# CITY OF LAREDO CITY COUNCIL MEETING M-2011-R-06

# AS AMENDED

# CITY COUNCIL CHAMBERS 1110 HOUSTON STREET LAREDO, TEXAS 78040 APRIL 4, 2011 5:30 P.M.

#### I. CALL TO ORDER

With a quorum present Mayor Raul G. Salinas called the meeting to order.

#### II. PLEDGE OF ALLEGIANCE

Mayor Raul G. Salinas led in the pledge of allegiance.

#### III. ROLL CALL

In attendance:

Raul G. Salinas, Mayor

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, Mayor Pro Tempore, District V Charlie San Miguel, Council Member, District VI Council Member, District VII Jose A. Valdez, Jr., Cynthia Liendo Espinoza, Council Member, District VIII

Gustavo Guevara, Jr.,
Carlos Villarreal,
City Secretary
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 Cm. Liendo Espinoza.

Moved: Cm. Garza Second: Cm. Rangel

For: 7 Against: 0 Abstain: 0

#### IV. MINUTES

Approval of the minutes of March 21, 2011

Motion to approve the minutes of the March 21, 2011 meeting.

Moved: Mayor Pro Tempore Rendon

Second: Cm. Valdez

For: 7 Against: 0 Abstain: 0

Cm. Liendo Espinoza joined the meeting at 5:42 pm.

#### V. COMMUNICATIONS AND RECOGNITIONS

### Recognitions

a. Recognizing Diana Rendon Dance Academy on the numerous awards they received for their winning performances at the Showtime International Dance and Drill Team Competition held March 12, 2011 at South Padre Island.

Mayor Salinas and City Council recognized the Diana Rendon Dance Academy and presented them with a certificate of recognition.

b. Recognizing the 3-1-1 Customer Service Call Center employees for their professionalism and dedication in serving the residents of Laredo and Webb County.

Mayor Salinas and City Council recognized the 3-1-1 Customer Service Call Center employees and presented them with a certificate of recognition.

#### Communiqués

a. Presentation by Eric Ellman, Big River Foundation of Laredo regarding an invitation to a kayak race on the Rio Grande River on April 22, 2011 and a new binational community race scheduled for Spring 2012.

Mr. Eric Ellman, part-owner of the Big River Outfitters and now Executive Director of the new non-profit Big River Foundation of Laredo, talked about the outdoor industry and the economical benefits these kinds of activities like bird watching and kayaking can bring to Laredo and asked for support for the Rio Fest which contributes to changing the image of Laredo.

#### **Citizen comments**

Veronica Orduño, President of Families for Autism Support and Awareness and Gabbi Ramirez, Vice-President, thanked the Council for their support and mentioned that there are 300 people in Laredo with Autism. They went on to say that April is National Autism Awareness Month. She also commented that ten or fifteen years ago, one out of ten thousand individuals was diagnosed with autism, and now there was one out of one hundred-ten from ages two through twenty-six.

Mr. Eric Mullendou requested speed humps for the 3500 block of Chacota Street especially because of the excessive speeds that they were experiencing any time of the day; he had twenty-four signs from neighbors requesting that Council take action regarding this issue.

Mr. Juan Morales stated that his issue was with El Metro transportation since many people depend on it as their only way of transportation, and those buses should be in better condition. He also felt that the drivers needed to improve their courtesy skills.

City Manager Carlos Villarreal reported that by the end of this month there would be twelve new buses to replace the old ones.

#### VI. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

a. Appointment by Mayor Raul G. Salinas of Ms. Fabiola Flores to the Civil Service Advisory Committee.

Motion to approve the appointment of Fabiola Flores to the Civil Service Commission.

Moved: Mayor Pro Tempore Rendon

Second: Cm. Liendo Espinoza

For: 8 Against: 0 Abstain: 0

b. Appointment by Mayor Raul G. Salinas of Mr. Fred Dickey to the Economic Development Advisory Committee.

Motion to approve the appointment of Fred Dickey to the Economic Development Advisory Committee.

Moved: Mayor Pro Tempore Rendon

Second: Cm. Liendo Espinoza

For: 8 Against: 0 Abstain: 0

c. Appointment by Council Member Esteban Rangel of Mr. Oscar Garcia to the Transportation & Traffic Safety Advisory Committee.

