

**CITY OF LAREDO
CITY COUNCIL MEETING
M-2012-R-04
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
FEBRUARY 21, 2012
5:30 P.M.**

I. CALL TO ORDER

With a quorum present Mayor Pro Tem Liendo Espinoza called the meeting to order.

II. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Liendo Espinoza led in the pledge of allegiance.

III. ROLL CALL

In attendance:

Mike Garza,	Council Member, District I
Esteban Rangel,	Council Member, District II
Alejandro Perez, Jr.	Council Member, District III
Juan Narvaez,	Council Member, District IV
Johnny Rendon,	Council Member, District V
Charlie San Miguel,	Council Member, District VI
Jorge A. Vera,	Council Member, District VII
Cynthia Liendo Espinoza,	Mayor Pro Tempore, District VIII
Gustavo Guevara, Jr.	City Secretary
Carlos Villarreal,	City Manager
Cynthia Collazo,	Deputy City Manager
Horacio De Leon,	Assistant City Manager
Jesus Olivares,	Assistant City Manager
Raul Casso,	City Attorney

Motion to excuse Mayor Salinas and Cm. Garza.

Moved: Cm. Rendon

Second: Cm. Rangel

For: 7

Against: 0

Abstain: 0

Cm. Garza joined the meeting at 6:28 pm.

IV. MINUTES

Approval of the minutes of February 6, 2012.

Motion to approve the minutes of February 6, 2012.

Moved: Cm. Rendon
Second: Cm. Narvaez
For: 7

Against: 0

Abstain: 0

Citizen comments

None.

V. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

- a. Appointment by Council Member Juan Narvaez of Mr. Juan Cue to the Board of Adjustments.

Motion to confirm the nomination of Juan Cue to the Board of Adjustment.

Moved: Cm. Rendon
Second: Cm. Vera
For: 8

Against: 0

Abstain: 0

VI. PUBLIC HEARINGS

1. Public hearing and introductory ordinance authorizing the City Manager to accept a contract extension with the Texas Department of State Health Services (DSHS) and reduce the FY2011-2012 Annual Budget in the amount of \$285,859.00 for a total of \$4,564,040.00 for the Women, Infants and Children (WIC) Program of the City of Laredo Health Department (CLHD) to provide nutrition education and food supplemental services to high risk women and children and extend the contract term through September 30, 2012. (Approved by Finance Committee)

Motion to open the public hearing.

Moved: Cm. Garza
Second: Cm. Rangel
For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Rendon
Second: Cm. San Miguel
For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

2. Public hearing and introductory ordinance amending the City of Laredo Health Department FY 2011-2012 annual budget by authorizing the City Manager to accept, execute and appropriate revenues and expenditures in the amount of

\$109,764.00 for a total of \$184,515.00 from the Texas Department of State Health Services for family planning and prevention services (fee for service) for the term from January 15, 2012 through March 31, 2013. (Approved by Finance Committee)

Motion to open the public hearing.

Moved: Cm. Rangel

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Rendon

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

3. Public hearing and introductory ordinance amending the City of Laredo Health Department FY 2011-2012 annual budget by authorizing the City Manager to accept, execute and appropriate revenues and expenditures in the amount of \$100,000.00 from the Texas Department of State Health Services for family planning and prevention services for the term from January 15, 2012 through March 31, 2013. (Approved by Finance Committee)

Motion to open the public hearing.

Moved: Cm. Rendon

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Rendon

Second: Cm. Vera

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

4. Public hearing and introductory ordinance amending Division 3 (Rates and Charges), Article III, (Water) of Chapter 31 (Utilities) of the City of Laredo Code of Ordinances, specifically section 31-140 which provides for updated charges of fees and services charges for Temporary Fire Hydrant Meter Program such as Loss Damage of fire hydrants of \$3,000.00 and water use fee of \$1,000.00; non-refundable connection fee of \$325.00 for fire hydrant permits with a charge of \$8.00 per 1,000 gallons and a minimum monthly rate of \$310.00 up from \$185.00

for 1-1/2" size and \$430.00 up to \$225.00 for 2" size; cost of water line extensions for fire hydrants of \$2,500.00 per Hydrant; and adding section 31-140.1 Bulk Water Sales, incorporating the new fees and charges for water and effluent dispensers of \$12.00 per 1,000 gallons up from \$2.50 per 1,000 gallons for all categories of potable water use; and establishing a new effluent water sales of \$4.00 per 1,000 gallons for all uses; providing for publication and an effective date. (Approved by Finance Committee)

Motion to open the public hearing.

