

**CITY OF LAREDO
CITY COUNCIL MEETING
M-2010-R-24
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
DECEMBER 20, 2010
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
Esteban Rangel	Council Member, District II
Alejandro Perez Jr.	Council Member, District III
Juan Narvaez,	Council Member, District IV
Charlie San Miguel,	Council Member, District VI
Jose A. Valdez, Jr.	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. Garza and Mayor ProTempore Rendon.

Moved: Cm. Narvaez

Second: Cm. Liendo Espinoza

For: 6

Against: 0

Abstain: 0

IV. MINUTES

Approval of the minutes of December 6, 2010

Motion to approve the December 6, 2010 minutes.

Moved: Cm. Valdez

Second: Cm. Narvaez

For: 6

Against: 0

Abstain: 0

V. COMMUNICATIONS AND RECOGNITIONS

Recognitions

- a. Recognizing Constable Rudy Rodriguez for spearheading the “Navidad en el Barrio” event held December 8-9, 2010 where 12,500 gifts were donated to United Independent School District, Laredo Independent School District and Mirando City School District.

Constable Rudy Rodriguez thanked Council Members and confirmed the program Navidad en el Barrio was a success. They reached almost 3000 students and will continue giving away toys hopefully until December 24th.

Cm. Juan Narvaez mentioned that Mr. Rodriguez has been doing this for the past three or four years and takes the whole year to collect the money for the toys.

- b. Recognizing Richard “Heatwave” Berler for his twenty-five (25) years of national weather service.

Mayor and City Council publicly recognized Richard “Heatwave” Berler for his twenty-five years of service in our community and presented him with a Certificate of Recognition.

- c. Recognizing the Honorable Ing. Ramon Garza Barrios for his outstanding service as Mayor of Nuevo Laredo, Tamaulipas, Mexico.

Ing. Ramon Garza Barrios was not able to attend.

- d. Recognizing Daybreak Rotary for their contributions to the City of Laredo's “Christmas Tree and NavidadFest” event.

Cm. Liendo Espinoza reported that Daybreak Rotary came to her with the idea of making this Holiday Season brighter and beautiful for Laredo and authorizing to donate a forty foot Christmas tree.

- e. Recognizing the Consulado General de Mexico in Laredo and the Instituto Cultural Mexicano for their continued partnership and sponsorship of the annual Pastorela, a live theatre performance of the Christmas story, held annually during Navidad Fest.

Cm. Liendo Espinoza reported that the Consulado General de Mexico and the Instituto Cultural Mexicano were not present but they were recognized for their continued partnership and sponsorship with the annual Pastorela.

Citizen comments:

Chendo Carranco gave a short message about a surgeon and a little ill boy about to have a surgery who had faith in Jesus Christ.

Armando Cisneros stated that under item number six concerning appointments to committees, there are three appointees in this particular item and only one lives in

the district. It is expected that Cm. Rangel does the right thing regarding his appointees.

VI. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

- a. Appointment by Council Member Esteban Rangel of Ms. Belinda Guerra to the Planning and Zoning Commission.

Motion to confirm the appointment of Belinda Guerra to the Planning and Zoning Commission.

Moved: Cm. Valdez

Second: Cm. Narvaez

For: 6

Against: 0

Abstain: 0

- b. Appointment by Council Member Esteban Rangel of Mr. Hector “Tito” Garcia to the Third Party Funding Advisory.

Motion to confirm the appointment of Hector “Tito” Garcia to the Third Party Funding Advisory Committee.

Moved: Cm. Valdez

Second: Cm. Narvaez

For: 6

Against: 0

Abstain: 0

- c. Appointment by Council Member Esteban Rangel of Mr. Richard Rosas to the Parks and Leisure Advisory Committee.

Motion to confirm the appointment of Richard Rosas to the Parks and Leisure Advisory Committee.

Moved: Cm. Valdez

Second: Cm. Narvaez

For: 6

Against: 0

Abstain: 0

VII. PUBLIC HEARINGS

1. Public hearing and introductory ordinance authorizing the City Manager to accept an Economic Development Initiative-Special Project Grant (EDI-SP) from the Department of Housing and Urban Development (HUD) in the amount of \$200,000.00 for improvements to the Laredo Little Theatre and amend the City of Laredo Fiscal Year 2011 Capital Grants Fund annual budget by appropriating revenues and expenditures in the amount of \$200,000.00 for the design, construction and purchase of improvements for the Laredo Little Theatre Project. (Approved by Finance Committee)

Motion to open the public hearing.

Moved: Cm. Valdez

Second: Cm. Liendo Espinoza

For: 6

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Valdez

Second: Cm. Narvaez

For: 6

Against: 0

Abstain: 0

2. Public hearing and introductory ordinance amending the City of Laredo FY 2010-2011 Police Trust Fund annual budget by appropriating expenditures in the amount of \$1,800,000.00. Funding will be used to purchase operational materials, supplies, training and capital outlay equipment to include surveillance equipment, tactical equipment, patrol and officer safety equipment, and other needed items. Funding is available in the Police Trust Fund opening balance. (Approved by Finance Committee)

Motion to open the public hearing.

