

**CITY OF LAREDO
CITY COUNCIL MEETING
M-2011-R-15
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
AUGUST 15, 2011
5:30 P.M.**

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

Mayor 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
Jorge A. Vera,	Council Member, District VII
Cynthia Liendo Espinoza,	Council Member, 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 Cm. Perez.

Moved: Cm. Narvaez

Second: Cm. Liendo Espinoza

For: 7

Against: 0

Abstain: 0

IV. MINUTES

Approval of the minutes of August 1, 2011.

Motion to approve the minutes of August 1, 2011.

Moved: Mayor Pro Tem Rendon

Second: Cm. Rangel

For: 7

Against: 0

Abstain: 0

V. COMMUNICATIONS AND RECOGNITIONS

Recognitions

- a. Recognizing Laredo Independent School District (LISD) nutrition program, United Independent School District (UISD) nutrition program, Laredo Job Corps, City of Laredo Parks & Leisure Department, and the Boys and Girls Club for their support of the Mayors Challenge through their participation in the Summer Feeding Program.

Mayor Salinas and Council Member Liendo Espinoza recognized LISD Superintendent Dr. Nelson, School Board members Tito Garcia and Mr. Martinez, Public Information Officer Veronica Castillon, Laredo Job Corps members Mr. Fernandez, and Mr. Dueñez.

- b. Recognizing Team Ronny Lis Brazilian Jiu Jitsu Laredo Karate Team for their 1st place team championship held at the Lone Star Brazilian Jiu Jitsu State Tournament on July 23, 2011.

Mayor Salinas and City Council recognized team members Rolando A. Moreno, Edgardo Venegas, Ian Olmedo, Nicolas, Jaziel Olmedo, Luis Angel Gomez, Bruno Castañon, Brandi Martinez, Jose Gonzalez, and Instructor Edgardo Venegas, Sr., represented by Edgardo Venegas.

Citizen comments

Juan Jose Avila stated that his subject was on the safety issue of the helicopter landing in Laredo. He asked if there were a special force team or react team.

Tricia Cortez, Executive Director of Rio Grande and member of the new Safe Fracking Coalition, addressed agenda item #35 and saluted the business acumen of the Mayor and Cm. Mike Garza of creating a local task force on the Eagle Ford Shale that would enhance business opportunities for their community. She stated that RISK hoped that the City was as aware of the environmental effects as of the financial benefits.

Cordelia Casso Flores of the Safe Fracking Coalition extended an invitation to Mayor and Council and the community to the second town hall meeting on Wednesday evening entitled Science and Solutions at TAMIU in the Student Center Building Science Center Room 236 with a reception at 5 pm and the program beginning at 6 pm.

Armando Cisneros mentioned that a true task force should be made up of a well-balanced membership with expertise and experience regarding the matter at hand, the Eagle Ford Shale process. He felt that neither the state task force nor the Eagle Ford Shale consortium had this necessary balance, but instead those protecting public health and the

environment had been relegated to a secondary role. He went on to say that all stakeholders should be held equally accountable and responsible.

Virginia Palacios reported that fossil fuels carry with them costs that are external from the price that we pay at the pump or electric bill. She stated that they had a tremendous effect on our soil, water, and air, and the plants and animals on this planet. She said that it was up to the public officials to find ways for public health and environmental costs to become internalized in the price of fuel and petroleum products.

VI. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

- a. Appointment by Mayor Raul G. Salinas of Ms. Sandra Rodriguez to the People with Disabilities Blue Ribbon Committee.

Motion to confirm the appointment of Sandra Rodriguez to the People with Disabilities Blue Ribbon Committee.

Moved: Cm. San Miguel

Second: Cm. Vera

For: 8

Against: 0

Abstain: 0

- b. Appointment by Council Member Jorge A. Vera of Mr. Mario Peña to the Board of Adjustments.

Motion to confirm the appointment of Mario Peña to the Board of Adjustment.

Moved: Cm. San Miguel

Second: Cm. Vera

For: 8

Against: 0

Abstain: 0

- c. Appointment by Council Member Cynthia Liendo Espinoza of Ms. Angelica Estrada to the Planning and Zoning Commission.

Motion to confirm the appointment of Angelica Estrada to the Planning and Zoning Commission.

Moved: Cm. San Miguel

Second: Cm. Vera

For: 8

Against: 0

Abstain: 0

VII. PUBLIC HEARINGS

Mayor Salinas, Cm. Narvaez and Cm. San Miguel left the meeting at 8:30 pm.

1. Public hearing and introductory ordinance amending the FY 2011 Financial Task Force and the Public Corruption Task Force Budget by reducing Revenues and Expenditures in the amount of \$200,000.00 in the 2010 award due to a de-obligation from the agency. Both grants are funded by the Executive Office of the President, Office of the National Drug Control Policy (ONDCP), and High

Intensity Drug Trafficking Area (HIDTA) at no cost to the City. Funding is used to pay personnel salaries, fringe benefits, overtime, travel and operating expenses. (Approved by Operations Committee)

Motion to open the public hearing.