Motion to approve the appointment of Oscar Garcia to the Transportation and Traffic Safety Advisory Committee.

Moved: Mayor Pro Tempore Rendon

Second: Cm. Liendo Espinoza

For: 8 Against: 0 Abstain: 0

d. Appointment by Council Member Alejandro "Alex" Perez to the Transportation & Traffic Committee.

None

e. Appointment by Council Member Alejandro "Alex" Perez to the Planning and Zoning Commission.

Motion to approve the appointment of Victor Treviño to the Planning and Zoning Commission.

Moved: Mayor Pro Tempore Rendon

Second: Cm. Liendo Espinoza

For: 8 Against: 0 Abstain: 0

f. Appointment by Council Member Alejandro "Alex" Perez of Mr. Ignacio "Tommy" Gutierrez to the Sports Ad Hoc Advisory Committee.

Motion to approve the appointment of Ignacio "Tommy" Gutierrez to the Sports Ad Hoc Advisory Committee.

Moved: Mayor Pro Tempore Rendon

Second: Cm. Liendo Espinoza

For: 8 Against: 0 Abstain: 0

g. Appointment by Council Member Alejandro "Alex" Perez of Mr. Rafa Martinez to the Board of Adjustments.

Motion to approve the appointment of Rafa Martinez to the Board of Adjustment.

Moved: Mayor Pro Tempore Rendon

Second: Cm. Liendo Espinoza

For: 8 Against: 0 Abstain: 0

h. Appointment by Council Member Alejandro "Alex" Perez of Ms. Myrta Piña to the Third Party Funding Advisory Committee.

Motion to approve the appointment of Myrta Piña to the Third Party Funding Advisory Committee.

Moved: Mayor Pro Tempore Rendon

Second: Cm. Liendo Espinoza

For: 8 Against: 0 Abstain: 0

i. Appointment by Council Member Charlie San Miguel of Mr. Jorge Dominguez to the Citizens Environmental Advisory Committee.

Motion to approve the appointment of Jorge Dominguez to the Citizens Environmental Advisory Committee.

Moved: Mayor Pro Tempore Rendon

Second: Cm. Liendo Espinoza

For: 8 Against: 0 Abstain: 0

j. Appointment by Council Member Cynthia Liendo Espinoza of Ms. Gloria Garza, replacing Ms. Diana Rodriguez, to the Laredo Commission for Women.

Motion to approve the appointment of Gloria Garza to the Laredo Commission for Women.

Moved: Mayor Pro Tempore Rendon

Second: Cm. Liendo Espinoza

For: 8 Against: 0 Abstain: 0

#### VII. PUBLIC HEARINGS

1. Public hearing and introductory ordinance authorizing City Manager to accept a grant from the Texas Department of Public Safety, Texas Ranger Division for the purpose of funding The Local Border Security Program (LBSP) and to amend Special Police FY 2010-2011 budget in the amount of \$300,000.00. Funding will be used to pay for overtime and fringe benefits to increase patrol security along the Texas-Mexican border for the period of April 1, 2011 through August 31, 2011. (Approved by Operations & Finance Committees)

Motion to open the public hearing.

Moved: Cm. Garza Second: Cm. Valdez

For: 8 Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Mayor Pro Tempore Rendon

Second: Cm. Narvaez

For: 8 Against: 0 Abstain: 0

Ordinance Introduction: City Council

2. Public hearing and introductory ordinance amending the City of Laredo Code of Ordinances Chapter 26—Police, Article III—Disposition of Unclaimed Property, Section 26-58 through 26-65 by Designating Property Officer, establishing notice procedures to known and unknown owners, as well as notice to bidders; allowing for internet auctions of property; providing for publication and an effective date. (Approved by Operations Committee)

Motion to open the public hearing.

Moved: Mayor Pro Tempore Rendon

Second: Cm. Narvaez

For: 8 Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Mayor Pro Tempore Rendon

Second: Cm. Rangel

For: 8 Against: 0 Abstain: 0

Ordinance Introduction: City Council

3. Public hearing and introductory ordinance amending the City of Laredo FY 2010-2011 Hotel Motel Fund by appropriating a drawdown of \$230,000.00 from the Hotel Motel opening balance. Further, amending the 2010-2011 Laredo Convention and Visitors Bureau operating budget by appropriating an amount of \$180,000.00 as a transfer out to said budget and the remaining \$50,000.00 will be appropriated within the Hotel Motel Operating Budget. Funding is available in the Hotel Motel Fund.