Moved: Cm. Valdez

Second: Cm. Narvaez

For: 6

Against: 0

Abstain: 0

Police Chief Carlos Maldonado requested item number two to be amended and remove the forty caliber system.

City Manager Carlos Villarreal replied that his staff will bring this issue later.

There was no public input.

Motion to close the public hearing and introduce as amended.

Moved: Cm. Liendo Espinoza

Second: Cm. Valdez

For: 6

Against: 0

Abstain: 0

3. Public hearing and introductory ordinance authorizing the City Manager to accept and execute an advance funding agreement with the Texas Department of Transportation in the amount of \$318,545.84 (CSJ. No. 0922-33-139 being \$299,949.00 in Federal Funds and \$18,596.84 State Funds) with a local match of \$43,492.61 for a total of \$362,492.61 for the design and construction of Phase 1D of The Manadas Creek Hike and Bike Trail, and amending the City of Laredo's FY 2010-2011 annual budget for the Environmental Services Department by appropriating the said grant funds to the appropriate expenditure accounts. (Approved by Finance Committee)

Motion to open the public hearing.

Moved: Cm. Liendo Espinoza

Second: Cm. Rangel

For: 6

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Valdez

Second: Cm. Narvaez

For: 6

Against: 0

Abstain: 0

4. Public hearing and introductory ordinance amending the City of Laredo's FY 2010-2011 9-1-1 Regional Administration Fund budget by decreasing revenues and expenditures in the amount of \$86,725.00 for the period beginning September 1, 2010 and ending August 31, 2011. The Commission on State Emergency Communication has approved this strategic plan amendment. This decrease is due to state-wide budget reductions requested of all state agencies. Impact is to the four (4) county regional program network operations; only new activity for network expansions have been reduced. (Approved by Finance Committee)

Motion to open the public hearing.

Moved: Cm. Valdez

Second: Cm. Rangel

For: 6

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Valdez

Second: Cm. Narvaez

For: 6

Against: 0

Abstain: 0

5. Public hearing and introductory ordinance amending Article I of Chapter 11.5 Emergency Management of the Code of Ordinances by adding language to section 11.5-7. (c) – offenses; penalties; and article ii of emergency management coordinator, section 11.5.23. (8) – same—specific duties; as follows:

Section 11.5-7. (c) convictions for violations of the provisions of this ordinance shall be punishable by fine not to exceed two thousand dollars (\$2,000.00), plus restitution for costs incurred by the City as needed to enforce any rule or regulation issued pursuant to this emergency management plan; and

Section 11.5.23.(8) issuance of reasonable rules, regulations or directives which are necessary for the protection of life and property in the City, including as may be necessary rules, regulations and directives to ensure the protection of life and property by mandating the removal or securing of personal property, including containers and box containers, or any large reusable box typically used for the movement of road freight, rail freight, sea freight, or air freight (e.g. a box or

container typically used by diesel tractor trailer trucks for road hauling of freight), or any other items of personal property that may float or be carried away by flood waters thereby giving rise to additional risks and hazards to life and property. Such rules and regulations shall be filed in the office of the City Secretary and shall receive widespread publicity. The failure by a property owner to remove any such property mandated for removal pursuant to this provision shall constitute a violation of this emergency management plan for which citation shall issue. Convictions for any such violation shall be punishable by a fine of \$500.00, the City Attorney is hereby authorized to pursue any legal recourse as may be necessary to recuperate costs incurred by the City to enforce this provision, such costs to include, without limitation, costs incurred in the removal, towing, and storage of any such property. Each individual item of personal property subject to this provision shall constitute the basis of a separate occurrence subject to individual penalty and legal remedies as herein prescribed.

These amendments to the Emergency Management ordinances shall be published one time in an official newspaper in the City of Laredo and shall be in force and effect from and after the date of such publication.

Motion to open the public hearing.

Moved: Cm. Liendo Espinoza

Second: Cm. Narvaez

For: 6

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Valdez

Second: Cm. Narvaez

For: 6

Against: 0

Abstain: 0

6. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 1.09 acres, as further described by metes and bounds in attached Exhibit "A", located on the north side of Shiloh Drive between Snowfalls and Kirby Drives, from R-1 (Single-Family Residential District) to B-1 (Limited Commercial District); providing for publication and effective date.

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

Motion to open the public hearing.

Moved: Cm. San Miguel

Second: Cm. Valdez

For: 6

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. San Miguel

Second: Cm. Narvaez

For: 6

Against: 0

Abstain: 0

VIII. FINAL READING OF ORDINANCES

Motion to waive the final reading of ordinances 2010-O-177, 2010-O-183, 2010-O-184, 2010-O-185, 2010-O-186, 2010-O-187 and 2010-O-188.