Moved: Cm. Liendo Espinoza

Second: Cm. Rangel

For: 5

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Liendo Espinoza

Second: Cm. Rangel

For: 5

Against: 0

Abstain: 0

Ordinance Introduction: City Council

2. Public hearing and introductory ordinance accepting a grant awarded by the Office of the National Drug Control Policy (ONDCP) High Intensity Drug Trafficking Area (HIDTA), and amending the City of Laredo FY 2010-2011 budget by increasing revenues and expenses in the amount of \$69,000.00 for. Funds will be used to pay overtime expenses for a special operation from January 1, 2011 through December 31, 2011. Fringe benefits will be funded from the program income division. (Approved by Operations Committee)

Motion to open the public hearing.

Moved: Cm. Liendo Espinoza

Second: Cm. Vera

For: 5

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Liendo Espinoza

Second: Cm. Vera

For: 5

Against: 0

Abstain: 0

Ordinance Introduction: City Council

3. Public hearing and introductory ordinance authorizing the City Manager to accept a continuation contract from the Department of State Health Services (DSHS) Office of Border Health (OBH) Early Warning Infectious Disease Surveillance (EWIDS) project in the amount of \$75,000.00. Due to a budget reduction and decreasing the City of Laredo Health Department FY 2011-2012 Annual Budget by \$96,282.00

(\$75,000.00 in direct funds and \$7,718.00 in-kind match) for the term period of August 1, 2011 through July 31, 2012. (AS AMENDED) (Approved by Operations Committee)

Motion to open the public hearing.

Moved: Cm. Rangel

Second: Cm. Vera

For: 5

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Garza

Second: Cm. Liendo Espinoza

For: 5

Against: 0

Abstain: 0

Ordinance Introduction: City Council

4. Public hearing and introductory ordinance amending the City of Laredo fiscal year 2011 Recreation Fund by appropriating \$80,000.00 composed of \$30,000.00 in additional revenues for classes and lessons and a drawdown of \$50,000.00 to cover operational expenditures. Funding is available in the Recreation Fund. (AS AMENDED) (Approved by Operations Committee)

Motion to open the public hearing.

Moved: Cm. Garza

Second: Cm. Liendo Espinoza

For: 5

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Garza

Second: Cm. Liendo Espinoza

For: 5

Against: 0

Abstain: 0

Ordinance Introduction: City Council

5. Public hearing and introductory ordinance authorizing the issuance of City of Laredo, Texas, Sports Venue Sales Tax Revenue Bonds, Taxable Series 2011, in the estimated principal amount of \$11,295,000.00 to finance a baseball stadium and related infrastructure as a part of the enlarged Laredo Sports Venue Project for the Multipurpose Entertainment Arena and ordaining other matters relating to the subject including authorizing a bond purchase agreement and an official statement, and providing for the security of the bonds and pledging of a sales tax and

authorizing amendment to City's budget to appropriate such proceeds for purposes authorized herein.

Motion to open the public hearing.

Moved: Cm. Garza
Second: Cm. Rangel
For: 5

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Liendo Espinoza
Second: Cm. Vera
For: 5

Against: 0

Abstain: 0

Ordinance Introduction: City Council

6. Public hearing and introductory ordinance authorizing the City Manager to accept and execute an Advanced Funding Agreement with the Texas Department of Transportation in the amount of \$405,740.00 including a local match of \$11,867.00 and to amend the FY2010-2011 Capital Grants Fund by appropriating said funds for a proposed feasibility study to determine the preferred location for the eventual construction of a grade separation over the Union Pacific Rail line, between Scott and Sanchez Street. Local match has been identified in the 2008 C.O. Issue. Grant will be accounted for in the Capital Grants Fund. (Approved by Operations Committee)

Motion to open the public hearing.

Moved: Cm. Rangel
Second: Cm. Garza
For: 5

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Liendo Espinoza
Second: Cm. Rangel
For: 5

Against: 0

Abstain: 0

Ordinance Introduction: City Council

7. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 6, Block 6, Riverside Subdivision, located at 306 River Front Road, from R-3 (Mixed Residential District) to B-4 (Highway Commercial District); 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 III

Motion to open the public hearing.

Moved: Cm. Perez

Second: Cm. Garza

For: 5

Against: 0

Abstain: 0

Alejandro Rivera asked to consider to rezone the area because this was a small business wishing to expand and hire more employees. He explained that the equipment was only there for storage.

Norberto Zavala opposed the zone change request.

Motion to close the public hearing and deny the zone change request.

Moved: Cm. Perez

Second: Cm. Rangel

For: 5

Against: 0

Abstain: 0

8. Public hearing and introduction of an ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 1, Block 6, Del Mar Village Addition Subdivision, located at 6919 Springfield Avenue, from B-1 (Limited Commercial District) to B-4 (Highway Commercial District); providing for publication and effective date.

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

Motion to open the public hearing.

