or whatever case may be.

He also explained that at that time he raised a red flag, but the other contractor jumped up and said that he had talked to Robert Sepulveda about an addendum that had no documentation backing it up at the time the bid was being read. He thinks that the normal procedure did not take place during the bidding process.

Mr. Jaime Flores, City Attorney, stated that in this case Mr. Robertson is correct in stating that the complete package would have included the addendum, however this is really a technicality. There is no change, the amount of the bids has not changed in the scope of the work. And the waiver of taking accountable provisions in the contract allows us to do that. Basically, meaning that the lowest bid is a responsive bid as submitted by Service Station Constructors.

Motion to approve.

Moved : Cm. Bruni  
Second: Cw. Montalvo  
For: 6

Against: 1  
Cm. Guerra  
Abstain: 0

29. Authorize a one year contract extension to AT&T, Laredo, Texas, in the estimated amount of \$30,000.00 per year, for providing long distance service for all city departments. The City awarded a two year long distance contract to AT&T on 10/18/96. The terms of that contract allowed for two, one year extensions upon mutual consent of both parties. The City would like to exercise a one year extension based on a reduced rate structure. At the end of the one year extension, the City will solicit new proposals based on direct access to the City's Institutional Network (I-Net) which we anticipate will provide greater cost savings.

Motion to approve.

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

Against: 0  
Abstain: 0

30. Approval of change order no. 1, a net decrease of \$60,523.59 and to add 97 calendar days to the construction contract with Reddy Engineers and Contractors, Inc., Houston, Texas for the 60 Million Gallon per Day Intake Structure at the Jefferson Street Water Treatment Plant per the Texas Water Development Board Requirements. Change order no. 1 is to: Increase chlorine feed capacity at the upper plant; add modifications to the electrical service to delete overhead lines at lower plant; add the replacement of two new raw water meters; increase depth of diversion box to intercept existing lagoon overflow line; install caustic soda feed system at the Upper Plant; delete variable frequency drives not necessary; delete park work; and add 97 calendar days for the additional work. The original contract amount was \$2,629,749.00. This amendment will bring the total contract amount to \$2,569,225.41. Funding is available in the Waterworks 1994 Bond -60 MG Intake Structure - Jefferson.

Motion to approve.

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

Against: 0                      Abstain: 0

31. Approval of amendment no. 3, an increase of \$39,437.50 to the architectural/engineering contract with NRS Engineers, Harlingen, Texas, for additional Resident Project Representative (inspection services) due to the increase of 97 calendar days to the construction contract for the 60 Million Gallon Per Day Intake Structure at the Jefferson Street Water Treatment Plant; and to design the chlorination system and caustic feed system plans and submit same to the Texas Natural Resources Conservation Commission (TNRCC) and the Texas Water Development Board for approval. The original contract amount was \$341,000.00. This amendment will bring the total contract amount to \$437,325.50. Funding is available in the Waterworks 1994 Bond - 60 MG Intake Structure Jefferson.

Motion to approve.

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

Against: 0                      Abstain: 0

## IX. COMMUNICATIONS

Mayor Flores read the following letter from Mrs. Donald E. Doves, 2433 Meadow Wood Dr., Toledo, Ohio:

(Letter quoted transcribed from tape).

" Dear Mayor Flores:

On the 29th of September my husband and I made a one-day trip to Mexico across from Laredo. The heat was too much for my husband and he became very weak. We came across the bridge very fast with me pulling him, and finally two men helped carry him. After resting we continued on, but when we crossed the street, he started to pass out. A very nice lady helped him into the store which was on the corner. A lady in the store called the rescue squad. They arrived quickly and were so nice to him. After several drinks of water and being out of the sun he began to recover. His color was back to normal and his blood pressure was fine. He refused to go to the hospital, and the medics said he looked all right. I was very afraid he might have had a heat stroke. They assured me he had not. They then helped us to our car which was a block away and gave me some recommendations on what to do that day and in the future. I asked them for their names as I wanted to send a thank-you letter to their supervisor commending them for their help. In traveling I lost their names, I do remember Robert was the name of one and they were from Guadalupe #1. Please convey our thanks to them for their help.