Moved: Cm. Liendo Espinoza

Second: Cm. Valdez

For: 6

Against: 0

Abstain: 0

7. 2010-O-177 Amending the City of Laredo Fiscal year 2011 Budget by appropriating revenues and expenses in the amount of \$24,000.00 in the General Fund—Traffic Safety Division. The contribution of \$24,000.00 is from the Plantation Homeowner’s Association for the purpose of partially funding the installation of speed cushions along Country Club Drive. (AS AMENDED) (Action required on No. 11 prior to adoption of this ordinance) (Tabled on December 6, 2010 City Council Meeting)

Fire Chief Steve Landin stated that he had a discussion with the President of the Home Owners Association of the Country Club Plantation area and presented some alternatives for the speed cushions issue.

Traffic Director Robert Murillo also stated that they had discussed the option of installing speed cushions because accidents had mainly focused on a couple of curves going southbound on Country Club Drive.

Motion to adopt Ordinance 2010-O-177.

Moved: Cm. Valdez

Second: Cm. Narvaez

For: 6

Against: 0

Abstain: 0

Motion to reconsider Ordinance 2010-O-177.

Moved: Cm. Valdez

Second: Cm. Rangel

For: 6

Against: 0

Abstain: 0

Motion to postpone Ordinance 2010-O-177.

Moved: Cm. Valdez

Second: Cm. Rangel

territory, and establishing the initial zoning of R-1 (Single Family Residential District).

Motion to adopt Ordinance 2010-O-186.

Moved: Cm. Valdez

Second: Cm. Narvaez

For: 6 Against: 0 Abstain: 0

2010-O-187 Altering and extending the boundary limits of the City of Laredo, annexing additional territory of 207.85 acres, more or less, located west of Ejido Avenue and north of La Pita Mangana Road, specifically the South Laredo Tract, providing for the effective date of the ordinance, adopting a service plan for the annexed territory, and establishing the initial zoning of R-1 (Single Family Residential District).

Motion to adopt Ordinance 2010-O-187.

Moved: Cm. Valdez

Second: Cm. Narvaez

For: 6 Against: 0 Abstain: 0

2010-O-188 Altering and extending the boundary limits of the City of Laredo, annexing additional territory of 270.08 acres, more or less, located approximately 6.19 miles northwest of the intersection of Mines Road (FM 1472) with Las Tiendas Road (FM 3338) and on the south side of Mines Road, specifically the Laredo Golf Course Tract, providing for the effective date of the ordinance, adopting a service plan for the annexed territory, and establishing the initial zoning of B-3 (Community Business District).

Motion to adopt Ordinance 2010-O-188.

Moved: Cm. Valdez

Second: Cm. Narvaez

For: 6 Against: 0 Abstain: 0

IX. RESOLUTIONS

8. 2010-R-104 Authorizing the City Manager to submit a grant application to the State of Texas Governor's Office in the amount of \$200,000.00 for overtime for Laredo Police Department working under The Laredo Gang Initiative Grant Program. The grant is to be 100% funded by the State of Texas Governor's Office for the period of November 1, 2010 to August 31, 2011 at no cost to the City. (Approved by Finance Committee)

Motion to adopt Resolution 2010-R-104.

Moved: Cm. Valdez
Second: Cm. Liendo Espinoza
For: 6 Against: 0 Abstain: 0

9. 2010-R-106 Authorizing the City Manager to execute the National Emergency Grant (NEG) Agreement, covered under the Federal Disaster Declaration as a result of the Rio Grande Flooding event of July 2010, between the City of Laredo and the Workforce Solutions of South Texas to perform certain project tasks for the period beginning on the execution of the agreement and ending June 30, 2012.

Motion to adopt Resolution 2010-R-106.

Moved: Cm. Valdez
Second: Cm. Liendo Espinoza
For: 6 Against: 0 Abstain: 0

10. 2010-R-107 Authorizing the City Manager to sign a Water Rights Sales Agreement, attached hereto as Exhibit A, between the City of Laredo and JPO Enterprises, Inc., in which the City is agreeing to purchase the right to divert and use 916 acre feet per annum of Class “B” irrigation water rights to the Rio Grande River which after conversion from irrigation rights to municipal use rights amounts to 366.4 A/F of municipal use rights per annum at \$2,250.00 per A/F for a purchase price of \$824,400.00. Authorizing the City Manager to sign and file necessary applications with the Texas Commission on Environmental Quality on behalf of the City requesting that said water rights be severed from Certificate of Adjudication no. 23-679 of the seller and combined with Certificate of Adjudication no. 23-3997, as amended, of the City and that the point of diversion, purpose and place of use of said water rights be changed as required by the City. Funding is available in the Texas Water Development Grant and Loan Fund. (Approved by Finance Committee)

Motion to adopt Resolution 2010-R-107.

Moved: Cm. Valdez
Second: Cm. Liendo Espinoza
For: 6 Against: 0 Abstain: 0

X. MOTIONS

11. Consideration to authorize the installation of speed cushions along County Club Drive, between Bermuda Drive and Raes Creek Drive, under the special provision of the Speed Hump Installation Policy. Project costs are estimated at \$48,000.00. Funding will be made available from the contribution from Plantation Homeowners Association and from Capital Improvements Discretionary Funding—City Council District VI. (Staff does not support the installation of speed cushions.) (Tabled on December 6, 2010 City Council Meeting)

Motion to postpone.