Motion to open the public hearing.

Moved: Mayor ProTempore Rendon

Second: Cm. Liendo Espinoza

For: 8 Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Narvaez

Second: Mayor Pro Tempore Rendon

For: 8 Against: 0 Abstain: 0

Ordinance Introduction: City Council

4. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit for the storage of flammable and explosive products on Lot 2, Block 1, Las Lomas Industrial Park Phase I, located at 104 South Aviators Road; providing for publication and effective date.

Staff supports the application and the Planning and Zoning Commission recommends approval of the zone change. District II

Motion to open the public hearing.

Moved: Cm. Rangel Second: Cm. Narvaez

For: 8 Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Rangel Second: Cm. Narvaez

For: 8 Against: 0 Abstain: 0

Ordinance Introduction: Cm. Rangel

5. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for a pawn shop on Lot 1, Block 1, Trautmann M&I Subdivision I, located at 8619 McPherson Avenue; providing for publication and effective date.

Staff supports the application and the Planning & Zoning Commission recommended approval of the Conditional Use Permit. District VI

Motion to open the public hearing.

Moved: Cm. Rangel Second: Cm. Narvaez

For: 8 Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. San Miguel

Second: Mayor Pro Tempore Rendon

For: 8 Against: 0 Abstain: 0

Ordinance Introduction: Cm. San Miguel

#### VIII. INTRODUCTORY ORDINANCES

6. Consideration to authorize the City Manager to execute a Foreign Trade Zone Operator Agreement with Trade Unlimited, Inc., as Zone Site Operator located at 13114 Spivey Dr. and located within Killam Industrial Park, Foreign Trade Zone Site No. 3; 4,000 square ft. within warehouse area and 4,500 sq. ft. of open yard area; effective May 01, 2011 and ending September 30, 2014; providing for activation, administration, annual and transaction fees to be paid to the City; providing for effective date. (Approved by Operations & Finance Committees)

Ordinance Introduction: City Council

7. Authorizing the City Manager to execute an Amendment to the Foreign Trade Zone Operator Agreement with NYK Logistics Americas, Inc., approved by Ordinance no. 2009-O-164 dated September 21, 2009. Said Amendment is for the purpose of changing the name of the Foreign Trade Zone Operator Agreement from NYK Logistics Americas, Inc., to Yusen Logistics (Americas) Inc. Therefore, the second paragraph of the Foreign Trade Zone Operator Agreement and Section 12 titled "Notices" shall be amended to read Yusen Logistics (Americas) Inc. All other terms and conditions remain unchanged and in effect; providing for effective date. (Approved by Operations Committee)

Ordinance Introduction: City Council

8. Consideration to award contract FY11-030 to Decobarn Inc., d/b/a Hachar Billboards, Laredo, Texas, sole proponent meeting all specifications for the management and operation of the Airport advertising concession in the Airport passenger terminal building. The contract will be for a five (5) year period commencing on June 01, 2011 and ending May 31, 2016 and may be extended at the City's sole discretion for one (1) term of five (5) years; with the Airport receiving fifty percent (50%) of the gross revenues derived from the sale of static, backlit poster advertising as well as gross revenue derived from the sale of video motion, computer operated and other high technology advertising from the concessionaire's gross; providing for effective date. (As amended and approved by Operations & Finance Committees)

Ordinance Introduction: City Council

#### IX. FINAL READING OF ORDINANCES

Motion to waive the final reading of ordinances 2011-O-031, 2011-O-032, 2011-O-033, 2011-O-034, 2011-O-035, 2011-O-036, 2011-O-037, 2011-O-038, 2011-O-040, 2011-O-041, 2011-O-042, 2011-O-043, and 2011-O-044.

Moved: Cm. Garza

Second: Cm. Liendo Espinoza

For: 8 Against: 0 Abstain: 0

9. 2011-O-031 Authorizing the City Manager to accept from the Federal Emergency Management Agency (FEMA) \$1,642,141.00 in disaster assistance resulting from the flooding from Hurricane Alex with the City providing a 25% match, and authorizing an amendment to the City of Laredo's Fiscal Year 2011 Budget to appropriate such proceeds for purposes authorized herein; and ordaining other matters relating to the subject.