Sincerely,  
Betty Doves"

Mayor Flores wanted to thank the Chief, but he had left.

#### **X. CITY COUNCIL PRESENTATION AND DISCUSSION**

32. Requests by Mayor and City Council members for presentation and discussion.

##### **A. Request by Council member Louis H. Bruni**

1. Status report on the paving of the 3300 block of Lane Street and the resurrecting of the 1600, 1700, and 1800 Blocks of Milmo, with possible action.

Rogelio Rivera, City Engineer, informed Council that these three blocks are included in the first year recycling project. They will present the three-year program plans to council soon.

Larry Dovalina stated that he attended a meeting this afternoon and he asked Jerry Garcia, Water Department Superintendent, for a schedule indicating which streets were going to be finished and their time frame. In this way they'll make sure that the streets will be ready by the time they issue the recycling contract.

Cm. Bruni mentioned that a motion was made and it stated to find the appropriate funds, do the utility work and recycle. That motion had a six-month timeline and it is almost due.

Cm. Bruni asked the City Secretary to check into that motion and to forward him a copy of it along with the utility's schedule report from Larry Dovalina.

Rogelio Rivera, City Engineer, reported that the 3300 block of Lane St. is included in Project 61. Funding for about ten blocks of Lane St. are from CD, but for the rest of them there is no funding. The 3300 block of Lane St. will get paved until they have some funding available

Cm. Bruni stated that his understanding was that this block was going to be done in-house and it was the next street being paved by Public Works.

Oscar Medina, Assistant Public Works Director, said that they worked on Lane St. last week, but additional improvements still need to be done. The street will not get paved right away, but a black base will be put on the driveways in order to solve some of the problems.

2. Status report on the lack of wastewater infrastructure on the north side of Hwy 59 between Ejido Street and the old entrance of Casa Blanca State Park, with possible action.

Cm. Bruni stated that this item has been addressed by him on several occasions and that staff was supposed to talk to the people that are affected by this problem. He feels that this is creating a health hazard since the area is by residential and commercial areas.

Jerry Pinzon, Utilities Assistant Director, stated that his department assessed the area, but found out that the City's Code of Ordinance does not allow to do assessments on commercial properties. Nonetheless, they went ahead and looked for the requirements. If 50% of the property owners agree to the assessment, then it would be made on 90% of the total cost. The other 10% must be incurred by the City with city's funds, incurred by previous rate increases, but this violates federal and state constitutional provisions.

Ray Rodriguez, Assistant City Attorney, informed that the City Charter prohibits the City from using surplus funds for utilities expansion including water and wastewater. Also, Article 11, Section 3 and Article 3, Section 52 of the State of Texas Constitution basically prohibits the City from lending money or anything of value to a private corporation.

Cm. Bruni remarked that what we need to do is to tell the people -"Look, get with a septic tank provider, you are going to be inside the city limits and if it leaks all over down Hwy 59, where people from Corpus Christi come in, so be it." Is this what I am hearing from staff?"

Mr. Florencio Pena replied that the Health Department will have a problem with the above. Septic tanks are permitted but must be in compliance with Health issues.

Cm. Bruni then replied that this area does not have enough irrigation for septic tanks. He has been asking the City Manager's Office and the Health Department to go out there and look at it. He said that a sample of the green stuff in the creek needs to be taken. There has to be a certain amount of feet in order to have an irrigation area out of a septic tank. We need to look at this issue in more depth, this is the fourth time I bring this item up and there is always the same answer: State Law prohibits it and the City Charter prohibits it.

Mayor Elizabeth Flores stated that although we have to respect our City Charter and State Laws, we have to take a very proactive role in correcting these problems. We have to find a way to solve this situation.

