

**CITY OF LAREDO
CITY COUNCIL MEETING
M2009-R-09
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
May 18, 2009
5:30 P.M.**

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

Mayor Raul Salinas led in the Pledge of Allegiance.

III. ROLL CALL

In attendance:

Raul G. Salinas,
Mike Garza,
Hector Garcia,
Michael Landeck,
Juan Narvaez,
Johnny Rendon,
Gene Belmares,
Cynthia Liendo Espinoza,
Gustavo Guevara, Jr.,
Carlos Villarreal,
Cynthia Collazo,
Horacio De Leon,
Jesus Olivares,
Raul Casso,

Mayor
Council Member, District I
Council Member, District II
Council Member, District III
Council Member, District IV
Council Member, District V
Council Member, District VI
Council Member, District VIII
City Secretary
City Manager
Deputy City Manager
Assistant City Manager
Assistant City Manager
City Attorney

Motion to excuse Mayor Pro Tempore Valdez.

Moved: Cm. Garcia

Second: Cm. Garza

For: 7

Against: 0

Abstain: 0

IV. MINUTES

Approval of the minutes of May 4, 2009

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 7

Against: 0

Abstain: 0

V. COMMUNICATIONS AND RECOGNITIONS

Recognitions

- a. Recognition of Mr. Cayetano Tijerina, Jr. on his 90th Birthday Celebration (Commissioner Rosaura “Wawi” Tijerina will be accepting on his behalf).

Mayor Raul Salinas stated that Mr. Tijerina was very sharp and had a wonderful heart. He added that he felt that it was very important that he be recognized, having served the U.S. as a Marine during WWII and having worked for the U.S. Postal Service for 46 years. He went on to say that Mr. Tijerina was a special gentleman and that he would receive a personal letter from President Barack Obama on his ninetieth birthday.

- b. Recognition of Marcus Wong, J.B. Alexander High School Senior, on being designated as the United States Border Patrol Youth of the Year for 2009.

Mayor Raul Salinas and City Council publicly recognized Marcus Wong and presented him with a Certificate of Recognition.

Communiqués

- a. Presentation on the Laredo Webb County Safe Haven Program by Lorena Rodriguez, Program Director.

Ms. Lorena Rodriguez called the following to the lectern for the presentation: 341st Judge Elma Salinas Ender, Judge Paul Gallegos, CEO of TMC Mary Capello, District Attorney Isidro R. Alaniz, Chief of Police Carlos Maldonado, Mr. Rogelio Trevino of Texas Workforce Solutions, Mr. Chris Laurel of Stocata, and Dr. Juan Maldonado. She reported that the mission of Safe Haven is to assist and support the judicial system in Webb County, Texas with an environment that provides the child with an opportunity for a safe exchange and/or supervised visitations with his or her parent when the child of one’s parent is subject to situations involving domestic violence, sexual assault, child abuse, stalking, substance abuse, mental health problems, unsuitable visitation standards and/or uncooperative parents. She added that TMC, formerly Texas Migrant Council, was asked to become managers of the Laredo/Webb County Safe Haven. She went on to say that the families served by Safe Haven have grown from 15 families to more than 100 families and 140 children. She projected that this number would triple within the next year.

- b. Presentation by Texas Department of Public Safety commending their working relationship with Laredo Police Department.

Richard Jankosky, Highway Patrol Sergeant, thanked the Laredo Police Department and read the following letter which he had addressed to Chief Maldonado:

I would like to take this opportunity to express my sincere appreciation to the Laredo Police Department, specifically the Crash Reconstruction Team. In recent

months, this team has assisted our agency in reconstructing several fatal crashes. Each of these crashes have been life-changing events for the victims involved. Through the combined efforts of our agencies, we have produced thorough investigations and present well-prepared criminal cases. The Laredo Police Department Crash Reconstruction Team has been able to provide our agency with state-of-the-art diagrams as well as an objective view as to the events which led to the crash. As we know, none of this would be possible without the support of the command staff at the Laredo Police Department. Because of this leadership, the assistance has been readily available and willing to lend a helping hand. On behalf of the Texas Highway Patrol, Sgt. Areas AP01 and AP07, I would like to extend our sincere appreciation to all the members of the Police Department who have made this combined effort possible. I look forward to a continued partnership between our agencies.

c. Presentation of “My Earth Day Pledge” program.

Lynn Nava, Keep Laredo Beautiful Director, announced the awards: Healthy Earth Award, J.Z. Leyendecker Elementary 2nd Graders, Class of Diana Rodriguez; Recycling Award, M.S. Ryan Elementary Ecology Club Green Team; and Environmental Spirit Awards to the following schools: C. L. Milton Elementary, H.B. Zachary Elementary, Farias Elementary, Montessori House Pre-School, and St. Peter’s Memorial School. She also recognized H.E.B. Food Stores with an Environmental Spirit Award. She added that schools with representatives not present would receive the following awards: Cigarroa High School Student Council, Campus Beautification Award; and Garden Club of St. Augustine Elementary, Environmental Awareness Award.