Moved: Cm. San Miguel

Second: Cm. Rangel

For: 8

Against: 0

Abstain: 0

Yvette Gutierrez on behalf of Nepali Enterprises spoke in support of the zone change and said that the proposed zoning was in line with the area's current need and conditions. She added that also the intended use of the building and proposed zoning would not greatly impact the area. She explained that the building was currently being leased and occupied by Dr. Victor Treviño, Dr. Edgar Treviño, and Dr. Claudia Mercado on the first floor and Stingray Alley restaurant on the second floor. She went on to say that the intended use would be medical offices and a minor emergency clinic on the first floor and a reception hall on the second floor.

Miguel Mejia believed that the new clinic would be a good thing for the community.

Julisa Melendez spoke in support of the proposed zone change. She went on to say that the services of this clinic were needed for those who work during the day. Troy Van Brunt spoke in support of the proposed zone change. He explained that he had worked at Stingray Alley as a way to help pay for his education at TAMIU.

Luxondra Guerra spoke in favor of the proposed zone change.

Paul Kane of 106 Martingale spoke in opposition of the proposed zone change. He mentioned putting up with the noise at night. He stated that allowing this business was destroying a beautiful neighborhood and opening up Pandora's box.

Pat Sandoval of 102 Martingale spoke in opposition of the zone change. She explained that she was not opposed to having a clinic, but during the wee hours of the night they could hear bottles being thrown into the dumpster and loud music.

Dr. Denise Longoria of 200 Martingale stated that she was strongly opposed to the zone change. She went on to describe incidents of hit-and-run accidents in her neighborhood. She explained that they had continuous problems with parking despite signs prohibiting parking on the street.

Clema Owen of 115 Village stated that she never dreamed that she would have to stand before the City Council to beg for a good night's sleep. She voiced her opposition to the zone change.

Mark Leyendecker explained that he did stock trading at night and that he was hearing frequent gunfire in the area. He said that the element of danger was increasing daily in the neighborhood and spoke in opposition of the zone change.

Mary Gloria, a board member of Cambridge Place, questioned whether rezoning was really necessary for the property. She spoke in opposition to the proposed zone change.

Cm. Narvaez asked Dr. Treviño if the bar were removed whether or not the residents would oppose the zone change to a B-4. He said that it could be considered only if the alcohol permit were removed and the restaurant were no longer functioning nor would a reception hall be added; otherwise, the zone change would not be approved.

Dr. Treviño replied that they had been trying to accommodate the concerns of the residents, such as increasing off-site parking and modifying the restaurant into a reception hall.

Mark Pease of 122 Martingale spoke against the proposed zone change.

Daniel Ryan of 110 Martingale addressed a few remarks that had been made. He stated that in a B-4, many types of businesses would be permitted that were inappropriate for the neighborhood. He felt that rather than trying to help the neighborhood with a clinic, the owners were out for themselves. He agreed that

changing the zoning would not get rid of Stingray Alley, but it would make things worse than they already were.

Motion to close the public hearing and deny the zone change.

Moved: Cm. San Miguel

Second: Mayor Pro Tem Rendon

For: 5

Against: 3

Abstain: 0

Cm. Perez

Cm. Garza

Cm. Narvaez

Cm. Rangel

Mayor Pro Tem Rendon

Cm. Liendo Espinoza

Cm. San Miguel

Cm. Vera

VIII. INTRODUCTORY ORDINANCES

9. Authorizing the City Manager to execute all necessary documents to effectively convey Fee Simple Title to Bernardo Escobedo for the "Surface Only", at its market value of \$4,400.00, a certain property currently encroaching upon City property within the Maryland Avenue Toddler Park adjacent to the Laredo Health Clinic, and described as being a tract of land containing 1,236.1 square feet or 0.0284 of an acre, more or less, out of Lots 7 and 8, Block 338, Eastern Division, being further described on attached, Exhibit A. (Approved by Operations Committee)

Ordinance Introduction: City Council

10. Authorizing the City Manager to execute a Lease with Ronny Salamon D/B/A Avionics Services Intl., as Lessee, for approximately 12,000 square feet constituting the western most section of Hangar No. 1309 located at 4207 North Jarvis Avenue at the Laredo International Airport. Lease term is for ten (10) years commencing on October 1, 2011 and ending on September 30, 2021. Monthly rent shall be \$4,505.00 and will be adjusted annually according to changes in the consumer price index; providing for an effective date. (Approved by Operations Committee)

Ordinance Introduction: City Council

11. Authorizing the City Manager to recognize PV Investments, Inc., as the successor and now the Lessee to that lease agreement approved by Ordinance No. 96-O-200 between the City of Laredo, as Lessor and Eleuterio Garza, as Lessee, on two (2) tracts of land being Lot No. 1 consisting of approximately 15,463.8 square feet and Lot No. 3 consisting of approximately 4,769 square feet all located on Block No. 15 at the Laredo International Airport. All items, conditions and reservations of Ordinance No; 96-O-200 remain the same. (Approved by Operations Committee)

Ordinance Introduction: City Council

IX. FINAL READING OF ORDINANCES

Motion to waive the final readings of Ordinance 2011-O-104, 2011-O-105, 2011-O-106, 2011-O-107, 2011-O-108, 2011-O-109, 2011-O-110, and 2011-O-111.

