

**CITY OF LAREDO
CITY COUNCIL MEETING
M2020-R-07
LIVE WEB LINK: <http://laredotx.swagit.com/live>
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
May 4, 2020
5:00 P.M.**

I. CALL TO ORDER

Mayor Pro-Tempore Alberto Torres, Jr., called the meeting to order.

II. PLEDGE OF ALLEGIANCE

Mayor Pro-Tempore Alberto Torres, Jr., led in the pledge of allegiance.

III. MOMENT OF SILENCE

Mayor Pro-Tempore Alberto Torres, Jr., led in a moment of silence.

IV. ROLL CALL

In attendance:

Rudy Gonzalez, Jr.	District I
Vidal Rodriguez	District II
Mercurio "Merc" Martinez, III	District III
Alberto Torres, Jr.	District IV, Mayor Pro-Tempore
Norma "Nelly" Vielma	District V
Dr. Marte Martinez	District VI
George J. Altgelt	District VII
Roberto Balli	District VIII,
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 5:20 p.m.

Cm. Balli joined at 5:21 p.m.

Cm. Altgelt joined at 5:27 p.m.

MPT Torres noted that Mayor Pete Saenz was not able to attend due to personal illness.

Motion to excuse the absence of Mayor Pete Saenz.

Moved: Cm. Mercurio Martinez
Second: Cm. Rodriguez
For: 5 Against: 0 Abstain: 0

Cm. Vielma, Cm. Altgelt, and Cm. Balli were not present.

V. MINUTES

Approval of the minutes of April 20, 2020

Motion to approve the April 20, 2020 minutes.

Moved: Cm. Mercurio Martinez
Second: Cm. Rodriguez
For: 5 Against: 0 Abstain: 0

Cm. Vielma, Cm. Altgelt, and Cm. Balli were not present.

Citizen comments

Rafael Benavides, Public Information Officer, read the public comments into the record as follows:

Juan Avila thanked the City Manager for his hard work in managing the City of Laredo during this pandemic.

Melissa Cruz noted that law enforcement should be on the same page with the City, stating that her daughter works for an essential business that has been open until 12:00 a.m. On Friday, a constable told them that they have to close or risk getting a ticket, despite the business fulfilling curbside and telephone orders for snacks and groceries. When they asked the Laredo Police Department about the regulation or citation, LPD told them that they were not out of compliance and did not have to close their business.

Joaquin Fernandez asked if mariachis would be allowed for Mother’s Day if they will be at least six feet from each and their clients as well as complying with all other preventative measure recommendations.

Justin Hundsnurscher voiced his opinion that Item 49. B2 goes against Governor Abbott’s order that municipalities cannot fine or penalize an individual for choosing not to wear a mask, noting that a citation-even without a fine-is a form of penalty. He suggested that the City simply require the use of masks when entering government buildings and let businesses make their own decisions about requiring masks in their establishments. He noted his opinion that the City’s resources would be better applied elsewhere than on this topic.

Michelle Marie Romani spoke in regards to Item 49. B2, noting that while all citizens have rights and responsibilities that must be struck in a healthy balance, an opinion

from the Attorney General on the rights of the City to continue enforcing the use of face masks should be requested. The Emergency Management Coordinator's response to this issue was not sufficient, let alone satisfactory. She urged Council to seek a logical solution to the mask question rather than pursuing a loophole to the Governor's order.

Dr. Marcela Uribe addressed Item 49. C2 on behalf of the Laredo Center for Urban Agriculture and Sustainability, noting the organization's excitement to receive the requested funding from the City; LCUAS has worked to address food security, health, wellness, and sustainability in the community. During the COVID-19 pandemic, a small group of volunteers has continued to cultivate the community gardens through the program; these vegetables are being donated to needy families in the communities to ease hunger. She asked Council to consider the expenses of their program and lease the Carriage House to LCUAS at the rate of \$1 per year to house their soon-to-be-hired staff, a walk-in refrigerator, and storage of their tools and materials. She also asked that the grounds remain a City park and be maintained by the Parks & Recreation Department since the property will be used for education and community outreach for the entire City. She requested legal and financial assistance from the City Attorney's Office and Finance Department regarding legal and accounting issues with timely advice to facilitate and continue operations.

Cynthia Rios voiced her favor for Item 49. E1, as did Mr. Izaguirre (no first name provided), Briana Salas, Samantha Treviño, Gloria Lopez, and many others.

Rita Diaz spoke in favor of Item 49. E1, noting her pride at the WIC building being named for her dear friends who have always given to their community. Melicio Molina, Jr., spoke in favor of Item 49. E1 but asked that the building be named after the Ramirez Family. Veronica Molina spoke in favor of Item 49. E1, adding that the naming suggestion is appropriate given the Ramirez's giving nature and positive example in the community.

Yahaira Velazco of Laredo's Cosmetology, Barbers, and Aestheticians Confederation voiced her support of Item 49. E2, as did Perla Hilton, Linda Martinez, Mayra Sanchez, Alfredo Hernandez, Jr., Karen Boone, and Karina De Leon. He read a public comment stating that barbers, aestheticians, and cosmetologists are an essential service to the community. This service can be performed safely as these professionals are trained and required to regularly clean and disinfect their equipment and facilities. The comment noted that this profession can sometimes help save lives by recognizing serious skin or scalp cancers or maladies and refer the client to the appropriate physician or dermatologist for treatment. The cosmetology, barber, and aesthetician industry also helps maintain hygiene and grooming among community members, particularly the elderly population who can no longer wash their own hair at times.

Christian Hernandez of The Vanity Bar Beauty Salon voiced his support of 49. E2 as did Devany Lozano of Theo's Barbershop, Linda Martinez of Jazmin's Fade Shop, and Ivette Diaz of Barbero Man's Salon LLC. Norma Rodriguez voiced her neutrality on Item 49. E2.

Remy Salinas noted his neutrality on Items #12 and 16.

Armando Cisneros asked if the City can cite individuals for endangering the public by any means including exposing others to their coughs, sneezes, or breaths if the City cannot cite someone for refusing to wear a mask.

VI. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

None

VII. PUBLIC HEARINGS

1. Motion to open public hearing #1.

Moved: Cm. Rodriguez

Second: Cm. Vielma

For: 8

Against: 0

Abstain: 0

Public Hearing and Introductory Ordinance authorizing the City Manager to accept and execute a contract from the Texas Department of State Health Services through the South Texas Development Council (STDC), amending the FY 2019-2020 budget by appropriating revenues and expenditures in the amount of \$674,790.00 for the continuation of the City of Laredo Health Department's Ryan White Program to provide health care, diagnostic and specialty care and medical case management for persons with HIV/AIDS for the term of April 1, 2020 through March 31, 2021.

There was no public input.

Motion to close public hearing and introduce.

Moved: Cm. Rodriguez

Second: Cm. Vielma

For: 8

Against: 0

Abstain: 0

2. Motion to open public hearing #2.

Moved: Cm. Rodriguez

Second: Cm. Vielma

For: 8

Against: 0

Abstain: 0

Public Hearing and Introductory Ordinance authorizing the City Manager to accept and enter into a contract from the U.S. Department of Health and Human Services Health Resources and Services Administration (HRSA), amending the FY 2019-2020 budget by appropriating revenues and expenditures in the amount of \$53,750.00 for the City of Laredo Health Department (CLHD) Ryan White HIV/AIDS Program Part C Early Intervention

Services to prevent, prepare for, and respond to coronavirus disease 2019 (COVID-19) for the term from April 1, 2020 through March 31, 2021.

There was no public input.

Motion to close public hearing and introduce.

Moved: Cm. Rodriguez

Second: Cm. Vielma

For: 8

Against: 0

Abstain: 0

3. Motion to open public hearing #3.

Moved: Cm. Rodriguez

Second: Cm. Vielma

For: 8

Against: 0

Abstain: 0

Public Hearing and Introductory Ordinance amending the FY 2020 Risk Management Fund by appropriating revenues and expenditures of \$100,000.00. The revenues will be available from a Wellness Program funded by Blue Cross Blue Shield of Texas (BCBSTX) and are restricted for the continued operation of the City's Wellness Program.