Mayor Raul Salinas presented the awards to the winners after Lynn Nava finished announcing them.

Citizen comments

Mr. Richard Smith stated that he felt that dialogue was needed with regard to the Health Department so that people would not get upset. He said that the Health Department employees expected the H1N1 flu virus to worsen during cold and flu season, and that they were not notifying enough people about the risks involved and how citizens should react.

Rodolfo Aguilar thanked everyone involved in obtaining flags for the veterans with respect to Memorial Day on behalf of the Laredo Veterans Alliance.

VI. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

- a. Appointment by Council Member Gene Belmares of Angel Rivera to the Telecommunications Advisory Committee.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Garza

For: 7

Against: 0

Abstain: 0

VII. PUBLIC HEARINGS

1. Public hearing and introductory ordinance amending Chapter 24, Article IV, Supplementary Zoning District Regulations Section 24-65.14: B-4 Highway Commercial District, Section 24-65.15: M-1 Light Manufacturing District, Amusement Redemption Machine Establishment provisions; and Amending Section 24-94.5: Conditional Use Permit Application Submittal Criteria of the Laredo Land Development Code, in order to modify the regulations governing amusement redemption machine establishments; providing for an effective date and publication.

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Garza

For: 7

Against: 0

Abstain: 0

Cm. Garza requested that the provision be from door to door instead of from property line to property line.

Keith Selman replied that the distance from a public or private elementary or secondary school was going from 1,000 feet to 300 feet, but the measurement for that was for purposes of schools only, property line to property line, and as regarding churches the provision was door to door.

Cm. Garza said that he recommended that item A1 should fall into item B, basically eliminating Section A and just having the 200 feet requirement, measured door to door. He added that he wished to eliminate section A and create a new section A, and also to make the age requirements apply so that not only minors under 18 years of age were prohibited, but to extend the age limit to 21 years of age.

Motion to close the public hearing and introduce as amended, eliminating Section A, creating a new Section A and having no one under age 21 within the facilities.

Moved: Cm. Garza

Second: Cm. Garcia

For: 6

Against: 0

Abstain: 1

Cm. Rendon

Ordinance Introduction: City Council

2. Public hearing and introductory ordinance amending the Subdivision Ordinance of the City of Laredo by revising Chapter 2, Section 2-3.5, Expiration and Extension Period of all Plat Approvals, establishing the expiration of plat approval from a period of eighteen (18) months to thirty (30) months and the extension of plat approval from a period of twenty-four (24) months to a period of thirty-six (36) months; providing for an effective date and publication.

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Garza

Motion to close the public hearing and introduce.

Moved: Cm. Narvaez

Second: Cm. Landeck

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Narvaez

5. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for a drive-thru restaurant on Lot 6, Block 120, Eastern Division, located at 4119 Springfield Avenue. The Planning and Zoning Commission has recommended approval of the Conditional Use Permit. District IV

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Rendon

For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Narvaez

Second: Cm. Garcia

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Narvaez

6. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 2.4 acres, as further described by metes and bounds in attached Exhibit "A," located south of FM 1472 and approximately 626 feet southwest of Copper Mine Road, from AG (Agricultural District) to M-1 (Light Manufacturing District). The Planning and Zoning Commission has recommended approval of the zone change. The proposed use is for truck and parts sales. District VII

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Garza

For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Liendo Espinoza

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Liendo Espinoza

7. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for accessory parking on Lot 13, Block 6, Indian Sunset Subdivision Phase 11, located at 12921 Mohawk Drive. The Planning and Zoning Commission has recommended the approval of the Conditional Use Permit with a six month expiration date. District VII

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 7

Against: 0

Abstain: 0

Abraham Villezcas, property owner, requested an extension of more time instead of the six months.

Motion to close the public hearing and table this item.

Moved: Cm. Rendon

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

8. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning the south 75.46 feet of Lot 5, Block 1654, Eastern Division, located at 2720 Clark Boulevard, from R-1 (Single Family Residential District) to B-1 (Limited Commercial District). The Planning and Zoning Commission has recommended denial of the zone change. The proposed use is for a child day care. District IV

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Garza

For: 7

Against: 0

Abstain: 0

Maria Almanza, property owner, asked for approval of the zone change request for a day care center.

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

Moved: Cm. Narvaez

Second: Cm. Rendon

For: 7

Against: 0

Abstain: 0

VIII. FINAL READING OF ORDINANCES

Motion to waive the final readings of Ordinance 2009-O-067, 2009-O-080, 2009-O-281, 2009-O-282, 2009-O-283, 2009-O-284, and 2009-O-285.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 7

Against: 0

Abstain: 0

9. 2009-O-067 Amending the City of Laredo Health Department FY 2008-2009 Budget by adding one (1) full-time equivalent position, being a Chief of Dental Health Services with benefits, in lieu of contractual services to more efficiently meet the oral health needs of the community. Funds in the amount of \$66,000.00 are available through the Health and Human Services Commission (HHSC) contract between the City of Laredo Health Department and the University of Texas Health Science Center San Antonio Dental School for the remainder of the fiscal year, funding is renewable for another two (2) years for a total of four (4) years as per the MOU signed February 25, 2008. Funding for the second year is subject to future appropriations.