Moved: Cm. Valdez

Second: Cm. Narvaez

For: 6

Against: 0

Abstain: 0

12. Consideration for approval of change order no. 1 to the construction contract with Leyendecker Construction, Inc., Laredo, Texas, for the World Trade Bridge U.S. Customs Inspection Station Expansion to add one hundred twenty (120) calendar days to the construction contract time due to fifty-one (51) rain/wet ground days and sixty-nine (69) days due to underground utility delays for infrastructure being replaced/installed by facility tenant (General Services Administration). Current construction contract amount with this change order is \$4,620,000.00. Current construction contract time with this change order is four hundred eighty-five (485) calendar days with a completion date of February 2011. Funding is available in the Capital Grants Fund and 2008 Bridge Revenue Bond.

Motion to approve.

Moved: Cm. Valdez

Second: Cm. Liendo Espinoza

For: 6

Against: 0

Abstain: 0

13. Award of construction contract to the sole bidder Gibson & Associates, Inc., Balch Springs, Texas, in the base bid amount of \$846,338.20 for the World Trade International Bridge, Hazardous Material Containment System Retrofit with a construction contract time of one hundred ninety (190) 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 Revenue Bond Series 2005A – Improvements Other Than Buildings.

Motion to approve.

Moved: Cm. Valdez

Second: Cm. Liendo Espinoza

For: 6

Against: 0

Abstain: 0

14. Consideration for approval of change order no. 2 to the contract with Jerry Resendez Enterprises, Inc., Laredo, Texas, to the Ejido Avenue/Stewart Street Drainage Improvements Project to modify drainage and utilities plans in order to avoid relocation of power poles, and to add twenty (20) working days to the construction contract time. Current construction contract amount with this change order is \$289,314.18. Funding is available in the 2007 Environmental Services C.O.

Motion to approve.

Moved: Cm. Valdez

Second: Cm. Liendo Espinoza

For: 6

Against: 0

Abstain: 0

15. Discussion and possible action to award a contract to the lowest responsible bidder Sunbelt Air Conditioning & Refrigeration for the Laredo Health and Welfare Center HVAC upgrade at an adjusted price of \$750,000.00 from \$855,900.00 to reflect a reduction in overtime charges and electrical value engineering, and authorizing the City Manager to execute all related contract documents contingent upon receipt and approval of insurance and bond documents. The scope of the work includes the removal of existing chilled water production and distribution system and replace it with a new energy efficient chilled water production and distribution system as described in the plans; plus clean and flush the heating water system, provide a new and extended controls and additional related services as described in the plans and specifications. Construction contract time is one hundred (100) calendar days after notice to proceed is issued. Funding is available in the Energy Efficiency Grant from Department of Energy. (Approved by Finance Committee)

Motion to approve.

Moved: Cm. Valdez

Second: Cm. Liendo Espinoza

For: 6

Against: 0

Abstain: 0

16. Authorizing the City Manager to execute an engineering services contract not to exceed \$1,450,000.00, with Frank Architects, Inc., of Laredo, Texas. The contract includes a contingency amount of \$150,000.00 that will be strictly administered by the department. Contract will provide for the engineering and design of the River Vega Phase I Project that will consist of a multi-story parking garage and pedestrian promenade. Funding is available through the Economic Development Administration (EDA) Grant. (As amended by Finance Committee with City's approval of the Structural Engineer for this project)

Motion to approve.

Moved: Cm. Valdez

Second: Cm. Liendo Espinoza

For: 6

Against: 0

Abstain: 0

17. Consideration to award annual contract FY11-017 to the lowest bidder, III PG Enterprises, Inc, Laredo, Texas in the estimated amount of \$460,000.00 for the purchase and hauling of approximately 100,000 tons of earthen soils to the City's Solid Waste Facility. These soils are used to cover the landfill cells on a weekly basis in accordance with TCEQ requirements. Funding is available in the Solid Waste Department Fund. (Approved by Finance Committee)

Motion to approve.

Moved: Cm. Valdez

Second: Cm. Liendo Espinoza

For: 6

Against: 0

Abstain: 0

18. Consideration to award contract FY11-008 to lowest responsible bidder, Nick Benavides, Laredo, Texas, in the total amount of \$66,076.00 to provide mowing and maintenance of the Zacate Creek area. The term of the contract is for a period of twelve (12) months with an option to extend this contract for two (2) additional twelve (12) month periods. The contract includes the collection of trash, debris, rubbish, and other floatable material along the creek from Meadow and Canal Street to the mouth of the River. Funding is available in the Environmental Services Department. (Finance Committee recommended awarding the contract to J.R. Landscaping Enterprises as the lowest responsible bidder)

Motion to postpone until the next council meeting.