Moved: Cm. Rendon

Second: Cm. Rangel

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Garza

Second: Cm. Rangel

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

5. Public hearing and introductory ordinance amending the City of Laredo FY 2011-2012 Revenue Bond Budget—2009 Utilities Build America Bond, by appropriating revenues and expenditures in the amount of \$109,495.00. Liberty Mutual Surety, the bonding company for SLC Construction, agreed to reimburse the City of Laredo for work performed on the projects abandoned by SLC Construction. Total reimbursement is \$109,495.00. (Approved by Finance Committee)

Motion to open the public hearing.

Moved: Cm. Rendon

Second: Cm. Rangel

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Garza

Second: Cm. Narvaez

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

6. Public hearing allowing interested persons to comment on the proposed amendment to the 2011 Consolidated One-Year Action Plan by canceling the San Francisco Javier Neighborhood Park Project totaling \$215,000.00 in 36th Action Year (AY)

2010 funds, and reprogramming the \$215,000.00 for the design and construction of sidewalks in District VIII. (Approved by Finance Committee)

Motion to open the public hearing.

Moved: Cm. Rendon

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing.

Moved: Cm. Garza

Second: Cm. Rangel

For: 8

Against: 0

Abstain: 0

7. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Block 855-A, Eastern Division, located at 4502 McPherson Road, from B-3 (Community Business District) to B-4 (Highway Commercial District); providing for publication and an effective date. Staff is in support of the application and the Planning & Zoning Commission recommends approval of the zone change. District IV

Motion to open the public hearing.

Moved: Cm. Garza

Second: Cm. Rangel

For: 8

Against: 0

Abstain: 0

Juan Salinas, Real Estate Broker, spoke in favor of the zone change request.

Motion to close the public hearing and introduce.

Moved: Cm. Narvaez

Second: Cm. San Miguel

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Narvaez

VII. INTRODUCTORY ORDINANCES

8. Authorizing the City Manager to convey easement and right of way to AEP Texas Central Company located at, and to serve, the Jefferson Water Treatment Plant, one (1) conveyance over a 0.8914 acre tract as described in easement conveyance attached as exhibit A; and providing for an effective date. (Approved by Finance Committee)

Ordinance Introduction: City Council

9. Approving the sale of airport non-aeronautical use land located at the Laredo International Airport to the Laredo Housing Opportunities Corporations created by the Housing Authority of the City of Laredo under Texas Local Government Code Chapter 303. The subject property consists of Block No. 26 consisting of approximately 2.058-acres (89,628 square feet) and Block No. 27 consisting of approximately 3.8039-acres (165,700 square feet) of the Subdivision Plat of Laredo Airport in the aggregate amount of one million thirty six thousand one hundred sixty five dollars (\$1,036,165.00); and authorizing the City Manager to execute all necessary conveyance documents; providing for effective date. (Approved by Finance Committee)

Ordinance Introduction: City Council

10. Amending Ordinance No. 1990-O-197, dated October 16, 1990, that established the minimum standards and requirements for the conduct of commercial aeronautical services and activities (Fixed Base Operators) at the Laredo International Airport, as amended by ordinance no. 2006-O-202 dated August 28, 2006, by amending Section II.E., providing for an effective date.

Ordinance Introduction: City Council

11. Approving the sale of airport non-aeronautical use land located at the Laredo International Airport to Laredo Housing Facilities Corporation created by the Housing Authority of the City of Laredo under Texas Local Government Code Chapter 303. The subject property consists of Lot 1 of Block No. 23 consisting of approximately 3.9 acres (169,747 square feet) and Lot 2 of Block No. 23 consisting of approximately 3.7 acres (161,129 square feet) of the Subdivision Plat of Laredo Airport in the aggregate amount of two million one hundred thirty five thousand four hundred forty two dollars (\$2,135,442.00); and authorizing the City Manager to execute all necessary conveyance documents; providing for effective date.

Ordinance Introduction: City Council

12. Closing as a Public Easement a 702.85 sq. ft., more or less, out of San Carlos Street and Valencia Avenue Right-of-Way. Said parcel of land is being encroached upon by the improvements of the abutting property being Lot 1, Block 442, Eastern Division, City of Laredo, County of Webb, described in attached, exhibit A; and authorizing the sale at the fair market value of \$3,400.00 and further authorizing the City Manager to execute all necessary documents to effectively convey fee simple title to Gerardo Zamarripa and providing for an effective date. (Approved by Finance Committee)

Ordinance Introduction: City Council

VIII. FINAL READING OF ORDINANCES

Motion to waive the final reading of Ordinances 2012-O-019, 2012-O-020, 2012-O-021, 2012-O-022, 2012-O-023, 2012-O-024, 2012-O-025, 2012-O-026, 2012-O-027, 2012-O-028, 2012-O-029, 2012-O-030, and 2012-O-031.