There was no public input.

Motion to close public hearing and introduce.

Moved: Cm. Rodriguez

Second: Cm. Vielma

For: 8

Against: 0

Abstain: 0

4. Motion to open public hearing #4.

Moved: Cm. Rodriguez

Second: Cm. Vielma

For: 8

Against: 0

Abstain: 0

Public Hearing and Introductory Ordinance authorizing the City Manager to amend the City of Laredo FY 2019-2020 Max A. Mandel Municipal Golf Course Budget by appropriating revenues and expenditures in the amount of \$75,000.00. Revenues are from funds generated by the Max Mandel Golf Course charges for the Capital Replacement Project. Funds will be used for the acquisition of equipment necessary for the maintenance of the Max A. Mandel Municipal Golf Course.

There was no public input.

Motion to close public hearing and introduce.

Moved: Cm. Rodriguez
Second: Cm. Vielma
For: 8 Against: 0 Abstain: 0

5. Motion to open public hearing #5.

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

Public Hearing and Introductory Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning approximate 2.91 acres out of tracts 69 and 70, Porcion 10, Tomas Sanchez, Abstract 280, located at South of FM 1472 Rd., and West of Los Minerales Annex Rd. from AG (Agricultural District) to M-1 (Light Industrial District); providing for publication and effective date.

Planning & Zoning Commission recommended approval of the zone change and staff supports the application. ZC-19-2020 District VII

Oscar Castillo, representing Ms. Elvira Moreno, spoke in favor of the zone change.

James Kirby Snideman, Planning Director, stated that 10 letters were mailed out to adjoining neighbors; staff did not receive any letters back either in favor or opposition. The applicant did not share specific details as to their plans for the light industrial zone.

Cm. Altgelt voiced his concern about the property's proximity to the watershed nearby. Mr. Snideman noted that staff asked about that, but the applicant did not provide any details and are not required to do so. He confirmed that staff will ask again and report to Cm. Altgelt before the next Council meeting.

Motion to close public hearing and table.

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

6. Motion to open public hearing #6.

Moved: Cm. Altgelt
Second: Cm. Mercurio Martinez
For: 8

Against: 0

Abstain: 0

Public Hearing and Introductory Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning approximate 3.88 acres out of 5-A 121.3715 acre tract, Porcion 16, D. Garcia, Abstract 46 and Porcion 17, J. P. Garcia, located at West of Free Trade Street, from R-1 (Single Family Residential District) to M-1 (Light Industrial District); providing for publication and effective date.

Planning & Zoning Commission recommended approval of the zone change and staff supports the application. ZC-23-2020 District VII

Orlando Navarro voiced his support of the zone change, as did Edward L. Ochoa.

Roberto Muller voiced Robert Muller LTD's agreement in 2015 to build this berm and to donate 8.11 acres to the Home Owners Association.

James Robert Muller noted his support of this zone change, as did Kal Ratliff.

James Kirby Snideman, Planning Director, noted that this property is surrounded by M-1 zones to the north, and there is no access to this property except through M-1; it does not access any residential properties in the area. He recommended approval. The buffer remains intact as required by civil procedure. He noted his understanding that the developer of this land was required to put the buffer in place, but he could not speak directly to this issue. The applicant submitted a legal document speaking to the buffer with their application; the lawsuit between the developer and residents does not affect this zoning and vice versa. The zone change should not impact the buffer because only the land in question can be developed; the buffer cannot.

Motion to close public hearing and introduce.

Moved: Cm. Altgelt
Second: Dr. Marte Martinez
For: 8

Against: 0

Abstain: 0

7. Motion to open public hearing #7.

Moved: Dr. Marte Martinez
Second: Cm. Vielma

For: 8

Against: 0

Abstain: 0

Public Hearing and Introductory Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 1, 2, & 3, Block 2, Khaledi Heights Subdivision, Unit 2, located at 10002, 10012 Bob Bullock Loop, and 4104 Blue

Quail Rd. from B-3 (Community Business District) and B-4 (Highway Commercial District) to R-2 (Multi-Family Residential District); providing for publication and effective date.

Planning & Zoning Commission recommended approval of the zone change and staff supports the application. ZC-11-2020 District VI

Oscar Castillo of Escondido Development voiced his support of the zone change.

Motion to close public hearing and introduce.

Moved: Dr. Marte Martinez

Second: Cm. Mercurio Martinez

For: 8

Against: 0

Abstain: 0

8. Motion to open public hearing #8.

Moved: Cm. Altgelt

Second: Cm. Mercurio Martinez

For: 8

Against: 0

Abstain: 0

Public Hearing and Introductory Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning approximate 9.32 acres out of tract conveyed to WW Escondido, LP, in Porcion 14, Jose Guajardo Abstract 56, located at North of Peoples Blvd. and East of Port Victoria Dr. from R-1MH (Single Family Manufactured Housing District) to R-2 (Multi-Family Residential District); providing for publication and effective date.

Planning & Zoning Commission recommended approval of the zone change and staff supports the application. ZC-16-2020 District VII

Juan Salinas of Escondido Development voiced his support of the zone change, as did Oscar Castillo.

James Kirby Snideman, Planning Director, noted that neighbors voiced opposition to the multi-family district with concerns over traffic and other matters. The developer intends to build townhouses on the property. He reiterated that staff was supportive of the application, as was the Planning & Zoning Commission; the townhouses are consistent with the Comprehensive Plan's push for urban density.

Motion to close public hearing and introduce.

Moved: Cm. Altgelt

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

9. Motion to open public hearing #9.

Moved: Cm. Altgelt

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

Public Hearing and Introductory Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit for townhouses at approximate 9.32 acres out of tract conveyed to WW Escondido, LP, in Porcion 14, Jose Guajardo Abstract 56, located north of Peoples Blvd. and east of Port Victoria Dr; providing for publication and effective date.

Planning & Zoning Commission recommended approval of the Special Use Permit and staff does not support the application. ZC-17-2020 District VII

Oscar Castillo of Escondido Development voiced his support of the SUP.

James Kirby Snideman, Planning Director, stated that a SUP is needed for the type of development that the applicant is pursuing; there are not currently guidelines for townhomes, so an SUP is required. Staff does not support the application because it does not meet the current guidelines that were approved by Council.

Motion to close public hearing and introduce.

Moved: Cm. Altgelt

Second: Cm. Vielma

For: 8

Against: 0

Abstain: 0

VIII. INTRODUCTORY ORDINANCES

10. Introductory Ordinance authorizing the City Manager to accept a grant in the amount of \$85,000.00 and to amend the FY 2020 Special Fire Grants Fund annual budget by appropriating additional revenues and expenditures through the Border Zone Fire Department (BZFD) program. The initiatives are funded by the Office of the Governor (OOG) Homeland Security Grants Division. The purpose is to provide grants to professional fire departments along the Texas-Mexico border region for specialized equipment, maintenance, and medical supplies to support emergency services associated with the execution of border security activities. Funding will be used to purchase extrication equipment. The grant performance period is from March 1, 2020 through August 31, 2020. No local match is required. Grant will be accounted for in the Special Fire Grants Fund.

Motion to table.

Moved: Cm. Vielma

Second: Cm. Mercurio Martinez

For: 8

Against: 0

Abstain: 0

11. An Ordinance of the City of Laredo, Texas, amending Chapter 23, Parks and Recreation Department, Article I, Section 23-4, providing a waiver of membership fees to recreational facilities for retired City of Laredo employees; containing a savings clause; containing a severability clause; and providing an effective date.

Ordinance Introduction: City Council

IX. CONSENT AGENDA

X. FIRST AND FINAL READINGS

12. 2020-O-039 Authorizing the City Manager to accept a grant from the U.S Department of Justice (DOJ) and amend the Special Police Fund Budget by appropriating revenues and expenditures in the amount of \$213,046.00. The Bureau of Justice Assistance (BJA) FY 2020 Coronavirus Emergency Supplemental Funding (CESF) Program Grant is for the period of January 20, 2020 through January 19, 2022. This grant will assist the Laredo Police Department in preventing, preparing for, and responding to the Coronavirus pandemic. Funding will be utilized for computer equipment, personal protection equipment (PPE), sanitizing supplies, overtime and fringe benefits for the Laredo Police Department. No local match is required. Funding will be appropriated in the Special Police Fund.