Moved: Cm. Valdez

Second: Cm. Rangel

For: 6

Against: 0

Abstain: 0

19. Consideration for approval of change order no. 1 an increase of \$169,389.17 to the construction contract with Menendez-Donnell & Associates, Inc., Houston, Texas, for the Flores Avenue Drainage Improvements and Sanitary Sewer and Waterline Rehabilitation Project to include a partial suspension of work for the portion along Flores from Lincoln Street south to Water Street in order to allow downtown merchants to continue business during the holiday shopping period, while work is to continue within the southern end of the project, being along Flores Avenue between Water Street south to the Rio Grande River. Also included in this change order is an increase of \$129,389.17 for Stamped Concrete work in lieu of replacing brick pavers and an increase of \$40,000.00 to implement a Tunnel Liner method of excavation, intended to minimize disruption to traffic at San Agustin Plaza. Current construction contract with this change order is \$2,028,900.17. Funding is available in the 2009 Utilities Bond. (Approved by Finance Committee)

Motion to approve.

Moved: Cm. Valdez

Second: Cm. Liendo Espinoza

For: 6

Against: 0

Abstain: 0

20. Consideration to award contract FY11-014, for the purchase of general automotive repairs parts to the listed low bidders:

1. Laredo Wholesale, Laredo, Texas, in the estimated amount of \$70,000.00; and
2. Gonzalez Auto Parts, Laredo, Texas, in the estimated amount of \$50,000.00;
3. Vehicle Maintenance Program, Inc., Boca Raton, Florida, in the estimated amount of \$50,000.00.

These replacement parts will be purchased on an as needed basis for all City fleet vehicles. The contract items include: oil/fuel filters, front end parts, hoses, clamps,

belts, lamps/bulbs, service lubricants, and brakes. Funding is available in the Fleet Maintenance budget. (Approved by Finance Committee)

Mr. Juan Angel Vallejo Jr. stated that he disagrees with the decision made by the purchasing department regarding bid FY11-014. He affirms to be the lowest bidder for about a \$19,000 - \$22,000 dollar difference. Besides, he did not agree with the decision of breaking up the bid and he also compared prices given by Gonzalez Auto Parts to Webb County and the City of Laredo.

Purchasing Director Francisco Meza stated that their decision was made based on the recommendations made by Fleet Department; they had a review of all the parts for brakes and came to the decision to award two different contracts since they want the best price for the Police Department.

Motion to approve.

Moved: Cm. Valdez

Second: Cm. Narvaez

For: 6

Against: 0

Abstain: 0

21. Consideration to award contract FY11-021 for the purchase of recapped tires for the City's heavy duty fleet vehicles to the low bidder meeting specifications, Southern Tire Mart, Dallas, Texas, in the estimated annual amount of \$132,774.00. All recapped tires will be purchased on an as needed basis. Funding is available in the Fleet Maintenance budget. (Approved by Finance Committee)

Motion to approve.

Moved: Cm. Valdez

Second: Cm. Rangel

For: 6

Against: 0

Abstain: 0

22. Consideration to award a contract for the purchase of one vacuum truck for the Utilities Department utilizing the Houston-Galveston Area Council of Governments (H-GAC) cooperative purchasing contract to the following vendors:

1. Santex Truck Center, San Antonio, TX in the amount of \$86,730.00 for the purchase of one (1) International cab and chassis truck; and
2. VAC-CON Inc. in the amount of \$183,130.36 for the purchase of one (1) vacuum truck service body.

This a replacement truck for the Wastewater Division. Funding is available in the Utilities Department Fund. (Approved by Finance Committee)

Motion to approve.

Moved: Cm. Valdez

Second: Cm. Rangel

For: 6

Against: 0

Abstain: 0

23. Consideration to authorize a purchase contract with Motorola Inc. through the Houston-Galveston Area Council of Governments (H-GAC) Cooperative Purchasing Program, in the amount of \$94,059.00 for the purchase of two hundred and fifty (250) microphone transmitter and receiver kits for the Police Department's in-car-video systems. Funding is available in the Police Trust Fund Budget. (Approved by Finance Committee)

Motion to approve.

Moved: Cm.Valdez

Second: Cm. Rangel

For: 6

Against: 0

Abstain: 0

24. Consideration to exercise the renewal option for annual contract FY09-107 for the purchase of medication, medical equipment, supplies and gloves used by the Fire Department-EMS Division to the listed vendors:

1. Primary vendor: Bound Tree Medical;
2. Secondary vendor: Southeastern Emergency, Moore Medical, Matrix Medical, Kentron Health Care, Midwest Medical, Firstline Gloves, School Health Corp., Quadmco Inc., United Medical, MMS-A Medical, Eastmed Enterprises, Dash Medical Gloves, PMI Progressive Medical, Interboro Packaging Corp.

