

**CITY OF LAREDO CITY
COUNCIL MEETING
M2017-S-04
CITY COUNCIL CHAMBERS 1110
HOUSTON STREET
LAREDO, TEXAS 78040
May 15, 2017
5:30 P.M.**

SUPPLEMENTAL

I. MOTIONS

1. Consideration for approval of the Neighborhood Recreational Swimming Pool (5,330 S.F.) at Bartlett Avenue Soccer Field Complex located at 6002 Thomas Avenue as complete, release of retainage and approval of final payment in the amount of \$58,820.00 to Sunset Pools, Inc., Laredo, Texas, in association with South Texas Testing Laboratories, Inc., Laredo, Texas, Aquatic Excellence, Georgetown, Texas, and Williams Architects/Aquatics, Itasca, IL. Final construction contract amount is \$1,176,400.00. Funding is available in the 2009 C.O., 2010 C.O., 2014 C.O., and 2015 C.O.

No discussion or action taken.

II. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

Request by Council Member George Altgelt

1. Discussion and possible action to direct staff to cease all use of park personnel from maintaining the Uni-Trade Stadium, and for all sports leagues, at all City facilities except in so far as required for the upcoming Pony Softball World Series. (This item replaces item 38 C 2 from Regular City Council Agenda A-2017-R-08)

Bill Johnson noted that most of the youth sports organizations are non-profit organizations run by unpaid volunteers. Registration fees go toward supplying uniforms, equipment, and insurance as well as the costs of officiating games. Having to lease fields for league use would force the leagues to raise their registration costs, which would affect the youth and discourage them from participating. He suggested that Council meet with representatives of various leagues to find the best option for both sides. He agreed that any organization wishing to use City facilities should provide any and all information requested of them, like proof of affiliation, bylaws, proof of liability insurance, proof of 501 (c)(3) status, and more.

Cm. Altgelt noted that he did not intend to confuse the public with the initial wording of his agenda item and apologized for any misunderstanding. After consulting with City of Austin Parks Department employee Eric Olivares, Cm. Altgelt was discouraged from turning over the maintenance of City fields to leagues. The City of Austin has engaged the leagues and concession vendors to offset the costs of field maintenance and upkeep.

Margie Ramirez Ibarra noted that her granddaughter plays in the league and can not afford to pay more to maintain the parks and fields. She reminded Cm. Altgelt that

Council is not in Austin but Laredo and should think like Laredoans. What works for Austin may not work for Laredo.

Cm. Torres stated that youth sports organizations greatly contribute to keeping children off the streets, and the individual teams probably have their own fundraisers to ensure that the children comply with uniform and insurance requirements. He voiced his opinion that there is not anything for Council to change; Council should make it easier for children to participate in extracurricular activities. If non-profit organizations do not do the work that they do, there would be more cost to the City when children run out of safe and healthy options for entertainment. He asked that Council not send this item to the Parks & Leisure Services Advisory Committee with the direction to make taxpayers contribute financially to facility maintenance. Out of solidarity with non-profit organizations that encourage youth activities, he will not support this item.

Mireya Mancha of Gateway Girls Softball noted that the organization merged with PONY League a few years ago. Gateway Girls prepares the players for high school. She noted that the District V fields do not have benches or concession stands and the Gateway Girls volunteers clean the bathrooms themselves. The City only cuts grass and maintains fields while the volunteers do the rest. Ms. Mancha often waives the registration fees because the children often can't afford them.

Lisa Peterson, girls softball coach and Gateway Girls board member, stated that she rakes fields, chalking lines, picks up trash, cleans the restroom, and more for the softball leagues. She invited Cm. Altgelt to shadow her while she volunteers for the organization as he needs to see what the volunteers go through. She iterated that the City does little maintenance for the facilities as it is and the organization's soaps and toilet papers are often stolen and need to be replaced.

Manuel Rangel, Certified Public Accountant, noted that he prepares the tax returns for the PONY League. The organization's tax return is available for public inspection.