Motion to adopt Ordinance 2009-O-067.

Moved: Cm. Belmares

Second: Cm. Garza

For: 7

Against: 0

Abstain: 0

- 2009-O-079 Accepting four hundred nineteen thousand four hundred fifty dollars (\$419,450.00) in funds from the South Texas Development Council; amending the City of Laredo Health Department FY 2008-2009 annual budget by appropriating revenues and expenditures in the amount of four hundred nineteen thousand four hundred fifty dollars (\$419,450.00) in funds from the South Texas Development Council for continuation of the department's HIV/Ryan White Program which provides medical care, case management and supportive care and amending the City of Laredo Health Department Budget by adding a full-time equivalent position, being one (1) Health Educator Supervisor with benefits for the term period beginning April 1, 2009 through March 31, 2010.

Motion to adopt Ordinance 2009-O-079.

Moved: Cm. Belmares

Second: Cm. Garza

For: 7

Against: 0

Abstain: 0

- 2009-O-080 Amending the City of Laredo Health Department FY 2008-2009 Annual Budget by appropriating revenues and expenses in the amount of fifty two thousand one hundred twenty five dollars (\$52,125.00) for the Community Preparedness Section/ Public Health Emergency Preparedness (PHEP) Discretionary Fund from the Texas Department of State Health Services for the term period beginning June 1, 2009 through November 30, 2009.

Motion to adopt Ordinance 2009-O-080.

Moved: Cm. Belmares

Second: Cm. Garza

For: 7

Against: 0

Abstain: 0

- 2009-O-081 Amending the City of Laredo Health Department FY 2008-2009 annual budget by increasing revenues and expenses in the current contract from the Texas Department of State Health Services by one hundred forty seven thousand three hundred fifty eight dollars (\$147,358.00) in additional funds not to exceed a total of four million six hundred ninety two thousand three hundred eighty six dollars (\$4,692,386.00) [four million two hundred fifty eight thousand four hundred five dollars (\$4,258,405.00) (6008) and four hundred thirty three thousand nine hundred eighty one dollars (\$433,981.00) (6009)] for the Women, Infants, and Children (WIC) Program for the City of Laredo Health Department beginning October 1, 2008 through September 30, 2009.

Motion to adopt Ordinance 2009-O-081.

Moved: Cm. Belmares

Second: Cm. Garza

For: 7

Against: 0

Abstain: 0

- 2009-O-082 Authorizing the City Manager to accept (1) a donation from H-E-B Tournament Of Champions (TOC) in the amount of \$5,000.00 to support the Laredo Public Library's HEB Multi Purpose Room and (2) a grant from Humanities Texas in the amount of \$1,000.00 to help fund the 6th Annual Laredo Poetry Festival and amending the City of Laredo FY 2008-2009 Friends of the Library budget by appropriating revenues and expenditures by \$11,000.00, inclusive of \$5,000.00 for future contributions.

Motion to adopt Ordinance 2009-O-082.

Moved: Cm. Belmares

Second: Cm. Garza

For: 7

Against: 0

Abstain: 0

- 2009-O-083 Authorizing the City Manager to execute cattle grazing lease with A/C Cattle Co., Laredo, Texas for approximately 220 acres of undeveloped land located in Northwest Laredo in the Pinto Valle Area, next to the International Fire Training/ Public Safety facility. The lease term is for five (5) years commencing on June 1, 2009, with the option of two (2) one year terms; the annual rent shall be \$1,760.00.

Motion to adopt Ordinance 2009-O-083.

Moved: Cm. Belmares

Second: Cm. Garza

Understanding, attached hereto as Exhibit A, between the Federal Bureau of Investigation (FBI) and the Laredo Police Department for the purpose of outlining the responsibility of the Safe Streets Task Force participants, maximize inter-agency cooperation, and formalize relationships between the public and the media.

Motion to approve Resolution 2009-R-047.

Moved: Cm. Belmares

Second: Cm. Liendo Espinoza

For: 7

Against: 0

Abstain: 0

12. 2009-R-055 A resolution of the City Council of the City of Laredo, Texas authorizing the City Manager to enter into an agreement with the Texas Parks and Wildlife Department to accept a grant in the amount of \$499,981.00 for the construction and development of Independence Hills Park with 50% local matching funds from 2007 Certificate of Obligation Bond Funds and the in-kind value of a 15.38 acre land donation (\$498,762.00). (Approved by Operations & Finance Committees)

Motion to approve Resolution 2009-R-055.