Motion to adopt Ordinance 2011-O-031.

Moved: Cm. Garza

Second: Cm. Liendo Espinoza

For: 8 Against: 0 Abstain: 0

2011-O-032 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning the south 2/3 of Lot 1, Block 927, Western Division, located at 3602 Santa Maria Avenue, from B-1 (Limited Commercial District) to B-3 (Community Business District); providing for publication and effective date.

Staff supports the application and the Planning and Zoning Commission recommends approval of the zone change. District VII

Motion to adopt Ordinance 2011-O-032.

Moved: Cm. Garza

Second: Cm. Liendo Espinoza
For: 8 Against: 0

2011-O-033 Authorizing the City Manager to execute a lease renewal with Securitas Security Services USA, Inc., for approximately 120 square feet of office space and an exclusive office entry lane of approximately 540 square feet at Bridge II.

1. Lease term is for one (1) year commencing April 1, 2011 and ending on March 31, 2012.

Abstain: 0

- 2. Monthly rent will be \$2,810.00 for approximately 120 square feet of office space and an exclusive office entry lane of approximately 540 square feet at Bridge II.
- 3. The lease may be terminated by either party with a thirty (30) day written notice.

Motion to adopt Ordinance 2011-O-033.

Moved: Cm. Garza

Second: Cm. Liendo Espinoza

For: 8 Against: 0 Abstain: 0

2011-O-034 Designating as a one-way eastbound the 100, 200, and 300 block of east Ash Street, between Monterrey Avenue and Springfield Avenue, during the peak school hours of 7:15 a.m. to 8:15 a.m., and 2:45 p.m. to 4:15 p.m., Monday through Friday, during school days, to indicate one-way traffic at Sanchez-Ochoa Elementary School and providing for publication and effective date.

Motion to adopt Ordinance 2011-O-034.

Moved: Cm. Garza

Second: Cm. Liendo Espinoza

For: 8 Against: 0 Abstain: 0

2011-O-035 Setting the maximum speed limits on the portion on Shiloh Drive, between International Boulevard and Loop 20, within the City limits of Laredo, Webb County, Texas, as 30 MPH, from International Boulevard to approximately 150 feet east of Woodridge Drive, as 35 MPH, from approximately 150 feet east of Woodridge Drive to approximately 300 feet east of Snow Falls Drive; and as 40 MPH, from approximately 300 feet east of Snow Falls Drive to Loop 20, providing for publication and effective date.

Motion to adopt Ordinance 2011-O-035.

Moved: Cm. Garza

Second: Cm. Liendo Espinoza

For: 8 Against: 0 Abstain: 0

2011-O-036 Setting the maximum speed limits on that portion of McPherson Road, between Del Mar Boulevard and Shiloh Drive, within the City limits of Laredo, Webb County, Texas, from 30 MPH to 40 MPH, to improve traffic mobility along the McPherson Road Corridor providing for publication and effective date.

Motion to adopt Ordinance 2011-O-036.

Moved: Cm. Garza

Second: Cm. Liendo Espinoza For: 8 Against: 0

For: 8 Against: 0 Abstain: 0

2011-O-037 Authorizing the City Manager to enter into a renewal agreement (\$3,828.85 monthly) and an amended tower site lease agreement (\$3,000.00 monthly which includes a monthly payment reduction of \$2,147.25) for the 800 MHz Trunked Radio System Towers with Pinnacle Towers LLC, totaling \$6,828.85 monthly each being a second five (5) year term and ratifying payment of 3 rental payments totaling \$11,486.55. Funding is available in the Information Services and Telecommunications Fund (595), and contingent upon future year appropriations.

Motion to adopt Ordinance 2011-O-037.

Moved: Cm. Garza

Second: Cm. Liendo Espinoza

For: 8 Against: 0 Abstain: 0

2011-O-038 Authorizing the City Manager to execute a Scheduled Airline Operating Agreement and Terminal Building Lease with Allegiant Air, Inc., for exclusive and non-exclusive joint use space located at the Laredo International Airport passenger terminal for the purpose of conducting commercial air transportation services. The term of the agreement is for three (3) years effective January 1, 2011 and ending on December 31, 2013. Providing for rental and landing fee charges and incentives for adding new service to new destinations from the Laredo International Airport.