Salvador Sciaraffa, Southwest Sports Wire News publisher, noted that he is not affiliated with any of the leagues but saw that the verbiage of this item was very confusing to the public and the media. He cautioned Council to be careful of their wording, as this particular item's wording created a public uproar. The fact that Cm. Altgelt specifically addressed only one party in this item was also problematic. Somebody should have raised an objection before the agenda was posted.

Cm. Altgelt apologized again for the misunderstanding.

Jose Luis Maldonado, Northside Laredo League President, noted that his league has experienced discrimination from City Manager Jesus Olivares and Parks Director Osbaldo Guzman, who have attacked his personal character and said disrespectful things about him. He has asked the City to fix the scoreboard at his field for six years with no action. He stated that Mr. Guzman threatened to have him written up or fired for using the fields at one point. Mr. Olivares had ordered City staff not to pick up trash for the Northside Laredo League. He informed Cm. Altgelt that many of his children can not afford to pay for use of the fields but that Richard Rosas has been able to use Uni-Trade Stadium frequently with no objection from the City. He recommended that Council treat all leagues and individuals fairly by allowing equal access to fields and stadiums and subsidizing either all or none of the teams.

Eric Gonzalez confirmed that PONY League has received \$250,000 from the City in the past four years while other leagues have not received anything. He reminded Council of his allegations that Mr. Olivares and Mr. Guzman racketeered against him starting the USSSA league in Laredo so that Mr. Guzman could become the director. They made it difficult for Mr. Gonzalez to do business. Mr. Guzman had initially denied calling USSSA to replace Mr. Gonzalez as director on KGNS, but he admitted to it during an Ethics Commission hearing against him. He also admitted at the hearing that he and Mr. Olivares began to charge Mr. Gonzalez's league money to use facilities when they had never previously charged other leagues. After Mr. Gonzalez was removed as director and a new director installed, Mr. Guzman and Mr. Olivares stopped charging the USSSA. Mr. Gonzalez displayed an email which Mr. Guzman sent to the USSSA league claiming that a contract had been signed and a deposit on file. However, no contract or deposit exists, as confirmed by the City during an open records request.

Osvaldo Guzman, Parks and Leisure Services Director, stated that there is no partiality among the leagues. He agreed that the Parks & Leisure Services Advisory Committee could develop a recommendation for fair treatment and distribution of costs for the use of City sports fields.

Cm. Balli noted that about 3,000 children are playing baseball or softball in Laredo. If the City requires leagues to pay for field maintenance, that will force the leagues to charge the children more, which is not a good situation for the City to impose on Laredo's youth. He voiced his opposition to this item despite the good intentions of Cm. Altgelt.

Lakshmana "Vish" Viswanath stated that an employee of the City has a family member running a concession stand at one of the parks' fields with the approval of the City Management who has not paid any money to the City. For seven years, this vendor has operated without paying taxes or rent to the City. Mr. Vish also noted that there is a discrepancy between the treatment of PONY League and other leagues in the City. The City pays money to support and promote PONY League but not the others.

Remy Salinas, former Parks & Leisure Services Advisory Committee member, stated that this problem is not new. For decades, the concessions were used to subsidize each league. As a committee member, he had requested financials from each league to ensure that the concessions revenues were being used for the children, and he was never provided with the documentation. He stated that the adult leagues are no better and that the City should not need to support or subsidize adult leagues.

David Rivera, District Administrator for Little League International, stated that the organization has been complying with the City since his tenure began in Laredo. However, he noted that the organization wants fair treatment.

Darril Minton noted that safety has not been addressed yet. A child in a City dugout sliced his finger, and the leagues do not have the time or resources to make such repairs and upkeep. He stated that he has taken his son to play on baseball fields across the country, and some of the worst fields are the ones in Laredo.

Cm. San Miguel clarified that no one on Council has suggested charging children for field maintenance. Mr. Minton countered that if the leagues are charged for maintenance, they will have no choice but to get that money from the children and their families.

Cm. Vielma directed the Parks & Leisure Services Advisory Committee to analyze how much money the City has spent on each league as well as the financial documents of each league.