Moved: Cm. Garza
Second: Cm. Rangel
For: 8

Against: 0

Abstain: 0

13. 2012-O-019 Amending the City of Laredo FY 2011-2012 Airport Budget to recognize additional revenues from a grant received from the Federal Aviation Administration Airport Improvement Program being Grant Project No. 3-48-0136-69-11 in the amount of \$3,000,000.00 for noise mitigation under FAR PART 150 Noise Abatement Program at the Laredo International Airport and appropriating said grant revenue and local match to the appropriate expenditure accounts and authorizing the City Manager to implement said budget amendment. The City's local match of five (5%) percent in the amount of \$157,896.00 is available in the Airport Construction Fund.

Motion to adopt Ordinance 2012-O-019.

Moved: Cm. Garza
Second: Cm. Vera
For: 8

Against: 0

Abstain: 0

- 2012-O-020 Authorizing the City Manager to enter into a contract with the Texas Department of State Health Services (TDSHS) and amending the City of Laredo Health Department FY 2011-2012 budget by appropriating revenues and expenditures in the amount of \$200,000.00 to implement the Healthy Texas Babies (HTB) Initiative for the City of Laredo Health Department (CLHD) to improve women's health, newborn and well child health, and prevent prematurity through health promotion, health education and prevention activities for the period beginning December 1, 2011 through August 31, 2013.

Motion to adopt Ordinance 2012-O-020.

Moved: Cm. Garza
Second: Cm. Vera
For: 8

Against: 0

Abstain: 0

- 2012-O-021 Amending the City of Laredo Code of Ordinances, Chapter 7, "Building & Building Regulations," by adding Article I, "In General," for clarification purposes only and adding Article II, "Registration of General Contractors and Subcontractors," Section 7-20 through section 7-31, requiring the municipal registration of general contractors and subcontractors; providing for the collection of fees; enforcement to include fines and criminal penalties; severability; publication; and effective date.

Motion to adopt Ordinance 2012-O-021.

Moved: Cm. Garza
Second: Cm. Vera
For: 8

Against: 0

Abstain: 0

2012-O-022 Amending the City of Laredo FY 2011-2012 Parking Meters Fund by appropriating expenditures in the amount of \$75,000.00 from available fund balance for purchase and installation of street lights and surveillance camera equipment at the Riverfront Parking Lot.

Motion to adopt Ordinance 2012-O-022.

Moved: Cm. Garza

Second: Cm. Vera

For: 8

Against: 0

Abstain: 0

2012-O-023 Amending the City of Laredo Fiscal Year 2012 Budget by appropriating the Baseball Stadium Fund and the Sports & Community Venue Sales Tax Fund by transferring \$2,708,000.00 from the Sports Venue Fund opening fund balance to the Baseball Stadium Fund. The transfer of funds will be used to complete the baseball stadium project.

Motion to adopt Ordinance 2012-O-023.

Moved: Cm. Garza

Second: Cm. Vera

For: 8

Against: 0

Abstain: 0

2012-O-024 Amending the City of Laredo's FY 2012 budget by appropriating additional revenues and expenditures in the amount of \$350,000.00 for the Capital Improvement Fund and appropriating fund balance drawdown of \$350,000.00 from the Information Technology Fund. The funds will be used to cover the cost of network equipment and installation.

Motion to adopt Ordinance 2012-O-024.

Moved: Cm. Garza

Second: Cm. Vera

For: 8

Against: 0

Abstain: 0

2012-O-025 Amending the City of Laredo Bridge System FY 2011-2012 Bridge annual budget by appropriating \$721,239.00 from the Bridge System Construction Fund opening balance to be used for Bridge related projects such as: resurfacing parking lot at Bridge I, toll collection system upgrades, the purchase of lawn maintenance equipment, purchase bucket/boom truck, vehicular and Haz-Mat route signage, upgrade electrical wiring on Bridge span and other related improvements.

Motion to adopt Ordinance 2012-O-025.

Moved: Cm. Garza

Second: Cm. Vera

For: 8

Against: 0

Abstain: 0

2012-O-026 Authorizing the City Manager to submit an Enterprise Zone Program application, on behalf of the City of Laredo, pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code (ACT), providing tax incentives, designating the City Manager for communication with the interested parties, and nominating Laredo Texas Hospital Company, L.P. to the Office of the Governor Economic Development and Tourism (EDT) through the Economic Development Bank as an Enterprise Zone Project; and providing for an effective date.