This contract establishes a fixed contract price for a twelve (12) month period and allows the Fire Department to purchase the needed supplies throughout the contract period. Approximately \$160,000.00 is spent on an annual basis for EMS supplies. Funding is available in the Fire Department—EMS budget. (Approved by Finance Committee)

Moved: Cm. Valdez

Second: Cm. Rangel

For: 6

Against: 0

Abstain: 0

25. Consideration to award contract FY11-022 for the purchase of thirty-one (31) vehicles to the following low bidders:

1. Caldwell Country Ford, Caldwell, Texas, in the amount of \$662,037.00 for the purchase of twenty five (25) vehicles, and;
2. Sam Pack's Five Star Ford, Carrollton, Texas, in the amount of \$62,105.00 for the purchase of five (5) vehicles, and;
3. Philpott Motors, Nederland, Texas, in the amount of \$ 18,945.00 for the purchase of one (1) van.

Funding is available from Contractual Obligation Bond proceeds and department operational budgets. (Approved by Finance Committee)

Motion to approve.

Moved: Cm. Liendo Espinoza

Second: Cm. Rangel

For: 6

Against: 0

Abstain: 0

26. Consideration to award annual service contract number FY11-016 to the low bidder, Texas Energy Services, Alice, Texas in the estimated annual amount of \$460,000.00 for furnishing vacuum truck services to transport domestic sewage, sewage sludge, and/or sludge for the Utilities Department. This service supplements the department's equipment capabilities and helps control sewage overflows during emergencies. The frequency and number of hours vary depending on the City's need. The bid price is based on a flat hourly rate of \$90.00 and a truck washout charge rate of \$100.00. Funding is available in the Utilities Department – Wastewater Collection and Water Transmission and Distribution divisions. (Approved by Finance Committee)

Motion to approve.

Moved: Cm. Liendo Espinoza

Second: Cm. Rangel

For: 6

Against: 0

Abstain: 0

27. Consideration for acceptance, final payment, and release of retainage in the amount of \$59,798.60 to Closner Construction L.C. for the rehabilitation of eighty-two manholes for the Utilities Department; also approval of change order no. 2 with a credit resulting to the City of Laredo of \$9,375.00 reducing the contract amount from \$305,735.00 to a total amount of \$296,360.00. Funding is available in the 2009 Utility Bond. (Approved by Finance Committee)

Motion to approve.

Moved: Cm. Liendo Espinoza

Second: Cm. Rangel

For: 6

Against: 0

Abstain: 0

28. Consideration to renew contract FY10-032 awarded to Aguaworks, Brownsville, Texas, in the estimated amount of \$250,000.00, for the purchase of PVC pipe used by the Utilities Department. This is the fourth of eight, sixty (60) day supply extensions. These materials are purchased on an as needed basis for construction and repair projects. Funding is available in the Utilities Department Budget. (Approved by Finance Committee)

Motion to approve.

Moved: Cm. Liendo Espinoza

Second: Cm. San Miguel

For: 6

Against: 0

Abstain: 0

29. Awarding a construction contract to the lowest bidder Qromex Construction, Co. Inc., Granite Shoals, Texas, in the amount of \$4,063,060.00 for the 24” Transmission Water Main from Lyon Booster Station to the 3 MG Elevated Storage Tank at Bartlett Avenue & Price Street and to Clark Boulevard and Loop 20; and authorizing the City Manager to execute all related contract documents contingent upon receipt of insurance and bond documents. Funding is available in the 2009 Utility Bond. (Approved by Finance Committee)

Motion to approve.

Moved: Cm. Liendo Espinoza

Second: Cm. San Miguel

For: 6

Against: 0

Abstain: 0

30. Consideration for approval of change order no. 2 to Pesado Construction, Schertz, Texas; for the Hendricks, Milmo and Lyon Water Booster Pump Station Improvements Project in the amount of \$133,533.79. The contractor will provide additional labor, equipment and materials to install new valves at Milmo and Lyon Booster Station; and the relocation of the SCADA System at Hendricks Booster Station. The construction time is amended from 236 working days to 356 working days (Substantial Completion) and from 258 working days to 378 working days (Final Completion). The new contract amount is \$4,099,648.79. The project is subject to Texas Water Development Board approval. Funding for change order will be from the 2009 Utility Bond. (Approved by Finance Committee)

Motion to approve.

Moved: Cm. Liendo Espinoza

Second: Cm. San Miguel

For: 6

Against: 0

Abstain: 0

31. Authorizing the City Manager to amend the 2003 LUE Participation Agreement term of annexation from five (5) years to fifteen (15) years and the extension of denial from two (2) years to three (3) years for the participation agreement between the City of Laredo and Hurd Urban Development, Ltd., Tanquecitos Land & Cattle Co., Ltd., a Texas Limited Partnership & 3Gs Partners, Jesse Martinez, Francisco Guerra, Sr., Francisco Guerra, Jr., Pedro I. Saenz, Jr., Richard E. Haynes and Vinateria Ranch Co. Ltd., respective owners of eight (8) parcels of land described in the agreement for provisions of water and sewer capacity in the form of Living Unit Equivalency (LUEs). The provisions for water and sewer are made available though the over sizing of both the water and wastewater line extensions for the Colonias Project on SH 359 and the Texas Mexican Rail Road Right of Way. (As approved and amended by Finance Committee)

Motion to approve.