Cm. Vielma noted that a new Department of Defense specialized office has recently opened in San Antonio; while the City may have enough masks or personal protective equipment (PPE) now, there may be spikes of COVID-19 and flu cases closer to the fall. She suggested that the City consider this when coordinating emergency services to see if more equipment can be obtained at that time. N95 masks can be sanitized for free, which may save the City on costs and resources.

Motion to adopt Ordinance 2020-O-039.

Moved: Cm. Vielma

Second: Cm. Mercurio Martinez

For: 8

Against: 0

Abstain: 0

13. 2020-O-040 Amending the City of Laredo FY 2020 Water Availability Fund budget by Appropriating \$3,000,000.00 from fund balance. The funds from Water Availability Fund Balance will be drawn down to cover expenses for the COVID-19 Economic Assistance Fund and provide relief to citizens that have lost their job or source of

income due to the pandemic contingency measures.

Motion to adopt Ordinance 2020-O-040.

Moved: Dr. Marte Martinez

Second: Cm. Vielma

For: 8 Against: 0 Abstain: 0

14. 2020-O-041 Amending the City of Laredo FY 2020 Environmental Services Fund budget by Appropriating \$335,457.00 from fund balance. The funds from Environmental Services Fund Balance will be draw down to cover expenses for the COVID-19 Economic Assistance Fund and provide relief to citizens that have lost their job or source of income.

Motion to adopt Ordinance 2020-O-041.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8 Against: 0 Abstain: 0

15. 2020-O-042 Amending FY 2020 annual budget by establishing a new Special Revenue Fund, titled COVID-19 Economic Assistance by appropriating revenues and expenditures in the amount of \$4,500,000.00, of which \$3,000,000.00 will be transferred from Water Availability Fund, \$1,164,543.00 will be transferred from Solid Waste Fund and \$335,457.00 will be transferred from Environmental Services Fund.

Motion to adopt Ordinance 2020-O-042.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8 Against: 0 Abstain: 0

16. 2020-O-043 Amending the City of Laredo's FY 2020 Risk Management Fund by appropriating a draw down from fund balance in the amount of \$1,500,000.00 and transferring said amount to General Fund. Amending the FY 2020 General Fund budget by appropriating a transfer in from Risk Management Fund and restricted reserve in the amount of \$1,500,000.00. The restricted reserve will be used to cover any additional expenses and/or revenue shortfall due the current COVID-19 health crisis. Funding is available in Risk Management Fund.

Motion to adopt Ordinance 2020-O-043.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

17. 2020-O-044 Amending the City of Laredo's FY 2020 General Fund budget by appropriating revenues and expenditures in the amount of \$3,350,000.00. Revenues are in the form of a transfer in from Capital Improvements Fund. The restricted reserve in General Fund will increase by the same amount. The restricted reserve will be used to cover any additional expenses and/or revenue shortfall due the current COVID-19 health crisis. Funding is available in Capital Improvements Fund.

Motion to adopt Ordinance 2020-O-044.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

18. 2020-O-045 Approving the most recently amended COVID-19 Emergency Ordinance of the City of Laredo, Texas, that incorporates Governor Abbot's Executive Order No. GA-18 and GA-19 that pertain to essential services, re-opened services, and essential daily activities; and additional control measures deemed necessary by Local Health Authority for the protection of the health, safety, and general welfare of the public in accordance with Chapter 121 of the Texas Health & Safety Code, Chapter 85 of the Texas Administrative Code, and 2.11 of the City Charter.

Kristina L. Hale, City Attorney, noted that this ordinance includes only what was amended in the Governor's executive order. Those amendments include the opening of businesses at 25% occupancy, opening indoor retail stores and shopping malls, movie theaters, and dining restaurants. This ordinance has additional services and activities added in response to GA-18 and GA-19. The Governor's order also prohibited cities from imposing a fine or penalty on citizens refusing to wear a mask or face covering. Nothing else has changed regarding the City's emergency ordinance. Mrs. Hale noted that the health authority has recommended additional requirements regarding COVID-19 reporting in which and the Health Department would be notified every time an additional positive case of COVID-19 is confirmed. As long as Council does not add a requirement that has been specifically prohibited or preempted by the Governor, the City of Laredo is able to add additional measures to the emergency ordinance.

Dr. Marte Martinez asked if a citation without any penalty would conflict with the Governor's order. Mrs. Hale noted that a citation

without a penalty would not conflict, but a citation is a notice of a violation with instruction to appear at a particular court to account for the charges. This would normally impose some type of penalty. Regarding mask requirements, she recommended that Council not continue to cite offenders even without a penalty because that is not in the spirit of the Governor's directive. Businesses are welcome to impose a mask requirement in their establishments for service. She recommended that the City keep the use of face coverings as a mandate but not to issue citations as they would serve no purpose and could be challenged.

Dr. Victor Treviño, health authority for the City of Laredo, recommended that the City continue to encourage businesses and citizens to use face masks as part of the "new normal" that the community is experiencing. Even though it is not a mandate, it is highly recommended as all of the city-wide measures have been highly effective in mitigating the spread of infection.

Mrs. Hale confirmed that City officials can mandate the use of masks or face coverings in City buildings. Cm. Rodriguez initiated a motion to this effect, to which Dr. Treviño agreed.

Motion to mandate the use of a mask or face covering in all City buildings and that service be refused if an individual fails to cover their nose and mouth.

Moved: Cm. Rodriguez

Second: Cm. Vielma

For: 8

Against: 0

Abstain: 0

Mrs. Hale confirmed that the stay-at-home order was not cancelled by the Governor; he repealed a previous stay-at-home order and then replaced it with new language in GA-18 and -19. The stay-at-home order has not changed either in the Governor's order or the City ordinance; citizens are required to stay at home except when engaging in essential services or activities or the physical activities as allowed by the Governor. The public is still not allowed to gather except for those specific purposes. Non-essential travel is still prohibited. Therefore, the curfew is another provision that does not conflict with the Governor's order.

Cm. Vielma reported receiving inquiries about curfew in light of the reopening of additional establishments, such as movie theaters. If a movie theater's last showing is over during curfew hours or a restaurant is open 24 hours, then employees or customers leaving those establishments might be cited for curfew violations. Mrs. Hale explained that this was a common misconception since the implementation of the curfew; the curfew did not prohibit any

individual from engaging in any allowable activity, such as eating or working. Similarly, now that residents are allowed to go to the movie theater or dine in a restaurant, they are still allowed to do so even during curfew hours; this has not been affected in any way.

MPT Torres recalled that the curfew was a means to help curtail public and social gatherings, such as carne asadas and parties. This makes it easier for law enforcement to determine if people are gathering out of compliance with the preventative measures that were implemented.

Dr. Treviño observed that most citizens understand the intention of these measures as well as the potential danger of the virus. Robert Eads, City Manager, voiced his understanding that City parks close at 10:00 p.m.

Mrs. Hale reminded Council that the City has the right to close their parks at any time that they wish. Private park closure times are the discretion of those subdivisions. Mr. Eads added that the City has always instituted evening closures of parks.

Cm. Vielma initiated a motion to change the curfew hours to 12:00 a.m. to 5:00 a.m. to give residents two additional hours before curfew begins. Cm. Mercurio Martinez seconded the motion for discussion purposes only.

Cm. Altgelt noted that many community members have been struggling with the delicate balances of their civil liberties versus public safety. Unfortunately, the City has minimal data on hand due to the high demand for testing supplies. He voiced his concern over the state government implying that they know Laredo's circumstances and needs better than local officials do.