Moved: Cm. Belmares

Second: Cm. Liendo Espinoza

For: 7

Against: 0

Abstain: 0

X. MOTIONS

13. Consideration to authorize the purchase of one (1) Mobile Command Unit (MCU) through the Houston-Galveston Area Council (HGAC) contract from Hal-Mark Fire Apparatus-Texas, LLC, in the amount of \$850,000.00. This apparatus will be assigned to the Fire Department and used for command and control of emergency scenes. Delivery is expected within eight (8) to ten (10) months. The initial purchase will be funded from State Homeland Security Program (SHSP) grant funds. (Approved by Finance Committee)

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Garza

For: 7

Against: 0

Abstain: 0

14. Consideration to authorize a contract with Ritchie Brothers Auctioneers for a one (1) time auction for the sale of five (5), heavy earth moving equipment for the Solid Waste Department. All funds generated will be realized in the Solid Waste's revenue line item.(Approved by Finance Committee)

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Garza

For: 7

Against: 0

Abstain: 0

15. Approving monthly adjustments to the tax roll. The amounts to be adjusted for the month of April 2009 represent an increase of \$129,196.32. These adjustments are determined by the Webb County Appraisal District and by court orders.

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Garza

For: 7

Against: 0

Abstain: 0

16. Authorizing the City Manager to enter into an agreement with CheckFreePay Corporation to allow customers to make utility bill payments in person at convenient and easily accessible payment outlets. With the addition of these new payment outlets, we hope to increase our existing twenty-seven (27) pay station sites to forty (40). With this automated service, funds and data are electronically transmitted and processed for the convenient and efficient processing of these water utility payments.

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Garza

For: 7

Against: 0

Abstain: 0

17. Consideration for approval of change order #2 to Antares Development Corporation, in the amount of \$44,000.00 for the completion of Phase II of the data management system and to prepare for the Congressional Earmark Grant of the City of Laredo Health Department's Vital Statistics and Data Management Program. Funding is available in the Health Department's Vital Statistics operating budget. (Approved by Finance Committee)

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Garza

For: 7

Against: 0

Abstain: 0

18. Consideration to renew contract number FY08-052 to the following low bidders:

- a. HD Supply Waterworks, San Antonio, TX in the estimated amount of \$434,351.45, (Sections A, C, D, E, F, H);
- b. Ferguson Waterworks, Mission, TX in the estimated amount of \$132,131.00, (Section B);
- c. Act Pipe & Supply, Laredo, TX in the estimated amount of \$154,136.00, (Section G);

for the purchase of mechanical joint fittings, valve boxes and pipe tubing for the Utilities Department. These materials are purchased on an as needed basis by the Utilities Department-Water Operations for construction and repair projects. Funding is available in the Utilities Department Fund. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Garza

For: 7

Against: 0

Abstain: 0

19. Consideration to exercise the renewal option for one (1) additional year for contract number FY09-011 awarded to Philip Reclamation Services Houston, LLC, Houston, TX in the estimated amount of \$70,000.00, for the disposal of household hazardous waste (HHW) collected by the City during the year and at the two (2) HHW collection events. The first year of this contract the City issued a purchase order for \$43,000.00. This first renewal option will now bring the total contract amount for the two (2) year period to \$113,000.00. Funding is available in the Environmental Services Department budget. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 7

Against: 0

Abstain: 0

20. Ratifying the action taken by the City Manager to authorize the emergency repair of the Lyon Street Ground Storage North Tank in the amount not to exceed \$112,000.00 with vendor F&L Concrete Services Inc. due to concerns with meeting the summer water demands and the important health concerns role this tank and station play in our water system. Funds for this project are to be provided under the 2006 Bonds. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 7

Against: 0

Abstain: 0

21. Consideration to award contract number FY09-055 to the low bidder Closner Construction, Laredo, Texas in the estimated amount of \$526,720.00, for the rehabilitation of four (4) lift stations for the Utilities Department. This contract shall include repairs to the station's wet well structures, repair or replacement of existing control panels, and replacement of all pumps, piping, valves and fittings of lift station flows. Funding is available in the Utilities Department budget. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 7

Against: 0

Abstain: 0

22. Consideration for approval to award a construction contract to the lowest bidder L.D. Kemp Excavating, Inc., Fort Worth, Texas, in the amount of \$1,803,319.54 for the City of Laredo Landfill Cells 13 and 14. Construction contract time is one hundred twenty (120) working days after notice to proceed is issued. Funding is available in the Solid Waste Fund. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 7

Against: 0

Abstain: 0

23. Consideration for approval of change order no. 2 an increase of \$88,015.35 to include concrete pavement removal, excavation, subgrade compaction and stabilized base course to the construction contract with Price Construction, Ltd., Big Spring, Texas, for the Laredo International Airport General Aviation Apron Reconstruction Phase IV. Current construction contract time is one hundred fifty (150) calendar days. Funding is available in the Airport Construction Fund Grant No. 55. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 7