Motion to adopt Ordinance 2011-O-038.

Moved: Cm. Garza

Second: Cm. Liendo Espinoza

For: 8 Against: 0 Abstain: 0

2011-O-040 Authorizing the City Manager to execute a Scheduled Airline Operating Agreement and Terminal Building Lease with American Eagle Airlines, Inc., for exclusive and non-exclusive joint use space

located at the Laredo International Airport passenger terminal for the purpose of conducting commercial air transportation services. The term of the agreement is for three (3) years effective January 1, 2011 and ending on December 31, 2013. Providing for rental and landing fee charges and incentives for adding new service to new destinations from the Laredo International Airport.

Motion to adopt Ordinance 2011-O-040.

Moved: Cm. Garza

Second: Cm. Liendo Espinoza

For: 8 Against: 0 Abstain: 0

2011-O-041

Authorizing the City Manager to execute a Lease Agreement with HEB Grocery Company, L.P., a Texas Limited Partnership, as LESSEE for an approximate 15,909.26 square feet tract of irregular shaped land located at the Laredo International Airport. The subject property will be used to create a drive-way, install store sign and for delivery truck staging area off Bustamante Street to access the HEB Store. The term is for thirty eight (38) years and two (2) months effective April 1, 2011 and ending on May 31, 2049. The annual rent shall be one thousand five hundred ninety dollars (\$1,590.00); providing for an effective date.

Motion to adopt Ordinance 2011-O-041.

Moved: Cm. Garza

Second: Cm. Liendo Espinoza

For: 8 Against: 0 Abstain: 0

2011-O-042

Authorizing the City Manager to enter into and execute an Interlocal Governmental Agreement between the City of Laredo and Webb County regarding the disposition of parking tickets issued to a person summoned to the Webb County courthouse for jury selection; and the county will pay the City the sum of three-hundred dollars (\$300.00) per year, commencing October 1, 2011 and every year during which this agreement remains in effect. (AS AMENDED)

Motion to adopt Ordinance 2011-O-042.

Moved: Cm. Garza

Second: Cm. Liendo Espinoza

For: 8 Against: 0 Abstain: 0

2011-O-043

Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for a roofing company on Lots 1 and 2, Block 1537, Eastern Division, located at 2601 E. Ash Street; providing for publication and effective date.

Staff does not support the application and the Planning and Zoning Commission recommends denial of the zone change. District IV

Motion to adopt Ordinance 2011-O-043.

Moved: Cm. Garza

Second: Cm. Liendo Espinoza

For: 8 Against: 0 Abstain: 0

2011-O-044

An ordinance of the City of Laredo, Texas, establishing a settlement agreement regarding the statement of intent filed with the City of Laredo, Texas, by Centerpoint Energy Resources Corp., on or about December 3, 2010; establishing the effective date; repealing all ordinances in conflict herewith and providing for severability.

Motion to adopt Ordinance 2011-O-044.

Moved: Cm. Garza

Second: Cm. Liendo Espinoza

Abstain: 0 For: 8 Against: 0

#### X. RESOLUTIONS

10. 2011-R-026 Authorizing the City Manager to accept a grant in the amount of \$9,000.00 from the Texas Department of Transportation for the enforcement of Vehicle Occupant Protection during the "Click it or Ticket" Campaign. This grant is for overtime salaries and fringe benefits and is funded 100% by the Texas Department of Transportation. (Approved by Operations Committee)

Motion to approve Resolution 2011-R-026.

Moved: Cm. Garza

Second: Cm. Liendo Espinoza

Abstain: 0 For: 8 Against: 0

11. 2011-R-027

Authorizing the City Manager to take all necessary actions to inform the Texas Legislature of our opposition to SB 1087, legislation that could result in the loss of Laredo's Institutional Network and to request the assistance of other Texas Cities and the Texas Municipal League to do the same.

Motion to approve Resolution 2011-R-027.

Moved: Cm. Garza

Second: Cm. Liendo Espinoza

For: 8 Abstain: 0 Against: 0

12. 2011-R-028 Authorizing the City Manager to enter into and execute a finance/ownership lease with Philpott Motors, Nederland, Texas and Baystone Financial, for the acquisition of thirty (30) police pursuit vehicles for the Police Department in the total principal amount of \$807,352.50; and authorizing that the finance/ownership lease transaction include a \$200,000.00 initial payment. Funding for the lease purchase payments and the down payment is available in the Police Trust Fund budget.