Motion to adopt Ordinance 2012-O-026.

Moved: Cm. Narvaez

Second: Cm. Rangel

For: 8

Against: 0

Abstain: 0

2012-O-027 Authorizing the issuance of City of Laredo, Texas International Toll Bridge System Revenue Refunding Bonds, Series 2012 for the purpose of refunding international toll bridge system revenue bonds, approving an official statement, authorizing the execution of a purchase contract and the execution of an escrow agreement, and making provisions for the security thereof, delegating authority to the Mayor or the City Manager to select outstanding bonds to be refunded and approve all final terms of the bonds, and authorizing amendment to the city's budget to appropriate such proceeds for purposes authorized herein; and ordaining other matters relating to the subject.

Motion to adopt Ordinance 2012-O-027.

Moved: Cm. Garza

Second: Cm. Vera

For: 8

Against: 0

Abstain: 0

2012-O-028 Authorizing the issuance, sale and delivery of City of Laredo, Texas General Obligation Refunding Bonds, Series 2012; approving and authorizing an official statement and the distribution thereof, a purchase contract, an escrow agreement, and a paying agent/registrar agreement; approving and authorizing all other instruments and procedures related thereto; delegating authority to the Mayor or the City Manager to select outstanding bonds to be refunded and approve all final terms of the bonds; and authorizing amendment to the city's budget to appropriate such proceeds for purposes authorized herein; and ordaining other matters relating to the subject.

Finance Director Rosario Cabello said that they would like to add an additional General Obligation Bond Series 2005 to see if it would be feasible at that point to find savings of \$300,000.

1006 located at 4608 Daugherty Avenue at the Laredo International Airport to Rodolfo Miguel Lozano, as Assignee effective January 1, 2012. The current monthly rental is \$802.67 and will be adjusted annually according to changes in the Consumer Price Index (CPI) and during the ten (10) year anniversary based on appraised Fair Market Value. All terms and conditions remain unchanged and in effect; providing for effective date.

Motion to adopt Ordinance 2012-O-031.

Moved: Cm. Garza

Second: Cm. Vera

For: 8

Against: 0

Abstain: 0

IX. RESOLUTIONS

14. 2012-R-012 Authorizing the City Manager to submit a grant application in the estimated amount of \$50,000.00 to the Texas Department of Transportation for enforcement of Commercial Motor Vehicle Selective Traffic Enforcement Program. The grant period will begin October 01, 2012 and run through September 30, 2013. This grant is for overtime salaries. The City of Laredo will need to match 35% of the grant funds. Funding is available in the Police Department Budget. (Approved by Finance Committee)

Motion to approve Resolution 2012-R-012.

Moved: Cm. Garza

Second: Cm. Rangel

For: 8

Against: 0

Abstain: 0

15. 2012-R-013 Authorizing the City Manager to submit a grant application in the estimated amount of \$100,000.00 to the Texas Department of Transportation for Enforcement of Comprehensive Selective Traffic Enforcement Program. The grant period will begin October 01, 2012 and run through September 30, 2013. This grant is for overtime salaries. The City of Laredo will need to match 35% of the grant funds. (Approved by Finance Committee)

Motion to approve Resolution 2012-R-013.

Moved: Cm. Garza

Second: Cm. Rangel

For: 8

Against: 0

Abstain: 0

16. 2012-R-015 Amending Resolution No. 2011-R-012 which established a Community Revitalization Plan for the City of Laredo and which established an Economic Development Initiative for areas within the Community Revitalization Plan. (Approved by Finance Committee)

Motion to approve Resolution 2012-R-015.

Moved: Cm. Garza
Second: Cm. Rangel
For: 8

Against: 0

Abstain: 0

17. 2012-R-016 Authorizing the City Manager to submit a grant application to the Federal Aviation Administration in the amount of \$4,000,000.00 for the Noise Abatement Program at the Laredo International Airport and authorizing the City Manager to execute all necessary documents resulting from the award. The purpose of the grant is to provide funding for acquisition, soundproofing of residential structures and for the acquisition of aviation easements. The City's local match is available through the Airport's Construction Fund. (Approved by Finance Committee)

Motion to approve Resolution 2012-R-016.

