

**CITY OF LAREDO  
CITY COUNCIL MEETING  
M2009-R-014  
CITY COUNCIL CHAMBERS  
1110 HOUSTON STREET  
LAREDO, TEXAS 78040  
August 3, 2009  
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,  
Mike Garza,  
Hector Garcia,  
Michael Landeck,  
Juan Narvaez,  
Johnny Rendon,  
Gene Belmares,  
Jose Valdez, Jr.  
Cynthia Liendo-Espinoza,  
Carlos Villarreal,  
Gustavo Guevara,  
Cynthia Collazo,  
Horacio De Leon,  
Jesus Olivares,  
Raul Casso,

Mayor  
Mayor Pro Tempore, 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 VII  
Council Member, District VIII  
City Manager  
City Secretary  
Deputy City Manager  
Assistant City Manager  
Assistant City Manager  
City Attorney

Motion to excuse Cm. Belmares.

Moved: Cm. Rendon

Second: Cm. Valdez

For: 7

Against: 0

Abstain: 0

Cm. Belmares joined the meeting at 6:00 p.m.

**IV. MINUTES**

Approval of the minutes of July 20, 2009 and July 23, 2009.

Motion to approve.

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

Against: 0

Abstain: 0

## V. COMMUNICATIONS AND RECOGNITIONS

### Recognitions

- a. Recognition of the Greater Southwest Texas Combined Federal Campaign (CFC) for generating an 88.5% increase which was the best in the country in CFC contributions in Fiscal Year 2008. The award was presented to Mr. Gene Garza, Port Director on their behalf.

Gene Garza, Port Director, thanked the Mayor, City Council and City Staff for the recognition of the Greater Southwest Texas Combined Federal Campaign. He advised that the amount increased from \$262,000 to \$461,000 which drew national recognition.

- b. Recognizing the new Miss Laredo for 2009-2010, Casey Lea Rodriguez & Miss Laredo Teen for 2009-2010, Chelsea Morgensen.

Casey Lea Rodriguez said that she feels extremely blessed to be able to represent Laredo because it was her first pageant. She noted that she wants to be a good influence to young girls by stressing the importance of inner beauty and self worth.

Chelsea Morgensen said that she, too, feels blessed to represent Laredo at the Miss Laredo Teen Pageant.

- c. Recognizing Joseph A. Santos, a 2009 St. Augustine High School graduate for being awarded a 4 year scholarship to the prestigious California Institute of Arts-Jenny Palter Memorial in Los Angeles, California.

Mayor Salinas and City Council recognized Joseph Santos and presented him with a Certificate of Recognition.

- d. Recognition of the City of Laredo Public Library for receiving the Texas Municipal Library Director's Association's Achievement in Excellence in Libraries Award.

Carmen Escamilla, Chair, reported that it was her honor to present the 2009 Texas Municipal Library Association Achievement of Excellence Award to the Laredo Public Library. The Texas Municipal Library Director's Association is an affiliate of the Texas Municipal League. Since 1966 this organization has sought to promote and maintain the Public Library Profession, to improve the methods of providing library service and to maintain high standards of professional ethics.

- e. Recognizing Kendra Kathleen Perez, 2009 Alexander High School graduate for being awarded a four (4) year \$10,000.00 scholarship to St. Edward's University.

Kendra Katherine Perez, recipient, explained the process that she went through to obtain the scholarship. She explained that she will be majoring in theater. She noted that she would like to move back to Laredo.

### **Communiqués**

- a. Presentation by Dean Schneider from TEES on the “Advanced Vapor Compression Desalination” project at the Santa Isabel Water Well.