Moved: Cm. Liendo Espinoza

Second: Cm. San Miguel

For: 6

Against: 0

Abstain: 0

32. Approving monthly adjustments to the tax roll. The amounts to be adjusted for the month of November 2010, represent a decrease of \$66,547.34. These adjustments are determined by the Webb County Appraisal District and by court orders.

Motion to approve.

Moved: Cm. Liendo Espinoza

Second: Cm. San Miguel

For: 6

Against: 0

Abstain: 0

33. Authorizing the City Manager to execute a renewal tower site lease agreement (800 MHz Trunked Radio System Towers) with Pinnacle Towers Acquisition, LLC., Sarasota, Florida, in the monthly amount of \$7,597.00 for a second term of five (5) years. Funding is available in the Information Services and Telecommunications Fund (595), and contingent upon future year appropriations. (Approved by Finance Committee)

Motion to postpone for the next meeting.

Moved: Cm. Liendo Espinoza

Second: Cm. San Miguel

For: 6

Against: 0

Abstain: 0

34. Authorizing the City Manager to donate reclaimed asphalt pavement millings to Webb County. This material will be used by their Road and Bridge Department for areas in Pueblo Nuevo to improve deteriorated road conditions.

City Manager Carlos Villarreal stated they will work out some other agreements the City of Laredo has with the County. He'll make sure to come to an agreement in the assistance to the County roads.

Motion to approve as amended.

Moved: Cm. Liendo Espinoza

Second: Cm. Narvaez

For: 6

Against: 0

Abstain: 0

35. Authorizing the selection of Meridian Solar, of Austin Texas to provide for the design-build of a 20 Kilowatt photovoltaic solar array rooftop mounted system at the N.E. Hillside Recreation Center and a 20 Kilowatt photovoltaic solar array rooftop mounted system at the LBV Tech Rec Center. This will offset approximately a third to half of the energy consumption for these recreation centers. Funding is available through the Energy Efficiency and Conservation Block Grant (EECBG).

James Hibert, owner of South Texas Solar Systems, spoke against this bid adding that the projects were over \$250,000 in contracts and \$70,000 in subcontracts and they lost. Bid #36 was offered to him but he does not agree with the resolution that

the Council came up with insisting on the point that he is providing the City of Laredo a considerable amount of jobs.

Environmental Services Director Riazul Mia stated that his staff had gone through the process of selecting the best candidate with the manager of this project and that South Texas Solar System qualified for #36.

Atlantis Solar representative Alex Peña attended the meeting but was not able to convince the Council about how they could be better than the local company, South Texas Solar Systems.

City manager Carlos Villarreal requested both # 35 and 36 to be tabled.

Motion to table.

Moved: Cm. Valdez

Second: Cm. San Miguel

For: 6

Against: 0

Abstain: 0

36. Authorizing the selection of South Texas Solar Systems, of Laredo Texas to provide for the design-build of a 35 to 50 Kilowatt photovoltaic solar array rooftop mounted system, as well as a 2.4 Kilowatt wind generator at the City of Laredo's Environmental Services Department. This will offset approximately half of the energy consumption for this building. Funding is available through the State Energy Conservation Office (SECO) Grant.

Motion to table.

Moved: Cm. Valdez

Second: Cm. San Miguel

For: 6

Against: 0

Abstain: 0

XI. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

37. A. Request by Council Member Juan Narvaez
1. Presentation by the Public Access Channel regarding the "Navidad en el Barrio" event.

Cm. Narvaez reported "Navidad en el Barrio" gave away 500 toys to children in District IV and also had a posada party.

- B. Request by Council Member Jose A. Valdez, Jr.
1. Discussion with possible action establishing phasing for the San Bernardo avenue project. (Co-sponsored by Council Member Cindy Liendo Espinoza)

Cm. Valdez stated there is some funding that has been allocated from Calton Road to downtown area and requested to start this phasing project.

Motion to start this phase.

Moved: Cm. Valdez
Second: Cm. Liendo Espinoza
For: 6

Against: 0

Abstain: 0

2. Discussion with possible action on establishing design build projects for existing construction projects in District 7.

Cm. Valdez requested if there could be a way to do this through a design-build type of system to get it going faster.

Motion to start with the design-build system.

Moved: Cm. Valdez
Second: Cm. Rangel
For: 6

Against: 0

Abstain: 0

3. Discussion with possible action implementing work zone safety training for City employees.

Cm. Valdez requested to implement and make mandatory that the programs offered for free by TEEEX about work zone safety training, stating that every City employee should take advantage of them and have refresher courses every four or five years.

Motion to implement and make mandatory work zone safety training.

Moved: Cm. Valdez
Second: Cm. San Miguel
For: 6

Against: 0

Abstain: 0

- C. Request by Council Member Cynthia Liendo Espinoza
1. Discussion with possible action on Webb County Heritage Funding.

Cm. Liendo Espinoza stated that when Third Party Funding was discussed during the budget process, the Webb County Heritage Funding was cut by the City of Laredo. She requested numbers from the City Manager.