Mr. Florencio Pena said that there is a system established for residential properties, but the hold back on this area is that there is a business involved here. The Charter and the Texas Constitution are very clear, it is assumed that businesses can take care of problems of that nature.

Cm. Bruni wants staff to find a way on how to help these people.

Cm. Guerra is in concurrence with Cm. Bruni. He said that because the city is growing towards the north, he'll be facing the same problem. He would like to instruct staff to proceed with all deliverance speed at both, local and state level so that we can either amend the Charter and/or have a referendum. "Let's go after this problem once and for all, otherwise it will keep on coming back".

3. Status report on the Brown and Root drainage study at the Laredo International Airport, with possible action.

Mr. Rogelio Rivera reported that the consultant previously submitted a proposal for the first alternative: drainage on one of the areas. Then council instructed staff to get a another proposal from the same consultant for a second alternative for the drainage: to go parallel to Hwy 59, cutting across Baldirza & Gonzalez Carpet track and then go under Hwy 59 on to the south of Hwy 59 area. This last proposal has been received, however we are looking for the funding. The first alternative was estimated \$20,000 and the second alternative is approximately \$44,000, the total amount is \$64,412. Finance is looking for the funding. Also this project was not originally included in the ClP Program.



Cm. Bruni asked for a report from staff on the above.

4. City Council confirmation on the appointment of Dr. Sushma Krishnamurthy to the Environmental Citizens Committee.

Motion to approve.

Moved : Cm. Alvarado

Second: Cm. Galo

For: 7

Against: 0

Abstain: 0

**B. Request by Council member Eliseo Valdez Jr.**

1. Status report on the engineering of the Zacate Creek Beautification Project with a tentative construction schedule of the project.

Cm. Valdez wants to know where we are at and when will this project get off the ground, other than the engineering study.

Mr. Rogelio Rivera, City Engineer, informed that a schedule from the consultant has been received. They are currently working on the first phase which covers sidewalks, planters, benches, planting of trees, and the landscape from Saunders to Lyon. They have a conceptual plan that covers most of the project. They will present the final plans by the end of the month, for council's approval. This is a CD project that has a funding limitation that only covers the first phase.

Cindy Collazo, Community Development Director, reported that there are Phase I and Phase II for this project. Community Development is currently working on getting an environmental clearance from HUD for Phase II. Hopefully the funding will be available by November 15 and that will be an additional \$200,000 that was approved by council on current budget year. So there is money to initiate the second phase.

2. Status report on sidewalk projects in District V, including around the area of Amparo Gutierrez School, Bustamante Street and Tomas Sanchez/Ochoa Elementary Schools area.

Mr. Rogelio Rivera, City Engineer, reported that they have preliminary plans for this project. They are 98% complete on the curbs of Amparo Gutierrez and Bustamante schools. He hopes to present the plans to council on the next council meeting.

On the Ochoa/Sanchez Schools area, he already provided Cm. Valdez with a schedule drawing. Eighteen blocks had just been completed around the schools area and, on the current contract with Pete Gallegos, additional eighteen blocks will be worked in the same area.

3. Status report on the Reconstruction of Saunders Street Project at IH-35 with a recommendation to expedite the drainage work and the freing of two lanes, with possible action.

Cm. Valdez stated that we are experiencing traffic congestion problems because of the lack of a turning lane. He is also concerned about the public safety and the impact that this will cause on the area businesses.

Mr. Juan Villarreal, TXDOT Area Engineer, informed that as far as Hwy 59, this project was scheduled for two years. After consulting with the contractor, utilities companies, and other parties involved, it was decided to cut down the duration of the project from 24 months to 18 months. As of today it looks like it will be finished sooner than that, we are aiming to finish by the second week of December.

He further reported that on the area that Cm. Valdez is mentioning, they are working on Lafayette and are starting a five concrete section. The contractor is doing an excellent job on expediting the work, in fact they will start working on the north half on that intersection. When the work begins on the north half section, traffic will be switched over to the south half. So, it is not possible to safely open up a turn lane at this time. It may be until the concrete work gets completed. If the weather permits and if utilities are cleared they shall finish the work on this intersection in three weeks.