Against: 0

Abstain: 0

24. Consideration for approval to award a construction contract to the lowest bidder Zertuche Construction, Laredo, Texas, in the amount of \$1,979,238.15 for the Bartlett Avenue Extension Project. Construction contract time is two hundred forty (240) calendar days after notice to proceed is issued. Funding is available in the Bartlett Extension – 1998 C.O., 2000 C.O., 2003 C.O., 2005 C.O., 2006 C.O., and 2008 Utility C.O. and in the FTA Grant. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 7

Against: 0

Abstain: 0

25. Consideration for approval to award a construction contract to the lowest bidder CG Construction, Inc., Laredo, Texas, for an amount of \$488,370.37 for the Dryden Park Improvements Project. Construction contract time is one hundred forty (140) working days. Funding is available in the Community Development Fund 30th, 32nd and 33rd Action Year and Capital Improvements Fund - District II Discretionary Funds. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Liendo Espinoza

For: 7

Against: 0

Abstain: 0

26. Ratifying the action taken by the City Manager to provide payment of \$77,397.53 to the Southwest Texas Rain Enhancement Association as per Resolution 2008-R-074, to cover the cost of the 2009 program. The agreement will automatically renew January 1st of each year with the cost of the program being adjusted as needed every year, and being contingent upon funding availability. The program began in March 2009 and will continue until November 2009, and will provide coverage of entire surface of Webb County. The City will guarantee the full payment of the program. Funds for this project are from the Water Availability fund. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Liendo Espinoza

For: 7

Against: 0

Abstain: 0

27. Consideration for approval of the selection of consultant Architects Plus, Inc., Laredo, Texas, in association with Averus Corporation, Georgetown, Texas, Synergy Engineering, Laredo, Texas, Seca Engineering, Laredo, Texas, and RCE Engineering, San Antonio, Texas, for design and preparation of plans and specifications and bid documents for the New South Laredo Library Facility to be tentatively located on an approximately 1.6 acre site at U.S. Hwy. 83 and Palo Blanco in the vicinity of the Cigarroa Park and Freddie Benavides Baseball Field. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Liendo Espinoza

For: 7

Against: 0

Abstain: 0

28. Authorizing the City Manager to execute an interlocal agreement with the South Texas Food Bank to provide in-kind services, including labor and construction materials, in an amount not to exceed \$10,000.00 to make improvements to the South Texas Food Bank warehouse located at 1907 Freight to provide for the centralization of food bank operations, in exchange for food bank products and services provided to individuals and families who reside within the City of Laredo in an amount equal to that provided by the City. Funding is available in the Capital Improvement Fund.

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Narvaez

For: 6

Against: 0

Abstain: 1

Cm. Liendo Espinoza

29. Consideration to authorize the City Manager to sell surplus equipment to our Sister

City Tlahualilo, Durango. Surplus equipment consists of a vacuum sewer truck unit 14316 with a salvage value of \$25,000.00

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Liendo Espinoza

For: 7

Against: 0

Abstain: 0

XI. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

30. A. Request by Mayor Raul G. Salinas

1. Resolution in support of the State Legislature's S.R. 447 whereby it expresses its intent that American Recovery and Reinvestment Act Funds be spent on domestic goods, materials, and services (American Products) to create and save 3.5 million jobs. (Co-sponsored by Council Member Mike Garza and Council Member Cynthia Liendo Espinoza)

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Narvaez

For: 7

Against: 0

Abstain: 0

B. Request by Council Member Mike Garza

1. Discussion with possible action for the City of Laredo to establish a goal of obtaining \$100 million dollars in funds from the various State and Federal stimulus packages and grant programs for year 2009. (Co-sponsored by Council Member Juan Narvaez and Council Member Cynthia Liendo Espinoza)

Cm. Garza said that this was to formalize staff's internal goal and to post the funding information to date on the City's website.

City Manager Carlos Villarreal replied that he planned on submitting to Council the applications that they had with the government regarding how much they could expect to obtain. He noted that it was a roll of the dice, but that he felt that they would indeed surpass the \$100 million mark.

Motion to approve to formalize establishing a goal of obtaining \$100 million in funds from the various State and Federal stimulus packages and grant programs for the year 2009.

Moved: Cm. Garza

Second: Cm. Liendo Espinoza

For: 7

Against: 0

Abstain: 0

2. Discussion with possible action on seeking consultants for the enhancement of

interoperability and city-wide connectivity where needed, and for the obtainment of available grant and stimulus funds for payment of such enhancements and services.

Cm. Garza said that this was just a request to look for solicitations of individuals that would come in and work strictly on funding, looking at a city-wide network, radio communications between the City of Laredo, Webb County, and other government agencies.

City Manager Carlos Villarreal said that he had a concern about this, looking at the maintenance and operations. He added that as technology increased, the problem was not solved. He felt that this would be costly and not affordable in the long term because it meant a substantial expenditure of City funds. He went on to say that staff would bring back something that Council could look at during the budget process.