Motion to send this item to the Parks & Leisure Services Advisory Committee to develop a fair way for use of the Parks Department facilities, not to include maintenance or rental fees, and to require financial reporting, insurance with the City as an additional insured entity, and have a 501(c)(3) status, and have the Internal Auditor analyze each league's financial documentation, as amended.

Moved: Cm. Altgelt

Second: Cm. Vielma

For: 5

Against: 3

Abstain: 0

Cm. Gonzalez

Cm. Perez

Cm. Rodriguez

Cm. Torres

Cm. Vielma

Cm. Balli

Cm. San Miguel

Cm. Altgelt

Request by Council Member Rudy Gonzalez, Jr.

1. Discussion with possible action to evaluate our water reconnection fees. (Co-Sponsored by Council Member Vidal Rodriguez and Council Member Roberto Balli)

No discussion or action taken.

2. Discussion with possible action on placing additional speed humps on Los Presidentes and Monclova. (Co-Sponsored by Council Member Vidal Rodriguez and Council Member Roberto Balli)

No discussion or action taken.

3. Discussion with possible action to send the following request to the Facility Naming Recognition Committee; and any other matters incident thereto. (Co-Sponsored by Council Member Vidal Rodriguez and Council Member Roberto Balli)

a. Century City Park to Geraldine Valdez Agredano Memorial Park

No discussion or action taken.

Request by Council Member Vidal Rodriguez

1. Discussion with possible action on holding municipal elections independently from any other governmental entity in November, and to direct staff to draft a resolution in accordance therewith, and any other matter related thereto. (Co-Sponsored by Council Member Rudy Gonzalez, Jr. and Council Member Charlie San Miguel)

Heberto L. Ramirez, Acting City Secretary, noted that the Webb County Elections Administration handles the City's elections. The November 2016 election cost \$345,000 total; the City's pro-rated cost was \$97,000. Elections are very labor intensive, hiring upwards of 300 people to manage the election across multiple jurisdictions. He did not

suggest that the City manage its own election because it is difficult to run a cost estimate for the City to manage its own election. The City does not own its own voting machines or equipment.

Cm. Rodriguez noted that if the City manages its own elections, it should have to go out for bids and contract a company to run the election. This will ensure fair elections for the public and provide transparency.

Cm. Balli countered that while he likes the idea of an independent election, City elections would have to take place in a month other than November due to state or presidential elections. In reality, the practical thing to do is to hire the Webb County Elections Administration because they already have all the equipment, personnel, and expertise for elections. He estimated that contracting the private sector for election management would be much more expensive. He suggested the City hold elections in-house, which would lend itself to errors and scrutiny, or to contract with the County.

Cm. Torres voiced his agreement with Cm. Balli but clarified that holding independent City elections would shorten the ballots and be more straightforward for the voter. The City often holds joint elections with the County, Laredo Community College, school districts, the state, and more. He recommended that the City contract the Webb County Elections Administrator to hold City-specific elections, noting that the administrator would be the responsible party for running the election.

Cm. Vielma stated that voter apathy is notoriously high in Laredo, and the City will experience more voter turnout with joint elections as done in the past. Cm. San Miguel voiced his agreement. He noted that changing the current situation will not result in a better outcome. Runoff elections receive very low voter turnout, but presidential elections receive more voters because of the full ballot. He stated that people will be more likely to take the time to vote during a joint election.

Cm. Altgelt noted that it is more democratic to keep the municipal elections with other elections as it garners more voter turnout.

Motion to approve.

Moved: Cm. Rodriguez

Second: Cm. Balli

For: 5

Against: 3

Abstain:

Cm. Gonzalez

Cm. Vielma

Cm. Rodriguez

Cm. San Miguel

Cm. Perez

Cm. Altgelt

Cm. Torres

Cm. Balli

III. ADJOURNMENT

Motion to adjourn.

Moved: Cm. Perez

Second: Cm. Torres

For: 8

Against: 0

Abstain: 0