As far as the remainder of this project, the blocks from San Dario to Saunders still need the final surface. From Saunders to Lexington (four blocks) still need curb and gutter and hot mix for the base and the final surface. From Lexington to Logan, Entex just finished the adjustments. And from Logan to McPherson (four blocks), Entex is working on this area.

Mr. Villarreal concluded by saying that it will be safer to wait until all the work is completed before any lanes get opened. Again, if weather permits most of this work will be completed before Christmas.

The Calton Project was brought up and Mr. Villarreal summarized that this project is going into its fourth month. There were delays because of rain and a water line rupture.

#### **C. Request by Council member Consuelo "Chelo" Montalvo**

1. Presentation by Viviana Frank concerning the Centro Iturbide Street Project, with possible action.

Ms. Viviana Frank with The Centro Iturbide Redevelopment Association, gave a brief review on what happened at the Urban

Mall Festival. The festival had an unprecedented success and she commended Cw. Montalvo, City Council and City Staff for their tremendous cooperation. She said that "this is what can happen with a public and private partnership". As Laredo develops its infrastructure, a new industry will develop and downtown Laredo is our greatest unused resource for that. She asked council for infrastructure help because, although their fundraising has been remarkable, they cannot fundraise for lights. She is hoping that the City will contribute with purchasing the decoration lights and meter them. She said that their mission is to have four Urban Mall Festivals in their fiscal year; and their ultimate goal is to have twelve festivals per year. She concluded by stating that if the city provides the lights, that infrastructure can be used by other people.

Mr. Roberto Gonzalez, with The Centro Iturbide Redevelopment Association, spoke in favor of the Urban Mall Festival. He mentioned that vendors were very happy with their function. The association has been getting more request for booths, as well as more corporate members and donations. He even received a call from the State Governor's office regarding the festival. The next planned festival will be from noon to midnight because many schools want to participate. He mentioned that CPL installed big spot lights, but they still need extra meters as well as the lights that will go over the city streets, that's why they are requesting assistance and continuing support from the city and the city's staff.

Motion to approve the purchase of the lights for three blocks of Iturbide St. and to provide metering, installation and maintenance of the lights. Also approve the closing of Iturbide St. between Juarez and Flores as needed. And to ask for continuous cooperation from the city's departments and agencies.

Moved : Cw. Montalvo

Second: Cm. Galo

For: 7

Against: 0

Abstain: 0

Note: Mr. Larry Dovalina, Assistant City Manager, asked for clarification of the motion. He met with some vendors that brought in brochures related to the lights that The Centro Iturbide wants to put up. They are asking to close Iturbide St. between Juarez and Flores except for the cross sections. He wants to be sure that this is a time specific request, and that the street is not permanently closed.

The Centro Iturbide Association responded that the street will not be permanently closed. It will be closed only on "as per need basis".

Mr. Dovalina, brought up another concern: The decorative

lights that need to be metered. The meters and lights need to be anchored to the buildings and since the City does not own the buildings, he wants to know if the Association is going to secure permission from the building owners.

Mr. Roberto Gonzalez replied yes, the Association will do that.

**XI. PUBLIC HEARINGS**

- 33. Public hearing amending the City of Laredo FY 1998-1999 Annual Budget in the amount of \$18,000 for a grant from the University of Texas Health Science Center - South Texas/Border Region Health Professional Education Initiative, for library materials and equipment, providing for effective date.

**INTRODUCTION OF AN ORDINANCE**

Ordinance amending the City of Laredo FY 1998-1999 annual Budget in the amount of \$18,000 for a grant from the University of Texas Health Science Center - South Texas/Border Region Health Professional Education Initiative, for library materials and equipment, providing for effective date.

Motion to open the public hearing.

Moved : Cw. Montalvo

Second: Cm. Galo

For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance.