Moved: Cm. Garza
Second: Cm. Rangel
For: 8

Against: 0

Abstain: 0

18. 2012-R-017 Authorizing the City Manager to enter into and execute a Toshiba Governmental Copier Lease Program Contract with Toshiba Business Solutions (USA) Inc., San Antonio, Texas, for the use of one hundred and twenty three (123) copiers; and authorizing that the equipment lease finance agent shall be Lage Landen Public Finance, L.L.C., and that the lease agreement shall be for a forty eight (48) month period with an estimated lease contract total of \$470,514.24. Funding for the lease purchase payments shall be available in user departmental budgets. Funding for this contract is contingent on continued appropriations in future fiscal years. (Approved by Finance Committee)

Motion to approve Resolution 2012-R-017.

Moved: Cm. Garza
Second: Cm. Rangel
For: 8

Against: 0

Abstain: 0

19. 2012-R-018 Authorizing the City Manager to seek designation as a management agency for wastewater collection and treatment within its district boundaries—(WW CCN no. 20485) in accordance with the requirements of Section 208 of the Federal Water Pollution Control Act as amended. In order to be eligible to receive a loan from the Texas Water Development Board's state revolving loan funds program, the City must be recommended for designation as a management agency. (Approved by Finance Committee)

23. Authorizing the City Manager to refund Safeco Insurance Company of America, the bonding company for SLC Construction, in the amount of \$161,711.81 for materials that were left over after the completion of the 8” Waterline Replacement at Various Locations project. Funding is available in the Waterworks Funds. (Approved by Finance Committee)

Motion to approve.

Moved: Cm. Garza

Second: Cm. Rangel

For: 8

Against: 0

Abstain: 0

24. Authorizing the City Manager to refund Safeco Insurance Company of America, the bonding company for SLC Construction, in the amount of \$34,726.59 for materials that were left over after the completion of the 20” Water Line Replacement along Jefferson Street/Lyon Street Project. Funding is available in the Waterworks Fund. (Approved by Finance Committee)

Motion to approve.

Moved: Cm. Garza

Second: Cm. Rangel

For: 8

Against: 0

Abstain: 0

25. Consideration for acceptance, final payment and release of retainage in the amount of \$131,420.66 and approval of change order no. 6, a credit in the amount of \$473,144.89, reducing the contract amount from \$949,906.30 to \$476,761.41 to A Plus Plumbing Contractor, Inc., Laredo, Texas, for the City of Laredo and Webb County, Texas House to Line Connections at Old Milwaukee, Tanquecitos I, Tanquecitos II, San Carlos I, San Carlos II, Los Altos, Ranchitos 359, Laredo Ranchettes, D-5 Acres. This is subject to approval by the Texas Water Development Board. Funding is available in the Colonias Fund. (Approved by Finance Committee)

Motion to approve.

Moved: Cm. Garza

Second: Cm. Rangel

For: 8

Against: 0

Abstain: 0

26. Authorizing the City Manager to execute the construction contract to a lowest responsible bidder, Vision Construction Company, Inc., Laredo, Texas, in the amount of \$271,133.00 for the Site Work and Landscaping of the 3.0 MG Elevated Storage Tank at Bartlett and Price. The construction time is sixty (60) working days. Funding is available in the 2009 Utility Bond Fund. (Approved by Finance Committee)

Motion to approve.

Motion to approve.

Moved: Cm. Rangel

Second: Cm. Narvaez

For: 8

Against: 0

Abstain: 0

31. Consideration to award a contract to Chastang Bayou City Ford, Houston, Texas, in the amount of \$23,188.50 for the purchase of one (1) 2012 Ford E450 cab and chassis truck; and Cues, Inc., Orlando, Florida, in the amount of \$179,287.20 for the purchase of the mounted mainline television inspection system utilizing the BuyBoard Cooperative Contract pricing for the Utilities Department. Funding is available in the Utilities Department Fund. (Approved by Finance Committee)

Motion to approve.

Moved: Cm. Rangel

Second: Cm. Narvaez

For: 8

Against: 0

Abstain: 0

32. Consideration to award contract number FY12-033 to the low bidder Bunch Wholesale Inc., (BWI Company), Schulenburg, Texas, in the estimated amount of \$59,625.00 for providing Rye and Bermuda Seed for the Parks and Leisure Services Department. The term of this contract will be for a period of one (1) year and may be extended for an additional year upon mutual consent of both parties. All items will be purchased on an as needed basis. Funding is available in the Parks and Recreations Department budget and construction projects. (Approved by Finance Committee)

Motion to approve.

Moved: Cm. Rangel

Second: Cm. Narvaez

For: 8

Against: 0

Abstain: 0

33. Consideration to award a contract to Audio Visual Aids, San Antonio, Texas, in the amount of \$262,111.99 for the purchase and installation of audio visual equipment required for the new Fire Department Administration Building utilizing the BuyBoard cooperative contract. Funding is available from the Capital Improvement Fund. (Approved by Finance Committee)

Motion to approve.