Moved: Cm. Garza

Second: Cm. Liendo Espinoza

For: 5

Against: 0

Abstain: 0

12. 2011-O-104 Amending the City of Laredo fiscal year 2011 Budget by appropriating revenues and expenditures in the amount of \$187,454.00 in the City of Laredo City Annuity Fund. The Medical contributions expenditures exceeded budgeted estimates due to an unusually high number of civil service retirements.

Motion to adopt Ordinance 2011-O-104.

Moved: Cm. Garza

Second: Cm. Liendo Espinoza

For: 5

Against: 0

Abstain: 0

- 2011-O-105 Amending the City of Laredo Code of Ordinances Chapter 18, Section 18-2.2 Letter (A) & (C), local permit fee for amusement redemption machine premise permit and increasing annual permit fee from \$250.00 to \$350.00 per machine per year; increasing the sealing fee from \$250.00 to \$350.00; repealing all ordinances in conflict; providing for severability, publication and an effective date.

Motion to adopt Ordinance 2011-O-105.

Moved: Cm. Garza

Second: Cm. Liendo Espinoza

For: 5

Against: 0

Abstain: 0

- 2011-O-106 Amending Section 24-78 of the Laredo Land Development Code entitled Off-street Parking and Loading Requirement by amending Section 24-78.3 Parking Requirement Formulas; (2) Commercial; (f) Amusement Redemption Machine Establishments; and repealing all ordinances and/or parts of ordinances in conflict therewith; providing for publication and effective date.

Motion to adopt Ordinance 2011-O-106.

Moved: Cm. Garza

Second: Cm. Liendo Espinoza

For: 5

Against: 0

Abstain: 0

- 2011-O-107 Authorizing the City Manager to enter into an agreement and accept reimbursement from The Webb County Sheriff's Office (WCSO) and to appropriate the City of Laredo Special Police FY 2010-2011

budget by increasing revenues and expenditures for an additional amount of \$700,000 for five police patrol units fully equipped, overtime and fringe benefits expenses for a total of \$1,400,000.00 for Operation Stonegarden since 2009. The term of this grant agreement is from October 1, 2010 to September 30, 2013. (AS AMENDED)

Motion to adopt Ordinance 2011-O-107.

Moved: Cm. Garza
Second: Cm. Liendo Espinoza
For: 5 Against: 0 Abstain: 0

2011-O-108 Amending the City of Laredo FY 2010-2011 Waterworks Operations Fund by appropriating an additional \$5,000,000.00 from the opening balance. The appropriation will be set up as a transfer out of the 2009 D Utility Bond to complete funding needed for projects within the bond. The appropriation will be used to partially fund the 36”/24” Unitec to Loop 20 Project and the 24” Main Loop 20 to Hospital Project. The \$5,000,000.00 will be reimbursed to Waterworks Operations through proceeds from the future 2011 Utility Bond.

Motion to adopt Ordinance 2011-O-108.

Moved: Cm. Garza
Second: Cm. Liendo Espinoza
For: 5 Against: 0 Abstain: 0

2011-O-109 Amending the Laredo Land Development Code as follows:

Chapter 24, Article IV, Supplementary Zoning District Regulations Section 24-65.13: B-3 Community Business District, subsection (5) the 300 foot distance requirement for funeral homes and chapels from a principal arterial; and

Article V, off-street parking & loading requirements Section 24-78.3: parking & loading requirements Section 24-78.3: parking space formulas by modifying parking requirements for funeral parlors, mortuaries; providing for publication and an effective date.

Motion to adopt Ordinance 2011-O-109.

Moved: Cm. Garza
Second: Cm. Liendo Espinoza
For: 5 Against: 0 Abstain: 0

2011-O-110 Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for a used car lot on Lots 1 and

Moved: Cm. Garza
Second: Cm. Liendo Espinoza
For: 5 Against: 0 Abstain: 0

15. 2011-R-078 Accepting the conveyance of the following utility easement for an 8 inch diameter water line fire loop at Villas San Agustin (Carmel Apartments) from:

Mines Road Development, LTD., (F/K/A Fasken Management, L.L.C.)—Utility Easement as follows:

One over a 0.5554 Acre Tract, a copy of which conveyance is attached as Exhibit 1; and, directing that the said Easement be filed of record in official property records of Webb County, Texas. (Approved by Operations Committee)

Motion to approve Resolution 2011-R-078.

Moved: Cm. Garza
Second: Cm. Liendo Espinoza
For: 5 Against: 0 Abstain: 0

16. 2011-R-079 Authorizing the City Manager to accept the surface only of two (2) tracts of land being dedicated to City of Laredo by ZAFTEX CORP., for municipal purposes. The two (2) tracts are further described as follows:

Tract I: 3.55 acres, more or less, situated in Porcion 32, being out of Part B-1, Original Share 1, Bruni Estate, a 128.093 acre tract recorded in Vol. 410, Pages 79-81, Deed Records of Webb County, Texas,

Tract II: 9.86 acres, more or less, part being out of a 25.702 acre tract recorded in Vol. 1247, Pages 127-130, Webb County Deed Records, and being out of an 128.09 acre tract recorded in Vol. 410, Pages 79-81, Webb County Deed Records and situated in Porcion 32, out of Part A-1, Share 1, of L.E. Bruni Estate more particularly described on attached, Exhibits "A" and "B".