Moved : Cw. Montalvo

Second: Cm. Galo

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: City Council

- 34. Public hearing authorizing the issuance of City of Laredo, Texas General Obligation Refunding Bonds, Series 1998, and the execution of a purchase contract and approving an official statement and the execution of an escrow agreement.

**INTRODUCTION OF AN ORDINANCE**

Ordinance authorizing the issuance of City of Laredo, Texas General Obligation Refunding Bonds, Series 1998, and the execution of a purchase contract and approving an official statement and the execution of an escrow agreement.

Motion to open the public hearing.



Grade 40, for the Planning Department at a cost of \$64,837 including fringe benefits for an estimated 9 months and an initial capital outlay request in the amount of \$5,000 for a total of \$69,837 which will be funded from anticipated salary savings in the reserve appropriation line item, and authorizing the City Manager to implement said budget.

#### INTRODUCTION OF AN ORDINANCE

Ordinance amending the City of Laredo FY 1998-99 Annual Budget by creating a position of Grants Administrator, Grade 40, for the Planning Department at a cost of \$64,837 including fringe benefits for an estimated 9 months and an initial capital outlay request in the amount of \$5,000 for a total of \$69,837, which will be funded from anticipated salary savings in the reserve appropriation line item, and authorizing the City Manager to implement said budget.

Motion to open the public hearing.

Moved : Cm. Agredano

Second: Cm. Alvarado

For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Alvarado

Second: Cm. Galo

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: City Council

#### SUPPLEMENTAL AGENDA

#### VII. MOTIONS

Authorizing the City Manager to proceed with Laredo Independent School District to participate with 50% of the cost of traffic circulation studies at the following schools: Ryan Elementary, Daiches Elementary, Alma Pierce Elementary and Memorial Middle. The cost of these traffic studies will be \$12,000 with the City's participation of \$6,000. Funding of this project will be from the 1997 Certificate of Obligation - School Drop Off Account.

Cm. Bruni addressed his concerns with traffic at Lamar Middle School and would like to include it in the traffic study, since this school is so close to Ryan Elementary.

Mr. Florencio Pena, City Manager, informed they have been meeting with LISD. They had a Metro Government Committee Meeting in which they developed a priority list, he believes this was already presented to Council. He is not sure if an amendment can be made in order to add another school to the traffic study, but first, they need to come up with a cost estimate.

Mr. Roberto Murillo, Traffic Engineer, stated that during the Metro Government Committee Meetings, they asked LISD for a priority list of schools that needed the traffic study. LISD provided the list that includes the above mentioned schools.

Cm. Bruni wants to know if we can talk to LISD and let them know about our concern with Lamar Middle.

Motion to approve and that we communicate LISD our concerns about the interaction between the traffic of Ryan Elementary and Lamar Middle, and if they agree to provide the funding, we will provide the matching funding.

Moved : Cm. Bruni

Second: Cm. Agredano

For: 7

Against: 0

Abstain: 0

#### **VIII. CITY MANAGER'S REPORT**

1. Status report regarding the City of Laredo's International Airport Noise Compatibility Program as approved by the Federal Aviation Administration.

Cindy Collazo, CD Director, reported that on October 1st. they held a meeting with the involved residents, forty from south of the runway and ten from the County Club Estates. During the meeting they provided these people the latest information about the program and took economic surveys. Fourteen families indicated their interest in the fee simple acquisition, four were interested in the acoustical treatment program, six in the avigation easements, nine were undecided and seventeen did not show up. The Airport Director is preparing an RFP to request Architectural Engineering Services for the acoustical treatment program. Some families were bothered because there wasn't an amount set up for the avigation easement, so Ms. Collazo told them that council had approved hiring appraisers to get the study done. Mr. Hinton, who was going to do the avigation easement, has provided a proposal indicating that the value would be anywhere from 10 to 30% based on the properties market value. At this time they are waiting for the study, Mr. Hintone said it would take approximately 40 days, we'll probably have the appraisal by the end of this month. We indicated that the families had just one choice either from fee simple or the avigation easement. Of course, for those that signed for the acoustical treatment program, and if it was determined non-feasible by the architect or engineer, then they

have the option of moving. However, in this particular case the families will have two options, but we would have an idea based on the appraisals.