C. Request by Council Member Dr. Michael Landeck

1. Discussion with possible action on the status on the cemetery and issues related to it. Presentation by Mr. Romani.

Mr. John Romani gave the following presentation:

City of Laredo Cemetery

Various Views of the Cemetery

- Road at the cemetery. Previous administration closed roads to make room for new plots. The road shown here remains open.
- View of newly added veterans section. Even with the extra space, the land will not be enough.
- While the spaces may appear empty, there are bodies buried beneath.
- Once again, empty spots hide the fact that there are bodies buried beneath. A fire in the 1940's destroyed the archives. Even though there are corpses, we do not know the identities of the deceased.

Not Enough Room

- Just this past weekend and in these next couple of days, the cemetery had several burials.
- At this rate, given the fact that there are only 800 spaces left, we will soon run out of land.
- The Veterans section will run out sooner, even though the spaces were recently opened.
- The Hebrew Rest Section is the only one that may be able to sustain itself for several more years.

The Cemetery needs our attention.

- This issue has been brought before City Council for several years, dating back to the first term of former Mayor Elizabeth G. Flores.
- The City should re-instate the Cemetery Advisory Committee, as this body will dedicate itself solely to the cemetery and its concerns rather than be lost in the Parks and Leisure Advisory Committee.

City Manager Carlos Villarreal reported that there were many players that needed to be involved in this process, because many indigent burials were performed there. He added that it was not the City's responsibility to make sure that these type of burials were carried out. He went on to say that this was a matter of funding and having a dialogue with the Mexican consulate regarding where these individuals would wish to be buried.

D. Request by Council Member Gene Belmares

1. Status report with possible action on Desalination Pilot Project.

Dr. Dean Schneider, Texas Engineering Experiment Station, gave the following presentation:

Advanced Vapor Compression Desalination System Pilot Project
Initial Status Report to Laredo City Council

Background

- Terrabon licensed heat exchanger and compression technologies from Texas A&M
- Project goal: Integrate and test innovative vapor compression desalination system
- Laredo benefits:
 - Access to additional water resources
 - Transportable system available for use throughout region with variety of water sources

City of Laredo Requirements

- Delivered system must be transportable
- Current RO unit stays in production with no interruption of operations
- Develop opportunities for beneficial use of all water produced (both potable and non-potable)

Current Status

- All contracting actions are now complete
- Project is in the design phase
- Full Scale heat exchanger test underway at TAMU – expected positive results are prerequisite to construction of pilot plant

Project Schedule

ID	Task Name	Start	Finish
1	Design Phase	Friday 5/1/09	Tuesday 6/30/09
2	City of Laredo Design Review	Monday 6/15/09	Tuesday 6/30/09
3	Construction Phase	Monday 6/15/09	Friday 10/30/09
4	Installation and Testing	Monday 11/2/09	Monday 11/30/09
5	Operation and Monitoring	Tuesday 12/1/09	Monday 5/31/10
6	Final Report	Monday 5/31/10	Monday 5/31/10
7	Status Report to Council	Monday 5/18/09	Monday 5/17/10

Current Actions

- American Water Site Visit: June 1-5, 2009
 - Evaluate well and proposed location
 - Develop site plan and integration with existing RO plant
- Design Process Results

- System certification for use in public water supply systems
- Power requirements determination
- Operating and maintenance procedures for continued operation after demonstration period

E. Request by Council Member Cynthia Liendo Espinoza

1. Discussion with possible action to consider providing incentives at city parking lots and metered parking in the downtown area to promote shopping in the downtown area. (Co-sponsored by Council Member Hector “Tito” Garcia)

Cm. Liendo Espinoza said that they were hoping to speak to Mr. Murillo about the fees at the parking lots that have someone charging as they exit, and perhaps introduce the option of having some incentives like vouchers for a reduced rate on their parking.

Roberto Murillo, Traffic Director, said that the parking lots are the only place where they could really do that, since revenue was currently below the projected budget. He added that the parking lots were not being utilized to the full because people want to park very close to where they would be shopping.

Cm. Garcia said that the reason that this change was needed, because one could shop at any store in Laredo without paying for parking, but when one parks downtown, they receive citations as soon as the meter expires. He mentioned that there were parking places that the City owned where no one was parking. He went on to say that people complained about shopping downtown because they did not wish to pay \$9-\$12 for parking.

City Manager Carlos Villarreal replied that he had a concern because of the revenues involved. He felt that most of those who would use the parking lots thereafter would be employees rather than shoppers, and that the downtown sales would be the same. He suggested proving a discount by showing a sales receipt rather than trying to enforce or control the meters further. He went on to say that almost fifteen years ago, they had tried using the meters in this way, and all the meters were occupied by employees which occasioned many complaints.

Cm. Liendo Espinoza wished to ask Mr. Murillo to try to think of a way to reduce the rate or otherwise alter the meters for the downtown shoppers.

Motion to have staff work out a plan to improve the parking situation downtown.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 6

Against: 0

Abstain: 0

XII. STAFF REPORTS

31. Discussion with possible action regarding Fiscal Year 2009 Bond Sale—Plan of Finance with a presentation by Estrada-Hinojosa, and discussion on attendees for the New York bond sale trip.