Motion to approve Resolution 2011-R-028.

Moved: Cm. Garza

Second: Cm. Liendo Espinoza

For: 8 Against: 0 Abstain: 0

Abstain: 0

#### XI. MOTIONS

13. Consideration to authorize a professional service contract with Bexar County Forensic Science Center, San Antonio, Texas, in the estimated annual amount of \$140,000.00 for criminal investigation laboratory services for the Police Department. All services are requested on an as needed basis. Services include examination of evidence involving: arson, controlled substances, DNA, firearms, tool marks, toxicology, serology, and other services required for criminal investigations. Funding is available in the Police Department budget. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garza

Second: Mayor Pro Tempore Rendon For: 8 Against: 0

14. Consideration to approve amendment no. 2 to Gilpin Engineering Company, Laredo, Texas, for an amount not to exceed \$48,241.00 for the North Central Park Phase-1D, Manadas Creek Hike and Bike Trail Project (CSJ 0922-33-139). The scope of the services includes survey, design, preparation of plans and specifications and environment work for approximately 2,324 linear feet of ADA compliance trail system. The total contract amount will be \$420,922.20 with this amendment. Funding is available in the TXDOT Manadas Creek Hike and Bike Trail Grant. TXDOT has approved the contract amendment. (Operations Committee requested additional information; approved by Finance Committee)

Motion to approve.

Moved: Cm. Garza

Second: Mayor Pro Tempore Rendon

For: 8 Against: 0 Abstain: 0

15. Authorizing the City Manager to accept and sign the Settlement and Release Agreement from SureTec Insurance Company, Austin, Texas, in connection with

the termination of construction contract with Rhino Builders, Ltd., Laredo, Texas, for the Eistetter Park Restroom Facility. The Surety agrees to assign to the City the contract balance in the amount of \$30,931.00 as final settlement for the City to complete the project. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Garza

Second: Mayor Pro Tempore Rendon

For: 8 Against: 0 Abstain: 0

16. Consideration for approval of the Industrial Streets Project Control Section Job: 0922-33-130 which includes street reconstruction within the areas of Interamerica Distribution Park, Pan American Business Park and International Trade Center – District VII as complete and approval of change order no. 3, a decrease of \$230,333.23 for the balance of quantities actually constructed in place, release of retainage and approval of final payment in the amount of \$22,821.45 to Price Construction, Ltd., Big Spring, Texas. Final construction contract amount is \$2,815,410.92. Funding is available in the Capital Grants Fund. (Approved by Operations & Finance Committees)

Moved: Cm. Garza

Second: Mayor Pro Tempore Rendon

For: 8 Against: 0 Abstain: 0

17. Consideration for approval of amendment no. 2, an increase of \$92,470.00 to the professional services contract with Howland Engineering and Surveying Co., Inc., Laredo, Texas, for the 5<sup>th</sup> Industrial Streets Project at Airport (CSJ: 0922-33-141) for Construction Phase testing services. Current engineering contract amount with this amendment is \$2,002,470.00. Funding is available in the Capital Grants Fund—Truck Route Industrial No. 141. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garza

Second: Mayor Pro Tempore Rendon

For: 8 Against: 0 Abstain: 0

18. Refund of property tax in the amount of \$763.82 payable to BAC Tax Services Corporation due to an erroneous payment. Account # 991-21003-180.

Motion to approve.

Moved: Cm. Garza

Second: Mayor Pro Tempore Rendon

For: 8 Against: 0 Abstain: 0

19. Approving monthly adjustments to the tax roll. The amounts to be adjusted for the month of February 2011, represent a decrease of \$5,003.08. These adjustments are determined by the Webb County Appraisal District and by court orders.

Motion to approve.

Moved: Cm. Garza

Second: Mayor Pro Tempore Rendon

For: 8 Against: 0 Abstain: 0

20. Consideration to authorize the City Manager to enter into an agreement with AI Divestitures, Inc., for remediation of portions of the Chacon Creek Hike and Bike Trail (CCHBT) and to further authorize the City Manager to sign a temporary construction license along portions of the CCHBT to allow AI Divestitures and its agents and contractors to construct improvements related to said remediation. Funding is available in the 2007 C.O.