Motion to approve Resolution 2011-R-079.

Moved: Cm. Garza
Second: Cm. Liendo Espinoza
For: 5 Against: 0 Abstain: 0

XI. MOTIONS

17. Authorizing the City Manager to advertise the sale of “the surface only” of a surplus tract of land valued at \$197,536.00, through the solicitation of bids from the general public. The property is located at 1309 Zaragoza Street and legally described as Lot 4, Block 23, Western Division. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Garza

Second: Cm. Liendo Espinoza

For: 5

Against: 0

Abstain: 0

18. Authorizing the City Manager to enter into contract with the La Terraza at Lomas del Sur, Ltd., for \$1,200,000.00 from 2010 HOME Investment Partnerships Program Income. Said funds will be in support of the “La Terraza”, a Texas Department of Housing and Community Affairs Low-Income Housing Tax Credit Project consisting of a one hundred twenty eight (128) multi-family unit rental housing project. Funds are available in the Community Development Budget HOME Investment Affordable Housing account. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Garza

Second: Cm. Liendo Espinoza

For: 5

Against: 0

Abstain: 0

19. Authorizing the City Manager to amend the City of Laredo’s 2010 Consolidated One-Year Action Plan for the purpose of reprogramming Community Development Block Grant (CDBG) funds totaling \$891,380.00. It is proposed that the funds be utilized to create the following projects:

- 1) Santo Niño Elementary Park Improvements (\$143,425.00);
- 2) Vista Nueva Park Improvements (\$103,500.00);
- 3) Santa Fe Splash Park Project (\$210,700.00);
- 4) Taylor Park Parking Lot (\$79,000.00);
- 5) Sanchez Ochoa Park Shade Structure (\$75,000.00);
- 6) Dr. Cecilia Moreno Park Shade Structures (\$30,000.00);
- 7) Pepe Moreno Park Basketball Dome (\$214,755.00); and,
- 8) Eistetter Toddler Basketball Court Shade Structure (\$35,000.00).

It is further proposed that the newly created projects be funded using a total of \$891,380.00, by cancelling projects that are no longer viable, and through the use of fund balances from completed projects from the 30th through 36th Action Year (AY) as listed below:

CDBG PROJECT FUND BALANCES

30th AY

Housing Rehabilitation Administration	\$1.00
Monterrey St. Acquisition	\$1.00
Lafayette Spray Park Improvements	<u>\$1.00</u>
Total 30 th AY Fund Balances	\$3.00

31st AY

Lafayette Park Hockey Ring	<u>\$1.00</u>
Total 31 st AY Fund Balances	\$1.00

32nd AY

Housing Rehabilitation Administration	\$141.00
Code Enforcement	<u>\$ 1.00</u>
Total 32 nd AY Fund Balances	\$142.00

33rd AY

CD Administration	<u>\$272.00</u>
Total 33 rd AY Fund Balances	\$272.00

34th AY

Graffiti Removal	\$1.00
Azteca Splash Park	<u>\$142.00</u>
Total 34 th AY Fund Balances	\$143.00

35th AY

CD Administration	\$37,616.00
Housing Rehabilitation Administration	\$23,981.00
Code Enforcement	\$26,208.00
Graffiti Removal	<u>\$28,046.00</u>
Total 35 th AY Fund Balances	\$115,851.00

36th AY

Alex Emergency Assistance	<u>\$23,518.00</u>
Total 36 th AY Fund Balances	\$23,518.00

TOTAL FUND BALANCES	\$139,930.00
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CANCELLED PROJECTS

32nd AY

Heritage Park Improvements	<u>\$ 50.00</u>
Total 32 nd AY Cancelled Projects	\$ 50.00

35th AY

Alex Emergency Flood Repairs	\$140,000.00
Heritage Park Improvements	\$110,700.00
Santa Fe Secondary Baseball Field	\$210,700.00
Freddie Benavides Shade Structure	<u>\$ 75,000.00</u>

Total 35 th AY Cancelled Projects	\$536,400.00
	<u>36th AY</u>
Heritage Park Improvements	<u>\$215,000.00</u>
Total 36 th AY Cancelled Projects	\$215,000.00
TOTAL CANCELLED PROJECTS	\$751,450.00
TOTAL FUNDS TO BE REPROGRAMMED (Approved by Operations Committee)	\$891,380.00

Motion to approve.