Moved: Cm. Rangel

Second: Cm. Narvaez

For: 8

Against: 0

Abstain: 0

34. Consideration to award a contract to FY12-006 to Insight Networking, Tempe, AZ, in the amount of \$288,604.15 for the purchase and installation of networking equipment required for the new Fire Department Administration Building. A staff evaluation committee reviewed all proposals utilizing a best value evaluation

grading system and Insight Networking was deemed to provide the best value for the City. Funding is available from the Capital Improvement Fund. (Approved by Finance Committee)

Motion to approve.

Moved: Cm. Rendon

Second: Cm. San Miguel

For: 8

Against: 0

Abstain: 0

35. Consideration to award a contract to FY12-009 to Affiliated Communications, Plano, Texas, in the amount of \$75,563.08 for the purchase and installation of a Voice Over IP (VOIP) Phone System required for the new Fire Department administration building. A staff evaluation committee reviewed all proposals utilizing a best value evaluation grading system and Affiliated Communication was deemed to provide the best value for the City. Funding is available from the Capital Improvement Fund. (Approved by Finance Committee)

Motion to approve.

Moved: Cm. Rendon

Second: Cm. San Miguel

For: 8

Against: 0

Abstain: 0

36. Consideration to award a contract to FY12-008 to Inx, Inc., Lewisville, Texas, in the amount of \$428,130.09 for the purchase and installation of virtual servers and data storage required for the new Fire Department Administration Building. A staff evaluation committee reviewed all proposals utilizing a best value evaluation grading system and Inx, Inc., was deemed to provide the best value for the City. Funding is available from the Capital Improvement Fund. (Approved by Finance Committee)

Motion to approve.

Moved: Cm. Rendon

Second: Cm. San Miguel

For: 8

Against: 0

Abstain: 0

37. Authorizing the City Manager to grant a public fireworks display permit for the grand opening ceremony of the City of Laredo James and Maria Luisa Haynes Recreation Center at approximately 9:00 p.m. on March 23, 2012. The technicians for the display will be Atlas Enterprises, Inc.

Motion to approve.

Moved: Cm. Rendon

Second: Cm. San Miguel

For: 8

Against: 0

Abstain: 0

38. Consideration to authorize the City Manager to approve payment for the fees assessed by the Texas Commission of Environmental Quality (TCEQ) for the Solid Waste operation. The TCEQ assesses a \$1.25/ton fee for all refuse landfilled. This authorization shall renew annually if the assessment fee does not exceed \$1.25/ton. Funding is available in the Solid Waste fund. (Approved by Finance Committee)

Motion to approve.

Moved: Cm. Rendon

Second: Cm. San Miguel

For: 8

Against: 0

Abstain: 0

39. Consideration to award a six (6) month supply contract for contract FY12-027 to the following low bidders meeting the published specifications for the purchase of lubricants for the Fleet Maintenance Division:

1. Arguindegui Oil Co., Laredo, Texas, in the estimated amount of \$76,604.40;
2. Golden West Oil Texas Enterprises Inc. Co., Laredo, Texas, in the estimated amount of \$21,077.55; and
3. Hollon Oil Company, Weslaco, Texas, in the estimated amount of \$1,776.00.

The bid pricing will be firm for a six (6) month period and all items will be purchased on an as needed basis. Funding is available in the Fleet Maintenance Fund. (Approved by Finance Committee)

Motion to approve.

Moved: Cm. Rendon

Second: Cm. San Miguel

For: 8

Against: 0

Abstain: 0

40. Consideration for approval of the CDBG Sidewalks Project No. 41 (23 Blocks)—District VII as complete and approval of change order no. 1, a decrease of \$35,774.30 for the balance of quantities actually constructed in place, release of retainage and approval of final payment in the amount of \$50,066.69 to ALC Construction, Inc., Laredo, Texas. Final construction contract amount is \$181,020.70. Funding is available in the Community Development Block Grant—35th Action Year/2009 Grant and 36th Action Year/2010 Grant. (Approved by Finance Committee)

Motion to approve.

Moved: Cm. Garza

Second: Cm. Rangel

For: 8

Against: 0

Abstain: 0

41. Consideration for approval of change order no. 1, an increase of \$900,000.00 to the construction contract with Construction Manager at Risk Leyendecker Construction, Inc., Laredo, Texas, for the City of Laredo Minor League Ballpark for additional funding required for the purchase of the food service equipment. Current construction contract amount with this change order is \$16,555,990.00. Funding is available in the 2011 Sales Tax Revenue Bond and the Baseball Stadium Fund. (Contingent upon approval of Final Reading-Ordinance 2012-O-023). (Approved by Finance Committee)

Motion to approve.