Cm. Balli noted his surprise that the City opened its parks, voicing his understanding that the Governor did not require that of municipalities. State parks were being reopened, but the Governor did not mandate that local parks be reopened. Residents are concerned about gatherings at parks and playgrounds; he recalled an advertisement for the Max Mandel Golf Course for a Mother's Day lunch, which might compromise social distancing requirements. The City is not required to open City parks and would not be in violation of the Governor's order if they had kept these facilities closed. He voiced his opinion that Council should take a step back and noted his opposition to Cm. Vielma's amendment to push back curfew from 10:00 p.m. to midnight. Instead of extending the curfew, he suggested that instead alcohol not be sold during curfew hours.

Dr. Treviño noted that officials err on the side of caution and suggested that Council do the same. The road is still dark, so it is necessary to move slowly and gradually. He voiced his concerns with many of the Governor's orders because they were quick and reactionary from one day to the next; in particular, the removal of mask requirements caused him concerns because of the amount of space through which sneeze or cough droplets can travel. If Council errs on the side of caution, they will very likely not fail.

Dr. Martinez noted that if someone is out for an essential service, then they are allowed to do so during curfew hours; the City must still do whatever it can to decrease the amount of gatherings at this point. He encouraged Council to maintain the status quo in regards to curfew because the City is not out of the woods yet. Changing the curfew hours may cause an increase in positive cases at too rapid a rate that will overwhelm the City's medical resources.

MPT Torres confirmed that Dr. Treviño recommended Council to leave curfew as it is.

Motion to modify the beginning of curfew from 10:00 p.m. to 12:00 a.m. for a new curfew period from 12:00 a.m. to 5:00 a.m.

Moved: Cm. Vielma

Second: Cm. Mercurio Martinez (for discussion purposes only)

For: 1

Against: 6

Abstain: 0

Cm. Vielma

Cm. Gonzalez

Cm. Rodriguez

Cm. Mercurio Martinez

Dr. Marte Martinez

Cm. Altgelt

Cm. Balli

Motion fails.

Cm. Altgelt initiated a motion to direct law enforcement to still issue citations for failure to wear masks or face coverings even though there will be no requirement of the offender to appear in court, pay a fine, or face any consequence otherwise.

Mrs. Hale noted that if there is no requirement to appear in court, law enforcement could instead give the offender a mask as is being done in other cities at this time. While this motion may not be in direct conflict with the Governor's order, it could be challenged; she did not recommend issuing citations unless Cm. Altgelt could clarify the motion with more information.

Cm. Balli voiced his understanding that the only stipulation is that

the City cannot issue any monetary fine; it would be in the City's authority to issue a citation without a fine. He voiced his support of this motion in order to encourage cooperation from grocery stores and other businesses where people may gather to continue requiring the use of masks or face coverings.

Steve Landin, Fire Chief and Emergency Management Coordinator, agreed that chain stores need the City ordinance to continue mandating the use of face masks in order to facilitate their requirement of the masks, as well. When stores put up signs requiring masks, having a City ordinance to refer to helps ensure that the public will respect the requirement. The mask requirement also protects businesses' employees, and they are deeply concerned with their employees being put at risk when customers stop wearing masks. He doubted whether the City can mandate stores or businesses to have masks to hand out to the public.

Robert Eads, City Manager, reminded Council that businesses can make the decision not to service customers who fail to cover their nose and mouth. They already have that ability, but it is helpful to them to refer to the City's actions, as well.

Dr. Martinez noted that it is too easy to believe that things are back to normal if people are seen without masks or gathering in public, which is counterproductive to the measures taken to decrease the prevalence and incidents of this virus. Walking backwards too soon is going to damage the community.

Dr. Hector Gonzalez, Health Director, reported that most restaurants have told Health staff that they do not intend to allow patrons to enter the establishments without face coverings. He agreed that having the City as a role model will help support business owners enforce the requirement in their own operations.

Cm. Altgelt stated that this amendment to the emergency ordinance will not give officers license or discretion to stop someone in their motor vehicle if they are not wearing their mask; it is specific to enclosed spaces and buildings.

Cm. Rodriguez asked if Council could send resolutions to businesses stating that the City still requires masks and encouraging those businesses to do the same. Mrs. Hale confirmed that staff could issue such a resolution; she reminded Council that community members were allowed to not wear masks in their private vehicles. Police officers never had the discretion to stop someone in their personal vehicle for not wearing a mask. She voiced her opinion that issuing citations without penalties would not be effective as there would be no consequence or

following action.

Cm. Vielma suggested an amendment to the motion that provides some follow-up action from those citations, such as an online educational class, noting that if there is no follow-up to the citation then it is meaningless. Mrs. Hale countered that if the individual were to not take that educational class or follow-up action, the consequence is unclear.

MPT Torres voiced his opinion that requiring an offender to attend a class after they get a citation is a penalty, which is counter to the Governor's intention and a violation of his order. The public shame of getting the citation itself can be construed as a penalty. As much as Council wants to do something, he urged Council to respect the orders of the Governor who has exercised his executive power. It is to the City's advantage to follow with what the Governor has already provided. While MPT Torres agreed that the use of masks should continue, he supported Cm. Rodriguez's suggestion of issuing a resolution to back up businesses with the right to refuse service to anyone not wearing their face mask. If someone receives a citation with no penalty associated with it, they will simply throw it away and the City will be stuck with the spent manpower to no effect. He strongly suggested that Council not support this motion but to instead support a resolution as suggested by Cm. Rodriguez. Cm. Vielma agreed with MPT Torres's argument.

Dr. Treviño noted that rather than punish people for failure to wear masks, the City and businesses can look for incentives to *encourage* the use of masks, such as a tax break or discount. People react better to incentives than punishments. MPT Torres noted that being refused service at a grocery store or business is punishment in and of itself if someone does not wear their face covering.

Cm. Altgelt voiced his understanding that the Governor's executive order says that masks are still required, but no municipality can issue fines for failure to wear them. The requirement has not been removed. While the citation would be symbolic, the masks themselves are also symbolic of one's care for their community.

Chief Treviño noted that the Police Department would need this ordinance to have the appropriate language to issue officers authority to detain an individual for the purposes of issuing a written warning or citation. This way, police will not be accused of stopping and harassing the public, which is a concern of his. He stated that if the motion is not going to have that language, then

he would not recommend supporting the motion as it will put officers in a position of liability of creating confrontations if a violator refuses to stop for an officer. The motion also subjects officers to unnecessary contact with the public if they are to issue citations that will have no penalties. Officers will be able to provide assistance to businesses that refuse service for people not wearing masks and charge them with criminal trespass if the violators are not leaving a business to which they have been denied service.

Cm. Balli noted that the point of issuing a citation is not to give a slap on the wrist but to back up local businesses who are trying to put food on their tables. They are trying to provide for themselves and their families and need a safe environment to operate their businesses. If Council does not back up these businesses with this ordinance, then a lot of workers will be subjected to virus transmission. He noted that he has elected not to dine in restaurants because it creates an unnecessarily unsafe condition for the employees. The Governor's order specifically prohibits penalties, and a ticket is not a penalty by definition, either civil or criminal. A penalty is the requirement to pay a monetary amount or perform an action as repayment. He encouraged Council to support this motion and not cast a vote against restaurant workers, business owners, teachers, or grocery employees.

MPT Torres countered that the Governor's order says that individuals are *encouraged* to wear masks, not *required*. Mrs. Hale added that the definition of a citation is subject to interpretation because it is a punishment, begging the question of whether a citation in and of itself is a punishment. She voiced her opinion that citations are not in the spirit of the Governor's order. Permitting businesses to require masks and refuse service to individuals not wearing a mask can be enacted through this ordinance or a separate resolution.

Dr. Martinez stated that the argument that police officers issuing citations that have no penalty are a waste of time, but he reiterated that this communicable disease is very serious. A reminder can sometimes go a long way to helping people understand that they have to perform this function (wearing a mask) for their neighbor and community. He voiced his opinion that having officers approach violators for this purpose would be very meaningful. Dr. Martinez noted his willingness to challenge the Governor as a physician; as a policymaker, he noted the need to find a middle ground. This motion is that middle ground, and he asked Council to support it as there are many reasons why it should be supported.

Teclo Garcia, Economic Development Director, noted that many small businesses want to open but also think that they can implement the necessary measures to protect customers and employees. They feel secure in their abilities and want to take those measures so that they can open.