Moved: Cm. Garza

Second: Cm. Liendo Espinoza

For: 5

Against: 0

Abstain: 0

20. Award of construction contract to the lowest bidder, ALC Construction, Inc., Laredo, Texas, in the base bid amount of \$145,611.50 for the CDBG Sidewalks Project No. 39 (23 Blocks) – District IV with a construction contract time of seventy (70) working days; and, authorizing the City Manager to execute all related contract documents contingent upon receipt and approval of insurance and bond documents. Funding is available in the Community Development Block Grant – 35th Action Year/2009 Grant. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Garza

Second: Cm. Liendo Espinoza

For: 5

Against: 0

Abstain: 0

21. Consideration for approval of change order no. 1 an increase of \$950,000.00 to the Design/Build contract with Landscape Unlimited, L.L.C., Lincoln, NE, for the Max A. Mandel Municipal Golf Course to increase the budget allowance for design and construction of a larger clubhouse and related site development. Current contract amount with this change order is \$7,500,000.00. Funding is available in the 2009 Tax C.O. Issue, 2010 Tax C.O. Issue, 2007 C.O. Bond and Sewer System. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Garza

Second: Cm. Liendo Espinoza

For: 5

Against: 0

Abstain: 0

22. Award of construction contract to the lowest bidder DEH Construction Co., L.L.C., Laredo, Texas, in the amount of \$369,903.23 for the El Eden Community Park Improvements Project to include the base bid minus alternates no. 4 (toilets), no. 5 (palapa/grills), no. 6 (parking) and no. 7 (landscaping), but to include alternates no.

1 (lighting), no. 2 (fencing), no. 3 (basketball courts) and no. 8 (irrigation/sprinkler). Construction contract time is one hundred thirty (130) 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 March 16, 2012. Funding is available in the 2006 CO, 2007 CO and Community Development. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Liendo Espinoza

Second: Cm. Rangel

For: 5

Against: 0

Abstain: 0

23. Consideration to award contract number FY11-100 to the low bidder, Quantum Electric Company, Laredo, Texas, in the amount of \$84,134.60 for a complete lighting system for Base 6 Softball Field located at 5200 Daughterty Avenue. Funding is available in the 2010 C.O. Issue-District V Park Improvements account. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Liendo Espinoza

Second: Cm. Rangel

For: 5

Against: 0

Abstain: 0

24. Consideration for approval of the Industrial Streets Project Control Section Job: 0922-33-132 which includes street reconstruction within the areas of Unitec Industrial Center – District VII as complete, and approval of change order no. 3, a decrease of \$62,489.10 for the balance of quantities actually constructed in place, release of retainage and approval of final payment in the amount of \$193,107.33 to Reim Construction, Inc., Alton, Texas. Final construction contract amount is \$3,441,987.40. Funding is available in the Capital Grants Fund. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Liendo Espinoza

Second: Cm. Rangel

For: 5

Against: 0

Abstain: 0

25. Consideration for approval of amendment no. 3, an increase of \$55,358.00 to the professional services contract with Arcadis, Laredo, Texas, for the West Laredo Corridor – Calton Road Railroad Grade Separation for further coordination with Union Pacific Railroad for two (2) new driveways at the Calton/Santa Maria intersection, design of a railroad signal arm crossing, environmental update to include additional right-of-way, updating surveying map and description for acquisition at the Agustin Maldonado, Jr., property, design of the new driveways, performance traffic analysis, revision of storm sewer to allow access to driveways,

and update temporary/permanent pavement markings. These additional services are eligible for reimbursement by the Texas Department of Transportation and the City is authorized to proceed to amend the contract. Current engineering contract amount including this amendment no. 3 is \$1,750,422.14. Funding is available in the Capital Improvement Fund. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Liendo Espinoza

Second: Cm. Rangel

For: 5

Against: 0

Abstain: 0

26. Consideration for approval of the World Trade Bridge U.S. Customs Inspection Station Expansion Project as complete, and approval of change order no. 2, a decrease of \$398,682.90 for a credit remaining in the contingency allowance, release of retainage and approval of final payment in the amount of \$211,065.86 to Leyendecker Construction, Inc., Laredo, Texas. Final construction contract amount is \$4,221,317.10. Funding is available in the Capital Grants Fund and 2008 Bridge Revenue Bond. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Liendo Espinoza

Second: Cm. Rangel

For: 5

Against: 0

Abstain: 0

27. Consideration for approval of change order no. 1 to add eighty (80) calendar days to the construction contract time with Leyendecker Construction, Inc., Laredo, Texas, for the World Trade/Colombia Solidarity Bridges Port of Entry Refrigerated Inspection Facilities to add independent electrical meters and associated electrical modifications. Current construction contract amount is \$1,700,000.00. Current construction contract time with this change order is two hundred (200) calendar days. Completion date for the project is scheduled for September 10, 2011. Funding is available in the Capital Improvement Fund and Bridge Series 2005 Bond. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Liendo Espinoza

Second: Cm. Rangel

For: 5

Against: 0

Abstain: 0

28. Consideration to award an annual supply contract number FY11-095 to the low bidder, IPC (USA) Inc., Irvine, California, in the estimated annual amount of \$5,000,000.00 for the purchase of unleaded and diesel fuel for the City's automotive fleet. Funding is available in the Fleet Maintenance Fund. (Approved by Operations Committee)

Motion to table.