Moved: Cm. Garza

Second: Cm. Rangel

For: 8

Against: 0

Abstain: 0

42. Authorizing the City Manager to enter into and execute an operating and marketing services agreement between the City of Laredo and First Recycling, L.L.C. for the operation and management of the City's Materials Recovery facility and the sales and marketing of recycling materials collected by the City. This contract shall be for a period of three (3) years beginning on the date this contract is signed with two (2) additional three (3) year options to be negotiated before the expiration term.

Motion to approve.

Moved: Cm. Garza

Second: Cm. Narvaez

For: 8

Against: 0

Abstain: 0

43. Approving monthly adjustments to the tax roll. The amounts to be adjusted for the month of January 2012, represent an increase of \$84,660.91. These adjustments are determined by the Webb County Appraisal District and by court orders.

Motion to approve.

Moved: Cm. Garza

Second: Cm. Vera

For: 8

Against: 0

Abstain: 0

44. Motion to reschedule the first City Council meeting in March 2012 due to the Washington Legislative Trip.

Motion to approve the date of March 19th as the next Council Meeting.

Moved: Cm. San Miguel

Second: Cm. Rendon

For: 8

Against: 0

Abstain: 0

XI. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

45. A. Request by Council Member Jorge A. Vera

1. Discussion with possible action regarding signage on residential walls.

Cm. Vera reported this had been going on for years, but he had lately heard concern from constituents that it makes Laredo look ugly when entire walls are painted for elections. He wanted to know what other cities in Texas were doing to limit these signs. He asked for feedback from Council regarding this issue.

Cm. San Miguel stated that he has received many phone calls because of the distraction for drivers. He added that people had told him that they had almost been in accidents because of these signs. He asked for staff to work on an ordinance and examine what other cities had already done.

City Attorney Raul Casso reported that the regulation of the sign must be done irrespective of its content, and in this way they would not infringe on anyone's rights. They did have a right to regulate any painted signs on walls without reference to subject matter. He went on to add that Austin and Corpus Christi prohibited these kinds of signs in any residential areas.

Motion to direct staff to draft an ordinance to bring before Council for approval.

Moved: Cm. Vera

Second: Cm. San Miguel

For: 8

Against: 0

Abstain: 0

2. Presentation by Kathryn Wilson and Leo Lozano, Gateway Gatos of Laredo Board Members, regarding a mobile cat spaying/neutering clinic.

Teresa Guerra stated that she was present to communicate and work toward a solution because of changes that would be taking place in the near future regarding the animal shelter. She wished for spaying and neutering to continue so as to prevent the need for euthanizing animals.

Kathryn Wilson and Leo Lozano representing Gateway Gatos of Laredo reported on Spring Time Cat Neutering and Spaying.

Gateway Gatos of Laredo's Mission

"To protect and foster respect for cats in the Gateway City by providing a safe, healthy, and loving environment; educating the community and encouraging adoption."

Current Situation

- Overpopulation of stray / feral cats
- Low adoption rate, between 5 and 15%
- Need to euthanize (kill) between 85 and 95% (20 – 40 per week)
- Euthanizing costs taking a significant % of budget (average cost to trap, transport, house, and properly dispose is approximately \$100.00)

- The average city cat population is normally 2X the human population (for Laredo, TX that would equal 400K cats)*
*Source : Alley Cat Allies
- Just one unspayed female cat, her mate, and all their offspring, producing 2 to 3 litters per year, can total a minimum of 128 living cats in just 3 years
- 50 pairs for cats can produce up to 6,400 cats in a 3 year cycle.

Proposal

- Prevent breeding before the spring season.
- Bring mobile neutering/spaying clinic to different areas of the city before or during spring, preferably during weekends
- Advertise services of the new spaying/neutering clinic to open in later in the year.