Motion to direct law enforcement to continue issuing citations for failure to wear masks or face coverings even though there will be no requirement of the offender to appear in court, pay a fine, or face any civil or criminal consequence, as amended.

Moved: Cm. Altgelt

Second: Dr. Marte Martinez

For: 5 Against: 1 Abstain: 0

Cm. Rodriguez Cm. Vielma
Cm. Mercurio Martinez
Dr. Marte Martinez
Cm. Altgelt
Cm. Balli

Cm. Gonzalez was not present; MPT Torres did not vote.

Cm. Rodriguez initiated a motion to pass a resolution to allow any business to refuse service or entrance to anyone not wearing a mask at their establishment and to permit those businesses to call police for removal of the individual and charge them with criminal trespassing if that individual refuses to leave the premises.

MPT Torres suggested an amendment to instruct management to develop signage in English and Spanish that can be downloaded and displayed by businesses at their entrances for this purpose. Cm. Rodriguez accepted the amendment.

Dr. Treviño supported this motion with the amendment and suggested that the public receive educational literature at the time that they receive a citation or are contacted by police officers as a way to educating them on the important issues surrounding the virus and preventative measures. Mr. Eads confirmed that staff can push out information to the public through social media or text message subscribers.

Motion to pass a resolution to allow any business or organization to refuse service or entrance to anyone not wearing a mask at their establishment and to permit those businesses to call police for removal of the individual and charge them with criminal trespassing if that individual refuses to leave the premises and direct management to develop signage in English and Spanish that can be downloaded and displayed by businesses or

organizations at their entrances for this purpose, as amended.

Moved: Cm. Rodriguez

Second: Cm. Mercurio Martinez

For: 8

Against: 0

Abstain: 0

Cm. Altgelt initiated a motion to accompany any citation for failure to wear a mask with an informative or educational document to advise them on the significance of using or not using face coverings. Cm. Vielma asked if a QR code could be added to the citation with information to meet this purpose, as well.

Chief Treviño noted that citation formats are already preset in the Department's system; they don't have the ability for customization of QR codes or similar code without going through extensive manpower to create such a field. Creating a flyer to accompany the citation would be easier to implement.

Motion to accompany any citation for failure to wear a mask with an informative or educational document to advise them on the significance of using or not using face coverings.

Moved: Cm. Altgelt

Second: Cm. Mercurio Martinez

For: 8

Against: 0

Abstain: 0

Cm. Balli asked for a report on the changes made to the City's park system since the Governor's most recent order, if any have been made.

Juan J. Gomez, Jr., Parks & Recreation Director, explained that since the Governor's order was issued, staff has opened the parks as required but certain facilities have not been made available such as skate parks, basketball courts, or anything that could form a congregation. These prohibited facilities were blocked off with yellow tape, and staff and law enforcement have coordinated efforts to monitor those prohibited areas to ensure compliance. Fields have been accessible as long as any activities involve four people or less; he observed a good response from the community over the weekend. People seemed to utilize the trails and walking areas, but groups of four or less were not seen much. Masks have also been encouraged.

Cm. Balli clarified that he received a text message regarding his comments on the Max Mandel Golf Course's Mother's Day lunch informing him that the lunch is takeout or to-go only.

Motion to adopt Ordinance 2020-O-045 with the amendments

passed.

Moved: Cm. Rodriguez

Second: Cm. Mercurio Martinez

For: 8

Against: 0

Abstain: 0

XI. FINAL READING OF ORDINANCES

Motion to waive the final reading of Ordinances 2020-O-034 and 2020-O-038.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

19. 2020-O-034 An Ordinance amending Chapter 21, Article XII of the Laredo Code of Ordinances regarding Aggressive Solicitation and enacting a new section for pedestrian and traffic safety. Providing for publication and providing for effective date.

MPT Torres asked Council to table this item as he was told that the homeless service providers were not included as per Council's request. There has not been time for these providers to meet, and there may be possible repercussions if Council proceeds with this item as it currently is.

Motion to table.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

20. 2020-O-038 Ratifying the execution of a contract from the Texas Department of State Health Services (DSHS) with funding from the US Centers for Disease Control and Prevention, amending the FY 2019-2020 budget by appropriating revenues and expenditures in the amount of \$406,775.00 for the initial award and \$417,443.00 for the first amendment for a total of \$824,218.00 and amending the FY 2019-2020 Full Time Equivalent (FTE) Position Listing by adding two (2) Epidemiologist, R38 positions, one (1) Microbiologist I, R37 position, one (1) Clerk IV, R28 position, and two (2) Public Health Technician, R36 positions for the City of Laredo Health Department (CLHD) COVID-19 response activities for the term from execution date through March 15, 2021.

Motion to adopt Ordinance 2020-O-038*.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

AIRPORT: STAFF SOURCE JEFFREY J. MILLER, AIRPORT DIRECTOR

21. 2020-R-068 Authorizing the City Manager to enter into a temporary Right-of-Entry agreement between the City of Laredo and U.S. Customs and Border Protection for access into 20 acres of land located at the Laredo International Airport. The agreement term shall be for one (1) year; providing for an effective date.

Motion to adopt Resolution 2020-R-068.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

22. 2020-R-071 Ratification authorizing the City Manager to submit a grant application to the Federal Aviation Administration in the estimated amount \$18,506,692.00 for the Laredo International Airport and authorizing the City Manager to execute all necessary documents resulting from the award offer. The purpose of the grant is to provide for airport funds which may be lawfully used, as found in the Office of Airports Revenue Use Policy, such as Airport operating expenses to include payroll, airfield safety, airport security, and terminal maintenance. 100% Federal funds; no local match is required. Federal Grant funding is available under the Coronavirus Aid, Relief, and Economic Security (CARES) Act 2020.

Motion to adopt Resolution 2020-R-071.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

ENGINEERING: STAFF SOURCE RAMON E. CHAVEZ, CITY ENGINEER

23. 2020-R-072 Authorizing the City Manager to execute an amendment to the interlocal agreement between the City of Laredo (City) and the Webb County-City of Laredo Regional Mobility Authority (WC-CL RMA) for the development of turn lanes to be located at the intersection of Killam Industrial Boulevard and Farm to Market Road 1472.

Motion to adopt Resolution 2020-R-072.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

24. Consideration for approval of the Kennel Winterization Project as complete, release of retainage and approval of final payment in the amount of \$22,026.25 to Romo Contractors, LLC., Laredo, Texas. Final construction contract amount is \$220,262.25. Funding is available in the 2015 CO Bond.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

25. Consideration for approval of the El Eden Park Improvements Project (Splash Park) as complete, release of retainage and approval of final payment in the amount of \$94,018.00 to Romo Contractor, LLC., Laredo, Texas. Final construction contract amount is \$940,180.00. Funding is available in the 2016 and 2017 CDBG Grant Years and the 2017 and 2018 C.O. District I Priority Funds – Project No. D11906.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

26. Consideration for approval of the Laredo International Airport Cargo Apron Phase 11 and 12 Reconstruction as complete, release of retainage and approval of final payment in the amount of \$555,128.06 to Reim Construction, Inc., Mission, Texas. Final construction contract amount is \$11,102,610.08. Funding is available in the Airport Construction Fund – FAA Grant No. 87.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

27. Consideration for approval of change order no. 1 an increase of \$1,822,656.30 to the construction contract with Reim Construction, Inc., Mission, Texas, for the Laredo International Airport Cargo Apron Phase 13 Rehabilitation. This change order is to increase pavement rehabilitation area, install two additional light poles for apron and to add ninety (90) calendar days to the construction contract time. Current construction contract amount with this change order no. 1 is \$9,922,643.85. Current construction contract time with this change order is four hundred seventy-five (475) calendar days. Completion date for the project is scheduled for April 2021. Funding is available in the Airport Construction Fund - FAA Grant No. 89.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