Moved: Cm. Garza
Second: Cm. Vera
For: 5

Against: 0

Abstain: 0

29. Consideration to amend annual supply contract number FY10-066 awarded to the low bidder, Arguindegui Oil Co., Laredo, Texas, for the purchase of unleaded and diesel fuel for the City of Laredo's fleet by increasing the contract award in the amount of \$400,000.00 to cover the cost to purchase fuel until August 20, 2011. The new contract amount will be \$4,775,000.00. The contract amount is being modified as a result of an industry wide increase in the cost of automotive fuel. Funding is available in the Fleet Maintenance Fund. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Garza
Second: Cm. Vera
For: 5

Against: 0

Abstain: 0

30. Consideration to authorize a purchase contract with Philpott Motors, Nederland, Texas, for the acquisition of five (5) police pursuit vehicles for the Police Department in the total amount of \$139,033.75. Funding for these vehicles is available from the Stone Garden grant proceeds. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Liendo Espinoza
Second: Cm. Rangel
For: 5

Against: 0

Abstain: 0

31. Authorizing the City Manager to execute a Memorandum of Understanding Agreements between the City of Laredo Health Department and the following entities: Gastroenterology Consultants of Laredo for up to \$100,000.00; Medical Imaging Diagnostic Associates for up to \$60,000.00; and Dr. Luis F. Velez, M.D. for up to \$50,000.00 for the continuation of the Cancer Prevention Institute of Texas (CPRIT) Project Year II, to conduct early cancer detection prevention, health education and diagnostic procedures. The term period is from August 01, 2011 to July 31, 2012 and renewable for one (1) year contingent on funding availability. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Liendo Espinoza
Second: Cm. Rangel
For: 5

Against: 0

Abstain: 0

32. Authorizing the City Manager to execute a contract between the City of Laredo (City), South Texas Development Council (RPC), and Commission on State Emergency Communications (CSEC) for the period beginning September 1, 2011 and ending August 31, 2013 to administer the 9-1-1 program on behalf of the RPC for the Counties of Jim Hogg, Starr, Webb and Zapata. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Liendo Espinoza

Second: Cm. Rangel

For: 5

Against: 0

Abstain: 0

33. Authorizing the City Manager to execute all necessary interlocal agreements with Webb County, Jim Hogg County, Starr County & Zapata County and the City of Laredo within the 9-1-1 system and responsibilities for the Counties of Webb, Zapata, Jim Hogg and Starr. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Liendo Espinoza

Second: Cm. Rangel

For: 5

Against: 0

Abstain: 0

34. Approving monthly adjustments to the tax roll. The amounts to be adjusted for the month of July 2011, represent a decrease of \$3,087.44. These adjustments are determined by the Webb County Appraisal District and by court orders.

Motion to approve.

Moved: Cm. Liendo Espinoza

Second: Cm. Rangel

For: 5

Against: 0

Abstain: 0

XII. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

35. A. Request by Mayor Raul G. Salinas

1. Discussion with possible action to establish a task force to create a direct working partnership with Eagle Ford Shale representatives to enhance business opportunities in our community. (Co-Sponsored by Council Member Mike Garza)

Mayor Salinas said that it was important that Laredo was competitive because it was not the federal government creating jobs but rather local municipalities. He went on to say that other municipalities had been trying to take business that belonged in their community. He said that they needed to establish good lines of communication with the industry. He added that they need to make

sure that they be fair and impartial. He concluded that if they were not competitive, they would not have those jobs in Laredo.

Cm. Garza reported that they needed to improve the quality of life in the city and had already seen the benefits of this industry in their sales tax and hotel/motel revenues. He stated that his goal and focus in reaching out to these corporations was to be able to create the whole foundation of what America stands for: small business. He wished for others to see that Laredo could provide opportunities for small business. He added that they needed to be sensitive to the environmental component and also have a mitigation plan if something were to happen.

Motion to support the task force to create a direct working partnership with the Eagle Ford Shale representatives.

Moved: Cm. San Miguel

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

2. Discussion with possible action on ongoing efforts to promote the City of Laredo's image in a positive way, as a safe and business friendly community.

Mayor Salinas reported that they had visitors from Canada, Los Angeles, and other places at the Laredo Energy Arena dog event recently, but many others were afraid to come to Laredo. He went on to say that this image was hurting business in Laredo and that they were working with Lamar advertising to put signs throughout Texas to promote Laredo. He asked City Manager Carlos Villarreal to check with the Convention and Visitors Bureau on the status of these sign projects.

B. Request by Council Member Alejandro "Alex" Perez

1. Discussion with possible action regarding the acquisition of property located within the Riverhill Subdivision to be used for a birding/recreation center with budgeted Community Development Block Grant (CDBG) funds as supplemented with District III Discretionary funds not to exceed \$50,000.00.

Motion to approve.

Moved: Cm. Perez

Second: Cm. Garza

For: 5

Against: 0

Abstain: 0

2. Discussion with possible action to initiate the acquisition of property located in the Santa Rita Subdivision for the construction of a future recreational park.