Motion to approve.

Moved: Cm. Garza

Second: Mayor Pro Tempore Rendon

For: 8 Against: 0 Abstain: 0

21. Consideration to authorize the City Manager to sell El Metro surplus equipment to our sister city of Tepatitlan, Jalisco and San Miguel el Alto, Jalisco consisting of two (2) mini buses with a salvage value of \$400.00 each.

Motion to approve.

Moved: Cm. Garza

Second: Mayor Pro Tempore Rendon

For: 8 Against: 0 Abstain: 0

#### XII. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

- 22. A. Request by Council Member Esteban Rangel
  - 1. Discussion with possible action to direct the City Attorney to prepare an ordinance consistent with state law addressing publically indecent performances at drive thru establishments. (Co-Sponsored by Council Member Mike Garza & Council Member Charlie San Miguel)

Cm. Rangel stated that this issue has been going on for several years and many calls have been received from citizens claiming this it is not correct to expose children to this. He also said that these businesses are located in areas like subdivisions and on streets like Zapata Highway, which is very congested during hours when school buses are on the street. He also stated that if this is not stopped now, it will get worse.

City Manager Carlos Villarreal stated that this is a big concern and many Laredoans have called reporting the establishment on Meadow Street. He also reported that he is working with State Representative Richard Raymond to make sure he is also introducing legislation to be able to do something to address this issue.

Police Chief Carlos Maldonado mentioned that the desires of the community about this issue are understood but they have to work in accordance with the parameters of the law.

Cm. Charlie San Miguel emphasized the importance and gravity of the situation and asked the City Attorney Raul Casso to write a city ordinance in order to reinforce and support the state law that already exists.

City Attorney Raul Casso mentioned that what he needs to do is look for state laws that are on the books and bring this issue again by next council meeting.

- B. Request by Council Member Alejandro "Alex" Perez
- 1. Discussion with possible action regarding the construction of two (2) splash parks located at Slaughter Park and any other possible park or available City property.

Cm. Perez reported that the construction of two splash parks is being considered in Slaughter Park and Santa Fe park.

Motion to proceed with construction of two splash parks in District III at Slaughter Park and Santa Fe Park.

Moved: Cm. Perez. Second: Cm. Valdez

For: 8 Against: 0 Abstain: 0

2. Discussion with possible action on the purchase of property located on Riverhill Property located west of Hwy 83 adjacent to the Rio Grande River for a boat ramp used by Fire and Police Department's, birding sanctuary, kayaking docking and a recreation center.

Mr. Jimmy McDonald commented that he has a property of two and a half acres in an excellent location on the north side of Riverhill which can be used as a tourist attraction.

Motion to proceed with the purchase of property located on Riverhill Property.

Moved: Cm. Perez Second: Cm. Garza

For: 8 Against: 0 Abstain: 0

3. Discussion with possible action regarding the expansion of the existing recycling program to include blue bin containers.

Cm. Perez stated that there is in District III a big need to increase the recycling program. In fact, he went on to say that some residents are willing to pay for the blue bin because they are no longer recycling since the dates of collection were changed to twice a month. He also requested a pilot recycling program.

Solid Waste Services Director Steve Geiss stated that on the Friday package he had submitted a fifty dollar cost per blue bin for all residential customers and it comes to about a \$2.9 million expense.

Motion to start a pilot program for District III for the blue bins.

Moved: Cm. Perez

Second: Cm. Liendo Espinoza

For: 8 Against: 0 Abstain: 0

- C. Request by Council Member Juan Narvaez
- 1. Performance by and recognition of Mr. Luis Salazar Jr., Laredo's own Elvis Presley impersonator.

Cm. Narvaez presented Luis Salazar Jr. performing Elvis Presley stating that ever since he was a junior at L.B.J. High school he has been performing as Laredo's Elvis. Mr. Salazar gave a fine performance before the Council and the public.

2. Presentation by Mr. Javier Santos on behalf of the Fernando A. Salinas Trust and acceptance of a \$200,000.00 check for the Buenos Aires Recreation Center and naming the center after the late Mr. Fernando A. Salinas.