Comparison

Euthanizing (killing) cats :

- Averaging a euthanizing rate of 35 cats per week, the City of Laredo disposes of 1,820 cats per year or 5,460 in a 3 year cycle
- At \$100.00 per euthanized cat, the City will spend \$182,000 per year or \$546,000 every 3 years.
- Population does not decrease since almost 1,000 cats will still be around and continue to breed
- Trying to eliminate 100% of stray/feral cats would be impractical, unrealistic, and mostly inhumane

Neutering / Spaying cats :

- Spaying / neutering 50 pairs of cats has an average cost of between \$5,500.00 and \$7,000.00
- Prevents the 6,400 cat multiplication in the 3 year cycle
- Actually reduces cat overpopulation

Benefits

Short term:

- Immediate prevention of breeding during peak spring season
- Reduction of nuisance and calls to animal control

Medium/Long term:

- Budget savings that can be used toward prevention, improvement, and adding of new services
- Real population control and decline
- A more humane, peaceful, and loving habitat for cats and citizens
- An increased culture of spaying/neutering
- An overall better image for the city

Promote Adoption

- Increase advertisement of city services for pets/cats through local media, internet, and social networks
- Boost awareness of July's cat appreciation day

- Strengthen involvement with local vets, PetCo, and Petland to improve adoption rates
- Use internet and social media to promote adoption
- Support ties to local pet-right defense groups

Ordinance Improvement

- Introduce feral/stray cat-colony regulations
- Revise the fee structure of Animal Control services to balance the needs of pet owners and non pet owners
- Improve anti-cruelty laws for cats
- Limit breeding for profit only to established Pet stores and vets

City Manager Carlos Villarreal stated that the \$5,000 would have to be paid by the city for these services. He added that \$89,000 was given to the labs to be able to construct a permanent place to spay/neuter on a daily basis. He added that they would see what they could do to be guaranteed a good success ratio. He advised that those funds would have to be dug out of the budget. He concluded that they could look at something that might be compatible while they take over.

Elsa Rodriguez Sanchez reported that they did not have to reinvent the wheel or come up with new studies about feral cats. She mentioned Cat Allies and said that the information was available online. She concluded that Laredo should be like a model city and consistently take care of this issue.

- B. Request by Mayor Pro-Tempore Cynthia Liendo Espinoza
1. Status report on the Employee Recognition Week, with possible action.

Mayor Pro Tem Cindy Liendo Espinoza stated that she had met with their REACH Committee, and they had come up with a list of seven events covering one week in June. She mentioned a mass honoring the employees, a bowling night, an ice cream social, a picnic, a breakfast, a movie night, and a dance. She added that if they would have all of the events on the schedule, the cost would be about \$30,000. She went on to explain that this would have to come from community members who would contribute toward covering the cost. She asked Council for support for the idea of moving forward with Employee Recognition Week and trying to raise funds to make this happen. She concluded that they could see at the end of March how much they would be able to afford.

Motion to support Employee Recognition Week.

Moved: Cm. San Miguel

Second: Cm. Vera

For: 8

Against: 0

Abstain: 0

XII. STAFF REPORTS

46. Discussion with possible action to consider a first request for an extension of Injury Leave with pay in accordance with 143.073 (b) of the Texas Local Government Code for Patrol Officer Jesus A. Garcia Perez.

Motion to approve an extension of 120 working days.

Moved: Cm. Garza

Second: Cm. Vera

For: 8

Against: 0

Abstain: 0

47. Staff report on the liquid waste ordinance.

Motion to proceed with the ordinance as approved by City Council.

Moved: Cm. Garza

Second: Cm. Rangel

For: 8

Against: 0

Abstain: 0

Cm. Garza said that the committee felt that it was workable and that the extension for when the ordinance would take effect was until March 1st. Clarification would be discussed at the March Council Meeting. He concluded that enforcement efforts would begin on March 1st.

XIII. EXECUTIVE SESSION

None.

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

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

Moved: Cm. Garza

Second: Cm. Vera

For: 8

Against: 0

Abstain: 0

48. Award of construction contract to the lowest bidder ALC Construction, Inc., Laredo, Texas, in the base bid amount of \$33,875.00 for the El Metro ADA Sidewalks and Ramps (6 Blocks-District VII) with a construction contract time of fifty (50) working days; and authorizing the City Manager to execute all related contract documents contingent upon receipt and approval of insurance and bond documents. Completion date for the project is scheduled for approximately May 2012. Funding is available in the Transit New Freedom no. 51222F7094 Grant. (Approved by Finance Committee)

Motion to approve.

Moved: Cm. Garza

Second: Cm. Rangel

For: 8

Against: 0

Abstain: 0

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

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

Moved: Cm. Garza

Second: Cm. Rendon

For: 8

Against: 0

Abstain: 0

I, Gustavo Guevara, Jr., City Secretary, do hereby certify that the above and foregoing is a true and correct copy of the minutes contained in pages 01 to 24 and they are true, complete, and correct proceedings of the City Council meeting held on February 21st, 2012.

Gustavo Guevara, Jr.
City Secretary