Motion to instruct staff to initiate the acquisition of property located in the Santa Rita Subdivision for the construction of a future recreational park.

Moved: Cm. San Miguel

Second: Cm. Garza

For: 5

Against: 0

Abstain: 0

D. Request by Council Member Jorge A. Vera

1. Discussion with possible action to have the Building Department create and maintain a registration system for all contractors conducting business in the City of Laredo.

Motion to approve.

Moved: Cm. Vera

Second: Cm. Liendo Espinoza

For: 5

Against: 0

Abstain: 0

2. Discussion with possible action to retire the City's "Laredo-Gateway to Mexico" logo and adopt the "Laredo 1755" emblem as the City's official logo.

Motion to table.

Moved: Cm. Vera

Second: Cm. Liendo Espinoza

For: 5

Against: 0

Abstain: 0

E. Request by Council Member Cynthia Liendo Espinoza

1. Discussion with possible action on requesting a plan of action by U.S. Customs and Border Protection in the event of Mexican Military trespassing into the United States. (Co-Sponsored by Mayor Raul G. Salinas)

Mayor Salinas reported that the recent intrusion was taken very seriously.

Cm. Liendo Espinoza reported that the reason she had placed this item on the agenda was because lately they had seen more intrusions into the United States by the Mexican military. She felt that there had to be something in place so that they knew that there would be consequences. She mentioned that this had happened in other border regions of the state and felt that they needed to have a plan because it was a serious offense and wanted to make sure that Customs and Border Protection would do something about it.

Mayor Salinas stated that the incident of the helicopter landing at the airport was handled with dispatch and appropriately. He went on to say that there had been rumors as to whether or not this was a test, but he had been assured that the military general in charge of the unit had taken the appropriate disciplinary action. He added that this was a federal, international issue and had to be handled as such; also, he stated that they had no authority in Mexico over their military personnel, but they let them know of their concern and expectation of respect of their territory.

City Manager Carlos Villarreal stated that the incident happened on a Saturday and there had been discussion with Customs and Border Protection. He went on to say that they needed to make sure that they man the tower 24-7.

Police Chief Carlos Maldonado reported that the Laredo Police Department was very actively engaged in collecting and gathering intelligence information and sharing it with other US entities. He explained that Border Patrol and Customs did have a mitigation plan for aircraft coming into the US and there was technology that was being used on a constant basis. He concluded that they had a robust intel system and were well-linked with their federal counterparts.

Motion to set up a meeting with Customs and Border Protection and the US Congressman to formulate a plan.

Moved: Cm. Liendo Espinoza

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

2. Discussion with possible action on maintaining utilities and tax pay stations at City Hall after the Loop 20 City offices are open. (Co-Sponsored by Council Member Jorge Vera)

Tax Collector Elizabeth Martinez reported that plans had already been made to have a pay station with two staff members at City Hall strictly for payments.

Motion to approve.

Moved: Cm. Liendo Espinoza

Second: Cm. Vera

For: 5

Against: 0

Abstain: 0

3. Status report on lease payments for El Portal. (Co-Sponsored by Mayor Raul G. Salinas)

Bridge Manager Mario Maldonado reported that rent payments were being made on time on the entire building.

4. Discussion with possible action regarding the co-sponsoring of the Gateway Clinic Back to School Health Fair to be held on Saturday, August 20, 2011.

Cm. Liendo Espinoza reported that Gateway had held this clinic for the past few years and it had grown so much that they needed to move it to the Civic Center. She hoped that Council would agree to co-sponsor the event so that they would not have to pay the Civic Center Fee.

Motion to approve.

Moved: Cm. Liendo Espinoza

Second: Cm. Vera
For: 5

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: Cm. Garza

Second: Cm. Liendo Espinoza

For: 5

Against: 0

Abstain: 0

36. Consideration to award annual supply contract number FY11-096 to the low bidder, IPC (USA) Inc., Irvine, California, in the estimated amount of \$1,700,000.00 for the purchase of unleaded and diesel fuel for the transit system's automotive fleet. Funding is available in the Transit Maintenance Fund. (Approved by Operations Committee)

Motion to table.

Moved: Cm. Garza

Second: Cm. Vera

For: 5

Against: 0

Abstain: 0

37. Consideration to award six (6) month supply contracts (FY11-088) for the purchase of motor oil and lubricants for the Laredo Transit Management, Inc., (El Metro) to the low bidders:

1. Arguindegui Oil, Co., Laredo, Texas in the estimated amount of \$16,032.30.
2. Gonzalez Auto Parts, Laredo, Texas in the estimated amount of \$37,337.00.
3. Hollon Oil Co., Weslaco, Texas in the estimated amount of \$4,770.00.
4. Universal Lubricants, L.C.C., Wichita, Kansas in the estimated amount of \$40,775.00.

Funding is available in the Laredo Transit Management, El Metro Operations Fund. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Garza

Second: Cm. Perez

For: 5

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. Rangel

For: 5

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 26 and they are true, complete, and correct proceedings of the City Council meeting held on August 15, 2011.

Gustavo Guevara, Jr.
City Secretary