County Commissioner Jerry Garza stated that he was very pleased and honored to announce that the Buenos Aires Recreation Center changed its name to Fernando A. Salinas Community Center, honoring him for his generosity and his huge impact in our community. He also stated this will be a \$1.5 million community center and thanked Council Member Juan Narvaez for his support in District IV.

Mr. Javier Santos stated that he was representing Mr. Fernando A. Salazar who made a great impact in Laredo and always benefited his neighborhood as well.

Motion to approve the naming of the center Fernando A. Salinas Community Center and donation.

Moved: Cm. Garza Second: Cm. Valdez

For: 8 Against: 0 Abstain: 0

- D. Request by Council Member Charlie San Miguel
- 1. Update on the customer service survey, with possible action.

C.A.S.S. Director Jessica Newsome reported that an online survey for customer service and also flyers to be posted in all City departments have been developed and that this service is now available for the community on the City of Laredo's homepage.

Cm. San Miguel stated that one of the reasons this is important is because the City of Laredo is a place that offers specific services and people have no other option where to get this specific service done, so this survey will provide a way to improve our service to Laredoans.

- E. Request by Council Member Cynthia Liendo Espinoza
- 1. Status report on contract negotiations between the City of Laredo and the Laredo Firefighters Association, with possible action. (Co-Sponsored by Council Member Esteban Rangel & Council Member Jose A. Valdez, Jr.)

Deputy City Manager Cynthia Collazo reported that nineteen meetings had been held since April 30, 2010 in which they were working very closely with the Union, and to this date they have forty-one articles in the contract and requested to change thirty five; nineteen articles have been signed and twenty two remain pending which represent an annual estimated amount of \$10,866,082.00. On March 24, 2011, a meeting with the Union was held and some modifications were made. She continued saying that the Union requested the City of Laredo to agree with Article 15 which represents the salary, Article 29 which represents health and life insurance, and Article 30 which represents retirement, and the rest of them will remain unchanged. She concluded that these three articles represent an estimated cost of \$2,299,633 for a four-year contract with a total of \$9,139,442. A subsequent meeting is pending.

Cm. Liendo Espinoza stated that Council would like to give another opportunity to the City Manager to meet with the Fire Fighters Union.

Motion to instruct the City Manager to meet with the Fire Fighters Union.

Moved: Cm. Liendo Espinoza

Second: Mayor ProTempore Rendon For: 8 Against: 0

2. Status report with possible action on the Bruni Plaza fountain renovations. (Co-Sponsored by Council Member Alejandro "Alex" Perez)

Abstain: 0

Cm. Liendo Espinoza requested an in-house repair to the Bruni Plaza fountain and some improvements on lights, tile and palms.

Parks and Leisure Director Osbaldo Guzman reported that the majority of the work has been done; lights, palms and tile need to be replaced so they are working on that.

City Manager Carlos Villarreal stated that they will come back with a report by next council meeting.

3. Discussion with possible action on South Texas Development Council (STDC) contract.

Cm. Liendo Espinoza stated this item has already been taken care of and that there will be a twenty-percent reduction.

#### XIII. EXECUTIVE SESSION

23. Request for Executive Session pursuant to Texas Government Code Section 551.074 to deliberate the duties, evaluation, and work performance of the City Manager and return to open session for possible action regarding the City Manager's Employment Contract and any matters related thereto.

Motion to go into Executive Session pursuant to Texas Government Code Section 551.074 to deliberate the duties, evaluation, and work performance of the City Manager and return to open session for possible action regarding the City Manager's Employment Contract and any matters related thereto.

Moved: Mayor Pro Tem Rendon Second: Cm. Liendo Espinoza

For: 8 Against: 0 Abstain: 0

After Executive Session, Mayor Salinas announced that no formal action was taken. He went on to say that the City Council recommended a 2% raise which would be converted from the benefits incorporated into the hourly rate so that there would be a 0% net effect.

Motion to approve.

Moved: Cm. Garza Second: Cm. Rangel

For: 8 Against: 0 Abstain: 0

#### XIV. ADJOURNMENT

Motion to adjourn.

Moved: Cm. Garza Second: Cm. Rangel

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 19 and they are true, complete, and correct proceedings of the City Council meeting held on April 4<sup>th</sup>, 2011.

Gustavo Guevara, Jr.
City Secretary