Dr. Dean Schneider reported that a couple of months ago this Council approved the granting of monies to the agency to coordinate a test of events of vapor compression desalination technology at the San Isabel Water site. The company that is licensed to technology from Texas A & M Engineering is called Terabon and they are building a desalination system that will be installed at the well site. That will provide additional access for water resources for the City of Laredo as well as create a transportable system that can be used to treat water at various locations within the City and County. He added that the system will be built and delivered in November because there is a one month delay. He noted that the design phase has been completed and they are completing the detailed designs and the cost estimates are being completed. He said that they visited in June of 2009 and did complete water survey of the well site and they did not find any problems. The water is actually better than the historical well data that was provided. He included that the capacity was stable and the site can support the plant that will be installed as well as the current reverse osmosis plant.

- b. Presentation by The Laredo Art League to formally announce details of their upcoming 1<sup>st</sup> Annual Culinary & Art Auction.

Wanda Reyes reported that the Laredo Art League will hold their 1<sup>st</sup> Annual Culinary & Art Auction on September 2, 2009 at the Embassy Suite’s Hotel.

### **Citizen comments**

Emilio Martinez stated that the Country is still in the midst of an economic recession and people are struggling. He stressed his concerns about the Council and other governmental bodies increasing fees and taxes. He said that it is not appropriate to be raising fees or taxes at this time.

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

- a. Re-appointment of Carmen Escamilla as South Texas Library System (STLS) Lay Representative and Beatrice Escamilla, Alternate Lay Representative for another two (2) year terms (September 1, 2009 through August 31, 2011) as required by the Texas Library Systems Act and Rules for Administering the Library System Act / Texas Administrative Code –Title 13: Part I: Chapter 1: Library Development Section 1.115 – 1.116 (Revised, 1993).

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Rendon  
For: 8  
0

Against: 0

Abstain:

## VII. PUBLIC HEARINGS

1. Public hearing and introductory ordinance amending the City of Laredo's FY 2008-2009 General Fund annual budget to appropriate revenues and expenditures in the amount of \$250,000.00 for attorney fees to be paid to De Anda Law Firm due to increased collections in delinquent property taxes. The expenditures of attorney fees will only be incurred and disbursed if the revenue is collected. (Approved by Operations & Finance Committees)

Motion to open the public hearing.

Moved: Cm. Belmares  
Second: Cm. Garcia  
For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Garcia  
Second: Cm. Belmares  
For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

2. Public hearing and introductory ordinance amending the City of Laredo Code of Ordinances Chapter 18, Section 18-2.2 Letter (A) & (C), local permit fee for amusement redemption machine premises permit and increasing annual permit fee from \$150.00 to \$200.00; per machine per year; increasing the sealing fee from \$150.00 to \$200.00; repealing all ordinances in conflict; providing for severability, publication and effective date. (Approved by Operations & Finance Committees)

Motion to open the public hearing.

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

Against:

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Rendon  
Second: Cm. Garcia

For: 6

Against: 1  
Cm. Liendo Espinoza

Abstain: 1  
Cm. Narvaez

Ordinance Introduction: City Council except Cm. Narvaez and Cm. Liendo Espinoza

3. Public hearing and introductory ordinance amending the City of Laredo FY 2009 Airport Construction Budget to recognize additional revenues from a grant received from the Federal Aviation Administration Airport Improvement Program being Grant Project No. 3-48-0136-58-09 in the amount of \$2,000,000.00 for noise mitigation under FAR PART 150 Noise Abatement Program at the Laredo International Airport and appropriating said grant revenue and local match to the appropriate expenditure accounts and authorizing the City Manager to implement said budget amendment. The City's local match of five (5) percent in the amount of \$105,264.00 is available through the land purchased in FY2006 (Rash Tract). (Approved by Operations & Finance Committees)

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

4. Public hearing and introductory ordinance amending Section 33.431 (schedule of rates) of Article VI (Storm Water Fee) of Chapter 33 (Environmental Protection) of the Code of Ordinances, in order to increase the stormwater rates for residential and multifamily customers and the rate for additional meters for commercial customers, from \$4.50 to \$6.50 per month; providing for publication and providing for effective date. (Approved by Operations & Finance Committees)

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Rendon

For: 8

Against: 0

Abstain: 0

Emilio Martinez spoke against the raising of fees for storm water.