28. Consideration for approval to award a construction contract to the lowest responsible responsive bidder Azar Services, LLC., Laredo, Texas, in the base bid amount of \$154,352.30 for the CDBG Downtown Neighborhood Access Improvements - District VIII (11 Blocks) with a construction contract time of one hundred forty (140) calendar days; and authorizing the City Manager to execute all related contract documents contingent upon receipt and approval of insurance and bond documents. After a notice to proceed is issued, estimated completion date for the project is scheduled for October 2020. Funding is available in the 2018 and 2019 CDBG Grant Years – Project Numbers CD1803 and CD1903.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

ENVIRONMENTAL: STAFF SOURCE JOHN PORTER, ENVIRONMENTAL DIRECTOR

29. Ratification of Amendment 4, for the additional Engineering Services contract with Crane Engineering - Laredo, Texas in the amount of \$10,781.85. The total contract amount with this amendment is \$614,475.32 for the Eastern Chacon Creek 18"-36" Interceptor from Vaquillas Lift Station to India and Gates. Amendment #4 also provides for a proposal to prepare and submit a nationwide permit pre-construction notice and submittal to the U.S. Army Corp of Engineers. Funding is available in the 2016 Environmental CO.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

FLEET MANAGEMENT: STAFF SOURCE RONALD MILLER, FLEET DIRECTOR

30. Consideration to renew annual contract FY19-053 with the following vendors:
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. There was no price increase during the last extension period. This is the first of 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: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

31. Consideration to renew annual service contract FY17-046 with Fox Truck World LLC., San Antonio, TX, in an amount up to \$150,000.00 for original equipment manufacturer (OEM) truck repair services for the City's automated side loader trucks. 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 last extension period for this contract. All services will be secured on an as needed basis. The City shall provide the parts. Funding is available in the Fleet Maintenance budget.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

32. Consideration to renew contract FY17-028 to Hector Cabello Wrecker Services, Laredo, TX in the annual amount of \$70,000.00 for Non-Police City owned Vehicles Towing Services. The term of this contract shall be for a period of one (1) year beginning the date of its execution. There is no price increase on these services and this is the last extension period of the contract. All services will be secured on an as needed basis. Funding for this contract is available in the Fleet Department's budget.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

HEALTH: STAFF SOURCE DR. HECTOR GONZALEZ, HEALTH DIRECTOR

33. 2020-R-069 Authorizing the City Manager to accept an amount of \$6,000.00 from the Women's Health and Family Planning Association of Texas (WHFPT) for the continuation of the City of Laredo Health

Department Title X Family Planning Women's Preventive Health and Wellness Services for COVID-19 response for the term period from April 1, 2019 through May 30, 2020.

Motion to adopt Resolution 2020-R-069.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8 Against: 0 Abstain: 0

34. 2020-R-070 Authorizing the City Manager to accept and enter into a continuation contract from the U.S. Department of Health and Human Services Health Resources and Services Administration (HRSA) 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, 2020 through April 30, 2021.

Motion to adopt Resolution 2020-R-070.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8 Against: 0 Abstain: 0

PARKS & RECREATION: STAFF SOURCE JUAN J. GOMEZ, JR., PARKS & RECREATION DIRECTOR

35. 2020-R-073 Authorizing the City Manager to execute a first amendment to the original 20 year ground lease between the City of Laredo and the Board of Regents of The Texas A&M University System for the construction, operation, and maintenance of the tennis complex on approximately 11.32 acres of land located on and part of the campus of Texas A&M International University.

Motion to adopt Resolution 2020-R-073.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8 Against: 0 Abstain: 0

PLANNING & ZONING: STAFF SOURCE JAMES KIRBY SNIDEMAN, PLANNING & ZONING DIRECTOR

36. Authorizing and advancing funds to the Laredo Webb County Area Metropolitan Planning Organization (MPO) in the amount not to exceed \$29,390.50 for payment to CDM Smith consulting services as identified in Contract Amendment 1, for the Metropolitan Transportation Plan Update and FAST Act Compliance

project, which said sums are 100% reimbursable from federal funds supplied to the MPO as per the fiscal agreement between the City and the MPO. Funding is available in the General Fund-Planning MPO Grant.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

POLICE: STAFF SOURCE CLAUDIO TREVINO, CHIEF OF POLICE

37. 2020-R-064 Authorizing the City Manager to renew three individual Memorandums of Understanding (MOUs) between the City of Laredo Police Department and 1.) Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), 2.) Laredo Independent School District Police Department, and 3.) United States Marshals Service (USMS). The Police Department's participation is part of the community service provided to our citizens and our partner law enforcement agencies with no cost to the City of Laredo.

Motion to adopt Resolution 2020-R-064.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

38. 2020-R-067 Authorizing the City Manager to submit a grant application in the estimated amount of \$155,000.00 to the Office of the Governor (OOG), Public Safety Office, Criminal Justice Division (CJD) for the purpose of funding the FY2020 Coronavirus Emergency Supplemental Funding (CESF) Program. This grant will augment resources and assist the Laredo Police Department in preventing, preparing for, and responding to the Coronavirus pandemic. Funding will be utilized for computer equipment, personal protection equipment (PPE) and sanitizing equipment, supplies, and services. This program is for a 12-month period and does not require a local match. Grant will be accounted for in the Special Police Fund.

Motion to adopt Resolution 2020-R-067.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

UTILITIES: STAFF SOURCE RIAZUL MIA, UTILITIES DIRECTOR

39. Authorizing the City Manager to execute a contract utilizing the Buy Board Cooperative Purchasing Program to Insituform Technologies, LLC, of Chesterfield Missouri, for the rehabilitation of 1,961 linear feet of sanitary sewer line in Salinas St in the Downtown area for the amount of \$159,884.00. Funding is available in the 2014 Sewer Revenue Bond.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

40. Authorizing the City Manager to approve partial release of retainage amount of \$450,000.00 to Pepper-Lawson Waterworks, LLC., Texas for the South Laredo Wastewater Treatment Plant 12 MGD to 18 MGD Expansion Project, pending the approval of Texas Water Development Board (TWDB). The project has been substantially completed and in operation. The remaining retainage along with the final payment will be released upon completion of the work. This project is funded by the Texas Water Development Board (TWDB) Sewer Bond, Series 2015B. Funding for the partial release of retainage is available in the aforementioned bond.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

41. Authorizing the City Manager for the approval of Change Order #1 in the amount of \$29,225.00 for the Unitec Wastewater Treatment Plant Concrete Staging Area Project. This change order is required due to the field conditions warranting the addition of a concrete mow strip for fencing and drainage improvements. With this change order the new contract amount with AZAR Services, LLC is \$639,375.00 with an addition of eighty (80) working days to the contract. Funding is available in the 2017 Sewer Revenue Bond.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

42. Consideration to select and negotiate with Ardurra Group, Inc. of Houston, Texas for the preparation of a Wastewater Master Plan for the City. Two (2) Statements of Qualifications were received from consultants and were reviewed and evaluated by City Staff, Ardurra Group, Inc. is being recommended for this project. There is no cost involved during the interview, review and selection of the Request of Qualifications.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

43. Consideration to approve the issuance of a purchase order by City Manager in the amount of \$397,697.71 to Precision Pump Systems, Edinburg, Texas utilizing buy board contract #589-19 for two (2) emergency by-pass 4600 GPM Gorman-Rupp Air Plus 10"X8" booster diesel pumps and two (2) Gorman-Rupp 140 HP submersible pumps with control panels for the El Pico Water Treatment Plant raw water pump station. Funding available in the Water Works Operations Fund.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

END OF CONSENT AGENDA

XII. STAFF REPORTS

44. 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 Internal Auditor's report.

Moved: Dr. Marte Martinez

Second: Cm. Mercurio Martinez

For: 8

Against: 0

Abstain: 0

45. Staff Report by Engineering Department regarding the proposed Development Guide Manual created for One Stop Shop Public Improvement Plans in coordination with Building, Planning, Traffic, Fire, Environmental and Utilities Department.

Motion to table.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

46. Discussion with possible action on an update of the finances and operations due to COVID-19; and any other matters incident thereto.

Motion to table.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

47. Discussion with possible action on an update by the Economic Development Director on the newly created Task Force, grants, funding, and relief programs related to small business; and any other matters incident thereto.