City Manager Carlos Villarreal stated that he cannot certify until April and agreed to have a meeting prior to this date and proceed with a \$20,000 pledge.

2. Discussion with possible action on repairing and constructing sidewalks in District 8.

Cm. Liendo Espinoza reported that last year's sidewalk project leftover money can be used in downtown sidewalks. This will be for residencies, around schools and some cosmetic repairs downtown and could be up to \$30,000.

Motion to continue the sidewalk project in District 8.

Moved: Cm. Liendo Espinoza

Second: Cm. Valdez

For: 6

Against: 0

Abstain:0

3. Discussion with possible action to authorize the City Manager to enter into a contract with WSI – Coffino Online Solutions, LLC for the City of Laredo Website Redesign in the amount of \$50,000.00.

Cm. Liendo Espinoza stated that the website needs some improvements to upgrade the programs the City of Laredo is offering to the public in general and requested the City Manager to enter into a contract with WSI-Coffino Online Solutions in order to have improvements done.

City Manager Carlos Villarreal stated that the City does not have this amount to invest in the program, so he is concerned where he is going get this money from.

Mr. Alejandro Quetzeri from Coffino Online Solutions stated that what the City of Laredo actually needs is a database which allows creating unlimited pages and the website will last a long time. He added that \$50,000 is a standard price and one-time fee for four or five years. There will be a negotiation to find out more specifically about this issue.

Motion to instruct funding of \$50,000 to contract as amended.

Moved: Cm. Liendo Espinoza

Second: Cm. Rangel

For: 6

Against: 0

Abstain: 0

XII. STAFF REPORTS

38. Discussion with possible action to consider a second request for an extension of Injury Leave with pay in accordance with 143.073 (b) of the Texas Local Government Code for Police Sergeant Armando Elizondo, Jr.

Mr. Dan Migura from Human Resources requested an extension of one hundred and twenty more working days as recommended in the medical report.

Motion to approve.

Moved: Cm. Valdez

Second: Cm. Liendo Espinoza

For: 6

Against: 0

Abstain: 0

39. Discussion regarding the adoption of state legislative agenda and priorities, with possible action.

C.A.S.S. Director Jessica Hein reported that she had just handed out information from the Austin and Washington legislative trips and will provide the next legislative agenda to give them an opportunity to review it.

This agenda can be viewed at the City Secretary's Office located at 1110 Houston Street, Laredo, TX, 78040.

City Manager Carlos Villarreal stated that the legislative agenda starts on January the 1st. He wants to make sure to head priorities as soon as possible and anything related to additional funding because of the 17 to 18 billion dollar shortfall at the state level.

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. Valdez

Second: Cm. Liendo Espinoza

For: 6

Against: 0

Abstain: 0

40. Consideration to authorize the purchase of two (2), 30 ft. buses in the total amount of \$287,282.00 from National Bus Sales & Leasing, Inc., Marietta, GA, through the Houston-Galveston Area Council of Governments (H-GAC) Cooperative Purchasing Program Contract no. BT01-09. Funding for the buses is available through the Texas Department of Transportation (TxDOT) Section 5317 New Freedom (NF) Grant Agreement #51022F7072 (\$273,280.00) and Transit Sales Tax proceeds (\$14,000.00). (Approved by Finance Committee)

Motion to approve.

Moved: Cm. Valdez

Second: Cm. Liendo Espinoza

For: 6

Against: 0

Abstain: 0

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

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

Moved: Cm. Valdez

Second: Cm. Liendo Espinoza

For: 6

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 22 and they are true,

complete, and correct proceedings of the City Council meeting held on December 20th, 2010.

Gustavo Guevara, Jr.
City Secretary

**CITY OF LAREDO
CITY COUNCIL MEETING
M-2010-S-04
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
DECEMBER 20, 2010
5:30 P.M.
SUPPLEMENTAL AGENDA**

I. RESOLUTION

1. 2010-R-109 A resolution of the City of Laredo, Texas, suspending the requested rate increase by Centerpoint Energy Resources Corp., D/B/A Centerpoint Energy Entex and Centerpoint Energy Texas Gas (“Centerpoint”).

City Manager Carlos Villarreal reported that the Council has five options available around the table and one is to approve the rate increase requested by Centerpoint. He asked to suspend the rates for ninety days to take further action.

Ms. Nelda Juarez, Director of South Texas District, mentioned that Centerpoint has not filed any rate increases in five years. She went on to say that Centerpoint has done a lot of public improvements in Laredo and requested that Council review the proposal.

Motion to approve Resolution 2010-R-109.

Moved: Cm. Liendo Espinoza

Second: Cm. Rangel

For: 6

Against: 0

Abstain: 0

II. EXECUTIVE SESSION

None.

III. ADJOURNMENT

Motion to adjourn.

Moved: Cm. Valdez

Second: Cm. Liendo Espinoza

For: 6

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 and they are true, complete, and correct proceedings of the City Council meeting held on December 20, 2010.

Gustavo Guevara, Jr.
City Secretary