As far as reviewing the additional information, we met with our City Attorney and Assistant City Attorney last week because we needed clarification from them as well as from FAA. There are a couple of issues that we need to clarify right now, so a letter was sent to FAA. One issue is regarding the determination of eligibility for construction, we have an ordinance in effect that states January 3, 1994 and we have the FAA's that has approved October 14, 1994, so we are trying to get some consistency on that. The importance of the dates is that because if we go with the original date of January 3, 1997, then four families could possibly be ineligible for participation in that program. Another issue is that there are currently some aviation easements that were acquired back in 1955 and 1988 by the Air Force, so we have requested some clarification on the wording/terminology that is listed on it to determine whether or not they will be eligible again. Approximately forty parts are affected by that aviation system currently in place. Another question is the participation on the noise mitigation, on the approval letter the FAA stated that if they did or did not meet the date then they would not be eligible for noise mitigation measures. And in our case we took that to be one of the three programs, however there was so little clarification, that we needed to dispute here as to which one that meant: the acoustical treatment, the fee simple or aviation easements. We contacted FAA today and requested that they move on as soon as possible. They'd given us a two week turnaround. There are several families that could be affected by this, so we are trying to move as quickly as we can.

As far as staffing is concerned, we have selected the one negotiator and another clerk typist. We are ready to move and we continue to move. For those that signed for fee simple, thirteen have already been appraised.

Cm. Bruni asked if the affected people were agreeing with FAA's guidelines and with what the City is trying to do and if there are any conflicts.

Ms. Collazo responded the conflicts that exist are the instances that she mentioned above. They are trying to get as many families as possible qualified. She also informed that she wants to get the information from the FAA before they meet with the next group of affected people. She wants to make sure that we are doing it right since this is the first time she is working with FAA's guidelines. She concluded that the quicker we move, the quicker we'll get more federal funding.

Cm. Bruni stated that we would like to expedite this issue so



we can get back in the funding cycle. He mentioned that there is an upcoming trip to Washington, D.C. on March, and will meet FAA.

2. Status report on the Santa Isabel Water Well.

Jerry Pinzon, Assistant Utilities Director, reported that they had sent a letter to the County advising them that we are ready to go out for the specifications and asked them for some funding and that we would like to be placed on their agenda as soon as possible. So they will attend the County Commissioner's Meeting on November 23.

Cm. Bruni wants Mr. Roman, Utilities Director, to attend that meeting.

Cm. Alvarado concurred with Cm. Bruni and said that this is an item that he has been asking for. Our understanding is that the County will provide the meter and we will provide the water. He said that he had ask staff to provide the exact numbers of city residents and county residents that would benefit from this water well, because most of these people are county residents. That's why we need the County's help to establish this water points and make it available to all those residents from the city and the county that reside on that area.

Cm. Galo wanted to know if this is something that could have been done before.

Mr. Pinzon replied that at first we did not have the funding, so now that we have the RFP ready we can go out and ask the County for their share to fund it, which is approximately over \$20,000. Then the hold-up was because the County built La Bota water tank, and they said that they'd already provided a water point in the area. Later, the County asked us to wait since they just had the above expenditure.

It was mentioned that the status of well is stable. Mr. Pizon said that the well ran for weeks and that now it runs once a week because they still need the customers and the infrastructure. So this is a completed project.

3. Status report on the Colonias Facility Plan.

Mr. Jerry Pinzon stated that council should have received a report update on this issue. He reported that the addendum was given to CCB, who in turn, presented an updated report that shows some changes made to the water study on the Hwy 359 area. It looks very good and very feasible. On the other hand the Mines Rd. facility seems that it's not going to change much. They are just going to wait for the wastewater study which will take about three more weeks. Mr. Pinzon hopes to

have all the paperwork ready by the middle of December.