Noe Hinojosa, Estrada-Hinojosa Financial Advisor, gave the following presentation:

Preliminary Plan of Finance

\$25,545,000*

Combination Tax & Revenue Certificates of Obligation, Series 2009

\$5,130,000

Public Property Finance Contractual Obligations, Series 2009

\$52,240,000

Combination Tax & WW & SS Revenue Certificates of Obligation, Series 2009

2009 Debt Portfolio (Principal Only)					
Bonds	Coverage Ratio ²	As of 06/01/09	Ratings		
			Moody's	S&P	Fitch
Property Tax			A1	AA-	AA-
Total Property Tax Debt		\$273,420,000			
Less: Self-Supporting (Enterprise Systems) ¹		\$136,906,545			
Net General Purpose Funded Debt (\$0.1256)		\$136,513,455			
Waterworks & Sewer System Revenue ³			A3	AA-	A+
Senior Lien	2.94x	\$42,540,000			
Junior Lien	2.80x	\$1,471,000			
Self-Supporting C/O's	1.02x	\$79,133,538			
Total Waterworks & Sewer System Debt		\$123,144,538			
International Bridge System Revenue			A2	A+	A+
Senior Lien	5.70x	\$66,635,000			
Junior Lien	3.69x	\$22,109,156			
Total International Bridge System Revenue Debt		\$88,744,156			
Sales Tax Revenue			A3	A+	A
Senior Lien	2.24x	\$33,720,000			
TOTAL		\$439,895,156 ³			
¹ Supported by user-fee net revenues of the various City Enterprise Systems					
² Coverages based on 9/30/09 debt service requirements by 9/30/08 FYE Audited Net Revenues					
³ Includes all self-supporting debt and revenue debt					

Proposed Bond Issuance Fiscal Year 2009 Combination Tax & Revenue Certificates of Obligation, Series 2009		
		Project Fund
Property Tax Supported:		\$25,000,000
Subtotal		\$25,000
Public Property Finance Contractual Obligations, Series 2009 (5 yr)		
		Project Fund
Self-Supported (Police Seizure Fund):		\$5,000,000
Subtotal		\$5,000,000

Combination Tax & WW & SS Revenue Certificates of Obligation, Series 2009		
		Project Fund
Self-Supported:		
Waterworks	\$40,107,800	
Sewer System	\$10,860,000	\$50,967,800
Subtotal		\$50,967,800

2009 Tax Supported CO – Final As Recommended			
Category	District	Project Name	Amount
Streets	1	Merida North/South Extension (w/low water crossing)	\$2,600,000
Library	1	Santo Nino Library Branch	985,000
Parks	2	Eastwoods Park	1,500,000
Streets	2	Street Improvements District II	1,000,000
Parks	3	Slaughter Park Phase II	1,000,000
Parks	4	Clark/Meadow Recreation Area	1,500,000
Traffic	5	Traffic Signal – Loop 20 at Lakeview	200,000
Parks	5	Blas Castaneda Rec Center Parking Lot and Dome	190,000
Parks	5	Soccer Fields	700,000
Parks	6	North Central Park	1,000,000
Parks	7	Northwest Recreation Center/Pool Phase II	1,500,000
Drainage	7	Chicago Street Drainage Improvements	1,000,000
Parks	8	Shade Structures for District VIII Parks (4)	150,000
Streets	8	Sidewalks for District VIII	500,000
Parks	8	Civic Center Pool Rehab	400,000
		Total	\$14,225,000
Streets	All	Public Works Street Rehabilitation	\$5,000,000
Gen Govt	All	Fire Administration Building – Construction	\$3,000,000
Health	All	Health Department Heating/AC System	\$425,000
Streets	All	Streets	\$2,350,000
		Total	\$10,775,000
		Subtotal	\$25,000,000

2009 PFFCO's – Final As Recommended		
Fire		
Machinery & Equipment		
40 Replacement Breathing Apparatus (SCBA's) (Replacement for Fire Suppression Units)	4,700 each	\$188,000
Heart Monitors for Three Ambulances: unit 9101, 9102, and 9111 (Replacements for Frontline units)	20,000 each	60,000
Three (3) Additional Monitors for Back Up (EMS Field Supervisors serve as backups for First Responders)	20,000 each	60,000
4 Ambulance stretchers	4,000 each	16,000
Lockers for Fire station #6 to store firefighter bunker gear and ARFF proximity suits	12,200	12,200
Proximity suits for four (4) firefighters assigned to Eng. #6 (Airport Fire Station)	2,500 each	10,000
Automotive		
Replacement for Eng. 10 (11015 Mcpherson Rd.) 1999 Model with 6100 engine hours	375,000	375,000
Replacement for Eng. 2 (2100 Zacatecas) 1999 Model with 7270 engine hours and 97,000 miles	375,000	375,000
Ambulance replacement for unit #9111 (5210 Hwy 359)	250,000	250,000
Reserve ambulance replacement for reserve #3, 2001 Model	200,000	200,000
Ford Escape for EMS Division operations	30,000	30,000