Motion to table.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

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: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

48. 2020-RT-06 Authorizing the Laredo Mass Transit Board to approved the Texas Department of Transportation sponsored Public Transportation Agency Safety Plan and establishing Safety Performance Targets for El Metro Transit.

Motion to adopt Resolution 2020-RT-06.

Moved: Dr. Marte Martinez

Second: Cm. Mercurio Martinez

For: 8

Against: 0

Abstain: 0

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: Dr. Marte Martinez
Second: Cm. Mercurio Martinez
For: 8 Against: 0

Abstain: 0

49. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

A. Request by Council Member Nelly Vielma

1. Discussion with possible action authorizing City Manager to establish COVID-19 protocols to allow the re-opening of golf courses in the City of Laredo and any other matters incident thereto.

Robert Eads, City Manager, confirmed that the City has reopened the Max Mandel Golf Course in accordance with the Governor's order and have set up a system to facilitate the separation of individuals to one person per golf cart. The Governor allows for family members to ride together, but Max Mandel, as well as other golf courses in the state, is limiting golf carts to one person per cart.

Juan J. Gomez, Jr., Parks & Recreation Director, explained that the golf course is only allowing four people per golfing group and have spread out tee times to ensure more social distancing between groups. Staff has been given disinfectant to thoroughly clean the golf carts between riders. Touching of surfaces in the driving range and throughout the holes has been limited or discouraged. He voiced his opinion that these changes have been well received by the golfers.

Cm. Rodriguez noted that he received a phone call that highlighted the efforts of staff to limit contact between people and among surfaces.

Cm. Vielma commended staff on their efforts and initiated a motion to approve these protocols with any amendments as needed. MPT Torres noted that these protocols are already being done. She clarified that she has been in communication with the Country Club and wanted to officialize these protocols so that the other golf courses could standardize their practices to match the City. She also clarified that the motion is to reopen all golf courses in the City of Laredo, not just the City-owned golf course.

Cm. Rodriguez asked how the City could force a private or non-City-owned golf course to do something that is not required. Casa Blanca golf course belongs to the County, and the Country Club is managed by its HOA. Council can only decide what is required at the City; he voiced his opinion that the intention of this motion is overreaching.

Mr. Eads clarified that all golf courses are doing the same thing; the difference is that the City's golf course is taking one person per cart while the other golf courses use the Governor's language which allows two family members to ride together. Staff decided to only allow for one person per cart

unless one of the members is a child as an extra precaution. Mr. Gomez agreed, noting that the Country Club is trying to perform the same procedures as the City's course.

Cm. Balli noted that if the Governor has specific guidelines, then the City cannot be more restrictive than those guidelines on other entities. He voiced his opposition to Council making rules for how the County should operate their own golf course. In light of the discussion, Cm. Vielma withdrew her motion.

Motion to adopt the golf course protocols as presented by staff and to reopen all golf courses in the City of Laredo.

Moved: Cm. Vielma
Second: Cm. Altgelt
Motion withdrawn.

2. Discussion with possible action requesting City Manager to direct Public Works Department to pave Jordan Street at JSJ Estates, funding from Priority District V Funds; and any matters incident thereto.

Motion to approve in an amount not to exceed \$100,000 from District V priority funds.

Moved: Cm. Vielma
Second: Dr. Marte Martinez
For: 8 Against: 0 Abstain: 0

3. Discussion with possible action to enter into a Memorandum of Understanding with Laredo Economic Development Corporation (LEDC), Texas A&M International University (TAMIU), Laredo College (LC), Texas Work Force, United Independent School District, and Laredo Independent School District to assist in the creation of a Maker's Space at Mile One and to identify future spaces, equipment allocations and provide training to improve job opportunities and skills; and any other matters incident thereto.

Cm. Vielma clarified that she intended to include BiblioTech in this item's language. The idea is to utilize these spaces so that displaced or unemployed individuals can receive training and cultivate job opportunities and skills. She asked if Council would necessitate that the City ask for rent or have these individuals bring their own materials or fund those materials. Each entity has to decide what they want to see and agree to those terms, which will have to come back to Council.

Motion to approve.

Moved: Cm. Vielma
Second: Cm. Mercurio Martinez

For: 8

Against: 0

Abstain: 0

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

1. Discussion with possible action to instruct City Manager to authorize staff to install speed humps at the following locations 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 VI Priority Funds will be used for this project. Total Estimated Project Cost is \$7,500.00.

- 2300 Cielo Encantado Loop; north of Calle Nopal Street
- Cielo Encantado Loop east of Chimayo Road
- 2300 Chimayo Road; north of Calle Bonita Court

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Altgelt

For: 8

Against: 0

Abstain: 0

2. Discussion and possible action to maintain enforcement of mask requirement via citation only and no fine in light of CDC, the Governor, and most other U.S. and global health authorities, as well as, the effectiveness of Laredoans wearing masks to reduce the number of community and cluster transmissions; and any other matters incident thereto. (Co-Sponsored by Council Member George Altgelt)

Motion to table.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

C. Request by Council Member George Altgelt

1. Discussion with possible action to direct staff to track and digitally model the number and whereabouts of those that have been infected with COVID-19 (in strict compliance with HIPAA) throughout the city and to message the public accordingly in order that they can make informed decisions about their health and to prevent the spread of COVID-19; and any other matters incident thereto including but not limited to fully disclosing to the public the full and accurate numbers of citizens infected with COVID-19 from Laredo Medical Center.

Cm. Altgelt noted that the Comprehensive Plan has a section dedicated to identifying clusters of disease such as diabetes, cardiovascular issues, or in

this case, a global pandemic like COVID-19. The COVID-19 dashboard on the City's website is very thorough and informative, but he suggested that the City track the virus in the form of clusters rather than ZIP codes. ZIP code data is too macro-detailed and doesn't identify clusters in a meaningful way that communicates to the public where transmission may actually be occurring. A significant portion of the City's cases came from a single cluster; he commended Dr. Treviño for unraveling the circumstances to make this determination. If the City tracks the virus data on a microscale, officials and the public will be better informed of places to avoid or places that are safe. Cm. Altgelt stated that when he first brought this information to Dr. Hector Gonzalez's attention, he was told that the City cannot do this as that information is HIPAA-protected. He disagreed with that statement based upon his understanding of HIPAA because there is nothing regarding identifiable information in a COVID cluster. He initiated a motion to direct staff to track and digitally model the number and whereabouts of those that have been infected with COVID-19 and the general parts of town where they have been.

Cm. Vielma asked for an amendment to include all hospitals, medical clinics, and the Health Department testing facilities. Cm. Altgelt accepted the amendment.

Dr. Hector Gonzalez, Health Director, informed Council that the Health Department already has the information as described by Cm. Altgelt but cannot share it because it does in fact have identifiable information about the patients. This information is private, confidential, and protected by HIPAA. The protected measures that the City upholds for any communicable disease cannot be disclosed even with the minutest detail if it can be linked back to a person. Having said that, he noted that he has talked to the IST staff, the State, and the Center for Disease Control and Prevention (CDC) about any other models that could be used for public projections. He reminded Council that ZIP codes are very informative and definitive; within bubbles shown are multiple cases that provide information about clusters. Hot zones are found throughout the City. If the City gets more specific about any areas, the risk of exposing any streets or individuals gets greater and cannot be done. Dr. Gonzalez noted that he and Dr. Treviño have the specific information because they need to perform investigations to prevent secondary spread; they share this information with the appropriate state authorities and were told that there is not any more specific information to share other than ZIP codes. As of right now, the ZIP code information is the best microscale detail that can be shared with the community.

Cm. Altgelt agreed that street names and other identifying information like that is not his intention. However, the City needs more useful cluster data to make better policy. Dr. Gonzalez confirmed that officials will continue to look for those opportunities for different models but no disclosure or linkage that can be used to extrapolate to identify a patient can be entertained. He reminded Council that the first couple of COVID-19 patients were shunned

by their community when they were released from quarantine, which is not acceptable.