Cm. Bruni wanted to know when do they expect for the construction to begin and if some developers had contacted the Utilities Dept. about up-sizing the water line.

Mr. Pinzon replied they expect to start going after contractors until December 1999, and then it will take from 12 to 18 months of construction. There have been property owners and business owners that are interested in up-sizing the line, but it has been recommended that we wait to see what the original area will cost. Once we get that funded, before we do the construction, then we will invite any interested parties to join us and up-size the line. So we are not ready yet for that step. The way we are planning this, is that the service area that includes this particular size will just be adding the next size after that. We are not going to be looking at the connections to that line, we are just going to be looking at service areas.

Cm. Bruni's concern was that if we are looking at the service area and if other developers or land owners impact the line, we will then need a larger line. He does not want the line to be delayed. But Mr. Pinzon assured him that we shall know it before the line is placed.

Cw. Montalvo said the bottomline is when will the colonias have their water in place?

Mr. Pinzon replied that it will be until June 2001, and that's because of all the construction work that will take place, 14 miles to Pueblo Nuevo and another 7 miles on Mines Rd. This is a huge project and there would be at least three booster stations along the way.

Cw. Montalvo wanted to know if the County was going to get the grant monies.

Mr. Pinzon replied that this money will come from the board to the City. The County has been set aside.

Mr. Florencio Pena then said that there is an item that we do depend on the County, and that is for them to obtain the right-of-ways. There are still some right-of-ways that have not been resolved. This is a complicated project that has many parties involved, we are depending on other people's schedules as well.

Cm. Bruni stated that looking into the future, we are going to have more customers and we need to make sure that we aggressively purchase water rights. The Water Committee has approved the purchase of some water rights which are still pending for council's approval.

Mr. Pinzon said that we currently have 2500 water rights in process.

Cm. Galo wanted to know about our water capacity for future growth.

Mr. Pinzon said that currently our production capacity is 64 million gallons. Our average production is 30 million gallons.

Then, Cm. Galo asked that considering our current growth, how long will that last us?

Mr. Pinzon replied that according to a study made it should cover us until the year 2020.

Mr. Florencio Pena remarked that wastewater is also a concern. There is a very difficult wastewater situation on Mines Rd. Also, on east Laredo because of the Chacon Creek interceptor. The water treatment plant is on Jefferson, and we have wastewater facilities on Del Mar, Zacate Creek and the last one in South Laredo near Santa Rita. So we need more wastewater facilities, specially on Mines Rd. We need to start looking at alternatives of treating wastewater.

Mr. Pinzon said that our 20-year CIP, which is part of the impact fee study, recommends building a wastewater facility on Mines Rd. area in the next five years.

Mayor Elizabeth Flores requested Mr. Pinzon to investigate on the 1944 Treaty, in which a permission was given for building three dams: Amistad, Falcon and another one in Laredo which was never built. She wants to know if that permit still exists. She would like to look into it, because it may be an avenue that we may use.

## **X. CITY COUNCIL PRESENTATION AND DISCUSSION**

32. Requests by Mayor and City Council members for presentation and discussion.

### **D. Request by Council member Joe A. Guerra**

1. City Council confirmation of Michael Yoder to the Parks and Recreation Committee.

Motion confirming Michael Yoder to the Parks and Recreation Committee.

Moved : Cm. Valdez

Second: Cm. Galo

For: 7

Against: 0

Abstain: 0

**XII. ADJOURNMENT**

Motion to adjourn at 7:53 P.M.

Moved : Cm. Alvarado

Second: Cm. Galo

For: 7

Against: 0

Abstain: 0

I hereby certify that the above minutes contained in pages 01 to 28 are true, complete, and correct proceedings of the Regular City Council Meeting held on the 2nd day of November, 1998, at 5:30 p.m. A certified copy is on file at the City Secretary's Office.

  
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Gustavo Guevara, Jr.  
City Secretary

Minutes approved on December 21, 1998