Motion to close the public hearing and introduce as amended with correction for Article VI to VII.

Moved: Cm. Belmares  
Second: Cm. Rendon  
For: 8 Against: 0 Abstain: 0

Ordinance Introduction: City Council

- Public hearing and introductory ordinance amending the City of Laredo Health Department FY 2008-2009 annual budget by appropriating revenues and expenditures in the amount of \$23,863.00 in additional funds for a total amount of \$340,491.00 from the Texas Department of State Health Services for continuation of the Prevention Services for HIV Prevention Project of the Health Department beginning January 1, 2009 through December 31, 2009.

Motion to open the public hearing.

Moved: Cm. Garcia  
Second: Cm. Narvaez  
For: 8 Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares  
Second: Cm. Valdez  
For: 8 Against: 0 Abstain: 0

Ordinance Introduction: City Council

- Public hearing and introductory ordinance amending the City of Laredo Health Department FY 2008-2009 annual budget by appropriating revenues and expenditures in the amount of \$34,833.00 in funds from the Texas Department of State Health Services and an estimated \$440.00 in program income for continuation of the Health Department Maternal and Well Child services to provide early wellness and screening, medical and dental services for children who are underserved, uninsured and medically indigent for the term beginning September 1, 2009 through August 31, 2010.

Motion to open the public hearing.

Moved: Cm. Belmares  
Second: Cm. Rendon  
For: 8 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: 8 Against: 0 Abstain: 0

Ordinance Introduction: City Council

7. Public hearing and introductory ordinance amending the City of Laredo Health Department FY 2008-2009 budget by appropriating revenues and expenditures in the amount of \$317,727.00 in funds from the Texas Department of State Health Services for the City of Laredo Health Department-Public Health Emergency Preparedness and response Program. These funds are for the term period from August 1, 2009 through July 31, 2010 and authorizing the City Manager to execute the contract. (Approved by Operations & Finance Committees)

Motion to open the public hearing.

Moved: Cm. Belmares  
Second: Cm. Garcia  
For: 8 Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Garcia  
Second: Cm. Valdez  
For: 8 Against: 0 Abstain: 0

Ordinance Introduction: City Council

8. Public hearing and introductory ordinance amending the City of Laredo Health Department FY 2008-2009 annual budget by appropriating revenues and expenditures in the amount of \$134,342.00 in funds from the Texas Department of State Health Services, and an estimated \$30,123.00 of Program Income for the continuation of the Health Department-La Familia Primary Health Care Prevention Program for the period of September 1, 2009, through August 31, 2010; and authorizing the City Manager to execute the contract.

Motion to open the public hearing.

Moved: Cm. Belmares  
Second: Cm. Garcia  
For: 8 Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Rendon

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

9. Public hearing and introductory ordinance amending the City of Laredo Health Department FY2008-2009 annual budget by appropriating revenues and expenditures in the amount of \$92,000.00 in funds for continuation of prenatal care services, women's health and well child early detection prevention care for the medically indigent, underserved and uninsured by the Health Department Maternal and Child Health (MCH- Title V) Program for the period beginning September 1, 2009 through August 31, 2010. (Approved by Operations & Finance Committees)

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Rendon

Motion withdrawn.

Motion to open the public hearing.

Moved: Cm. Valdez

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

10. Public hearing and introductory ordinance authorizing the issuance of City of Laredo, Texas Public Property Finance Contractual Obligations, Series 2009, in the approximately principal amount of \$5,130,000.00 for the purchase of personal property; approving an official statement, authorizing the execution of a purchase contract, making provisions for the security thereof; authorizing amendment to the City's budget to appropriate such proceeds for purposes authorized herein; and ordaining other matters relating to the subject.