Dr. Victor Treviño, health authority for the City of Laredo, noted that he and his advisory team treat the virus in real time by making clinical observations and decisions. They rely heavily on epidemiological information that they receive from the hospitals. He conceded that the team could do a better job as the issue revolves around transparency and timeliness. On many COVID-19 cases, the team responded very conservatively and were ahead of the CDC guidelines to mitigate the spread of the virus. As the fall approaches, the City will have to face a second round of COVID-19 in addition to seasonal flu; he reiterated the need to prioritize transparency and timeliness.

Cm. Mercurio Martinez asked if officials are collecting data on where these patients are being exposed; Dr. Gonzalez confirmed that this is part of officials' investigations, but the transmission has seemed to occur throughout the city. One of the few places where the City has not seen high transmission of the virus has been in retirement and nursing homes because those facilities were on lockdown. The current data shows that the clusters are through close contacts among family members who have had varied symptoms or gathering activities. Dr. Treviño suggested that this matter be discussed in executive session if Council wishes to discuss this matter further as there are identifiable components involved.

At Dr. Treviño's suggestion, Council went into executive session. Following executive session, MPT Torres reported that no action was taken.

Cm. Altgelt amended his motion to direct staff to track and digitally model the number and whereabouts of COVID-19 clusters in compliance with HIPAA throughout the City in a way that is consistent with the Comprehensive Plan and to message the public accordingly regarding those cluster findings and initiate an investigation regarding the number of people infected with COVID-19 from the Laredo Medical Center.

Motion to direct staff to track and digitally model the number and whereabouts of COVID-19 clusters in compliance with HIPAA throughout the City in a way that is consistent with the Comprehensive Plan and to message the public accordingly regarding those cluster findings and initiate an investigation regarding the number of people infected with COVID-19 from the Laredo Medical Center, as amended.

Moved: Cm. Altgelt

Second: Cm. Vielma

For: 8

Against: 0

Abstain: 0

2. Discussion with possible action to direct staff to follow council's directive to hire someone for the Urban Agriculture Center; and any other matters incident thereto.

Cm. Altgelt noted that management has already begun work on this matter.

Motion to direct management to continue working with the Laredo Center for Urban Agriculture and Sustainability.

Moved: Cm. Altgelt

Second: Cm. Mercurio Martinez

For: 8

Against: 0

Abstain: 0

3. Discussion and possible action to repair and repaint the Springfield water tanks consistent with the Utilities Department's requirements and that said repairs be completed in conjunction with the Rio Grande International Study Center's mission of "Plight of the Monarch" which entails a mural and Monarch pollinator garden and that the Center be consulted regarding the same as to both the selection of the artist, the design and the planting of the gardens. To the extent that the Utilities Department's budget does not cover the aforementioned expenses, District VII priority funds can be allocated to shore up the difference.

Cm. Altgelt noted that the water storage tanks behind Mary Help of Christians. A contractor is going to manage the stucco and priming work; afterward, the Rio Grande International Study Center wants to collaborate with the City and repaint the tanks with Monarch butterflies to bring attention to the plight of this species. He initiated a motion to direct staff to proceed and coordinate with these entities for this purpose. If there are any gaps in funding, District VII priority funds can be allocated.

Kristina L. Hale, City Attorney, cautioned Council that staff would need to check with bond counsel to see if District VII priority funds qualify for this project. Cm. Altgelt amended his motion to allow for the approval of bond counsel and reminded Council that the Texas Procurement Act will be followed throughout this project.

Motion to direct staff to proceed and coordinate with the Rio Grande International Study Center for the repainting of the Springfield water tanks in the spirit of their mission of "Plight of the Monarch" as presented and to utilize District VII priority funds to cover any gaps in funding upon approval of bond counsel, as amended.

Moved: Cm. Altgelt

Second: Cm. Mercurio Martinez

For: 8

Abstain: 0

Abstain: 0

D. Request by Council Member Roberto Balli

1. Discussion with possible action to support the formation of Laredo Cultural District; and any other matters incident thereto.

Cm. Balli explained that the Laredo Cultural District would be Downtown and have no financial impact. The Cultural District wants to move forward with grant applications with Council's support.

Motion to support the formation of Laredo Cultural District.

Moved: Cm. Balli

Second: Cm. Mercurio Martinez

For: 8

Against: 0

Abstain: 0

E. Request by Council Member Vidal Rodriguez

1. Discussion with possible action on dedicating the Santo Nino WIC Clinic to Carlos Rene & Raquel Ramirez WIC Clinic & Hope Center; and any other matters incident thereto.

Cm. Rodriguez noted that the Ramirezes' influence in the community is exemplary; they give continuously without ever asking for anything in return, making them ideal namesakes for the WIC building. He referenced the outpouring of endorsements and praise from the community at the dedication suggestion, thanking the Ramirez family for their contributions to Laredo. He initiated a motion to approve this item.

MPT Torres noted that the Ramirez family has been very involved in the community and in the Catholic Church, including their children who are following in their parents' footsteps. Cm. Vielma thanked Cm. Rodriguez for bringing this item forward in honor of two pillars of the community such as the Ramirezes.

Cm. Mercurio Martinez agreed, noting that this family has endured much adversity and have a uniquely positive and inspiring effect on citizens of Laredo. Throughout Raquel's diagnosis and battle with cancer, she kept a smile on her face and would encourage others to remain positive in their own lives.

Rafael Benavides, Public Information Officer, read public comments into the record as follows:

Elsa Cavazos noted that the suggested naming or dedication is perfect. Vanessa Garcia stated that the Ramirez family has put a smile on many Laredoans' faces, noting her approval of the item.

Khrystal Saenz noted that the Ramirez family have been an influential part of her life for as long as she could remember as well as District II families.

Lydia Vazquez voiced her favor for the name dedication, as did Javier Salinas, Jose Alfaro, Celina Ramirez, Isabel Becerra, Daniela Gaytan, Maria

Elena Cantu, Arminda Gonzalez, Maria Villarreal, Francisco Xavier Treviño, Nora Gamboa, Anita Treviño, Nancy D. Landa, Gabriela Morales, Diana V. Garcia, Francisco J. Garcia, and others.

Cindy Hernandez stated that the Ramirez family have been an instrument of hope and love in the community and have been positive role models in her life since she was 12 years old. Charmain Heimes noted her 20-year relationship with the Ramirez family and her pleasure in coaching their daughters at Cigarroa Middle School; while the community was devastated by the passing of Mrs. Raquel Ramirez, her legacy will live on.

Salome Gaytan, Jr., noted that this building's naming would be a great dedication for both namesakes. Juan Villalpando stated his belief that the Ramirez family is very deserving of this honor.

Marlene Palomares, niece of the namesakes, noted that the Ramirez family have always been willing to give away their last piece of food if someone needed it. Raquel Ibarra noted that this family has been instrumental of helping the community and are true examples of the kind of selfless service deserving of such recognition.

Nelly Garza stated that these two individuals are wonderful human beings and the best teachers with amazing hearts. Tanya Alfaro noted that they have spent their entire lives serving others and have worked with diligence and care to touch the hearts of many.

Elizabeth Jimenez noted that the selfless giving of the Ramirez family has left a lasting impact on the community. Pati Guajardo stated that the renaming of the center is a beautiful and fitting tribute to a couple who served as a role model to others during times of challenge; Elsa Reynaga stated that the recognition is well-deserved.

Rosa Saldivar noted that the family is well known for working together and helping out in any way that they could. Lizeth Cuellar stated the Ramirez family's impact on their community through education, service, and through church ministry. Sandra Peña noted that the family is very caring and helpful.

Rita Ramirez thanked the City for the gesture of naming the WIC building after her parents, voicing her support of the item.

Other community members who voiced their support of the name suggestion and offered praise and accolades to Carlos and Raquel Ramirez included Ana Martinez, Daniel Ryan, Andrea Pawelek, Annie Martinez, Andres Gonzalez, and Carlos Ricardo Ramirez.

Motion to approve.

Moved: Dr. Marte Martinez
Second: Cm. Mercurio Martinez
For: 8 Against: 0

Abstain: 0