Replacement vehicle for fire investigator	25,800	25,800
Replacement vehicle for fire investigator, K-9	42,000	42,000
Two (2) Pick-Up Trucks (Replacement for training divisions staff) 100,000 miles	30,000 each	60,000
One (1) 12 Passenger Van (Replacement for training division / Fire Academy Cadet program)	30,000	30,000
Two (2) Utility Carts (General purpose vehicles for transport of equipment and materials in field operations)	8,000 each	16,000
Buildings		
Building Materials and Labor for built-up roof for Fire Station #1 (No. 1 Guadalupe St.)	50,000	50,000
Building Materials and Labor for built-up roof for Fire Station #2 (2100 Zacatecas)	50,000	50,000
Building Materials and Labor for built-up roof for Fire Station #7 (1120 Calton Rd.)	50,000	50,000
Repair, replacement and maintenance of all 14 fire station bay area roll-up doors	100,000	100,000
Total Fire		2,000,000
Police		
Automotive		
35 marked patrol vehicles x \$50,000 per vehicle including radar, camera, mdt, etc.		\$1,750,000
10 unmarked patrol vehicles x \$25,000 per vehicle		250,000
Total Police		\$2,000,000
Parks		
Playground equipment		100,000
Surveillance equipment		300,000
Contingency		600,000
Total Parks		\$1,000,000
Total PPFCO		\$5,000,000

For additional figures, please visit the City Secretary's Office at 1110 Houston St.

Motion to accept the item as described in the presentation.

Moved: Cm. Garza

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

32. Discussion with possible action on the City of Laredo's participation of the 2009 Laredos RioFest coordinated by the Laredo Hotel and Lodging Association.

City Manager Carlos Villarreal said that they had had discussions about this item, and he wanted to make sure that Council was aware that they had not made a commitment at the last meeting to participate with any particular monetary amount. He mentioned that there was an e-mail distributed indicating that "the City had dropped the ball," and he responded that he wished to make it clear that these individuals had come to Council midway through a budget year mentioning an amount that was not feasible. He felt that they could not be saddled with the expenditure for individuals staging something not programmed in the middle of a budget year. He asked for a budget for this event.

Cm. Liendo Espinoza replied that when the item came up last month, the motion stated that they would sponsor the event with the understanding that they would aggressively seek out sponsorship.

XIII. EXECUTIVE SESSION

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. Garcia

For: 6

Against: 0

Abstain: 0

33. Consideration to award a six (6) month supply contracts (FY09-53) to the LOW BIDDERS, Arguindegui Oil, Co., Laredo, Texas, in the estimated amounts of \$36,871.80 and Oil Patch Petroleum, Inc., Laredo, Texas in the estimated amounts of \$77,796.00 for the purchase of engine oil and lubricants for Laredo Transit Management Inc. - El Metro. The bid pricing will be firm for six (6) months with an option to extend contract with the same specifications and pricing for two (2), six-month periods upon mutual consent of both parties. Funding is available in the Laredo Transit Management, El Metro Operations Fund. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Garza

Second: Cm. Garcia

For: 6

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. Liendo Espinoza

For: 6

Against: 0

Abstain: 0

CITY OF LAREDO CITY COUNCIL MEETING

M-2009-S-02

CITY COUNCIL CHAMBERS

1110 HOUSTON STREET

LAREDO, TEXAS 78040

May 18, 2009

5:30 P.M.

SUPPLEMENTAL AGENDA

I. RESOLUTION

1. **2009-R-060** A resolution expressing official intent to reimburse \$3,000,000.00 associated with the construction contract on the Maria Luisa Haynes Health and Wellness Center. A temporary appropriation from the Capital Improvement Fund- Civic Center Renovation line item is being used. The \$3,000,000.00 will be replenished with future appropriated interest of \$1,500,000.00 in the 2007 Bond and \$1,500,000.00 from the 2009 bond issue. (Approval of this item is contingent upon approval and motion on Staff Report)

Motion to approve Resolution 2009-R-060.

Moved: Cm. Garza

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

II. STAFF REPORT

2. Consideration for approval to award a construction contract to the lowest bidder Modern Construction, Inc., Laredo, Texas, in the base bid amount of \$8,623,300.00 for the James and Maria Luisa Haynes Health and Wellness Center. Construction contract time is three hundred (300) calendar days. Funding is available in the 2006, 2007, 2008 C.O.'s and Capital Improvements Funds.

Motion to approve the lowest bidder Modern Construction.

Moved: Cm. Garza

Second: Cm. Narvaez

For: 6

Against: 0

Abstain: 1

Cm. Garcia

I, Gustavo Guevara, Jr., do hereby certify that the above minutes contained in pages 01 to 24 are true, complete, and correct proceedings of the City Council meeting held on May 18, 2009.

Gustavo Guevara, Jr.
City Secretary