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0



There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

11. Public hearing and introductory ordinance authorizing the issuance of approximately \$13,060,000.00 in aggregate principal amount of City of Laredo, Texas combination tax and revenue certificates of obligation, series 2009A, for paying all or a portion of the City's contractual obligations incurred for the purpose of (1) constructing, improving and repairing City streets and sidewalks, together with drainage, traffic and street signalization and lighting improvements; (2) acquisition of municipal equipment and municipal vehicles for various City departments, to wit: City Administration Health and Welfare Department, Engineering Department, Parks and Recreation Department, Public Safety Department, Public Works Department, and Solid Waste Department; (3) acquiring, designing, construction, improving and equipping municipal buildings, to wit: City parks and recreation buildings and facilities, public libraries, and fire department buildings, including land acquisition and right-of-way, construction and design, and major repair and renovations to existing municipal buildings consisting primarily of HVAC, electrical, plumbing and roofing; and (4) acquisition of land and interest in land for authorized municipal public purposes for City departments, to wit: City Administration Department, Health and Welfare Department, Parks and Recreation Department, Public Safety Department, Public Works Department and Solid Waste Department and for the payment of legal fiscal, and engineering fees in connection with such projects; approving an official statement, authorizing the execution of a purchase contract, making provisions for the security thereof; authorizing amendment to the City's budget to appropriate such process for purposes authorized herein; and ordaining other matters relating to the subject.

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Valdez

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

12. Public hearing and introductory ordinance authorizing the issuance of approximately \$12,450,000.00 in aggregate principal amount of City of Laredo, Texas combination tax and revenue certificates of obligation, taxable series 2009B (build America bonds- direct payment), for paying all or a portion of the City's contractual obligations incurred for the purpose of (1) constructing, improving and repairing City streets and sidewalks, together with drainage, traffic and street signalization and lighting improvements; (2) acquisition of municipal equipment and municipal vehicles for various City departments, to wit: City Administration, Health and Welfare Department, Engineering Department, Parks and Recreation Department, Public Safety Department, Public Works Departments, and Solid Waste Department; (3) acquiring, designing, constructing, improving and equipping municipal buildings, to wit; City parks and recreation buildings and facilities, public libraries, and fire department buildings, including land acquisition and right-of-way, construction and design, and major repair and renovations to existing municipal buildings consisting primarily of HVAC, electrical, plumbing and roofing; and (4) acquisition of land and interest in land for authorized municipal public purposes for City departments, to wit: City administration department, Health and Welfare Department, Parks and Recreation Department, Public Safety Department, Public Works Department and Solid Waste Department and for the payment of legal, fiscal, and engineering fees in connection with such projects; approving an official statement, authorizing the execution of a purchase contract, making provisions for the security thereof; authorizing amendment to the City's budget to appropriate such proceeds for purposes authorized herein; and ordaining other matters relating to the subject.

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Rendon

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

13. Public hearing and introductory ordinance authorizing the issuance of approximately \$14,495,000.00 in aggregate principal amount of City of Laredo, Texas combination tax and waterworks and sewer system revenue certificates of obligation, series 2009C, for paying all or a portion of the City's contractual obligations incurred for the purpose of constructing, improving and extending the waterworks system and sewer system, and for the payment of legal, fiscal and engineering fees in connection with such projects; approving an official statement, authorizing the execution of a

purchase contract, making provisions for the security thereof; authorizing amendment to the City's budget to appropriate such proceeds for purposes authorized herein; and ordaining other matters relating to the subject.

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 8

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: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

14. Public hearing and introductory ordinance authorizing the issuance of approximately \$37,345,000.00 in aggregate principal amount of City of Laredo, Texas combination tax and waterworks and sewer system revenue certificates of obligation, taxable series 2009D (Build America Bonds- direct payment), for paying all or a portion of the City's contractual obligations incurred for the purpose of construction, improving and extending the waterworks system and sewer system, and for the payment of legal, fiscal and engineering fees in connection with such projects; approving an official statement, authorizing the execution of purchase contract, making provisions for the security thereof; authorizing amendment to the City's budget to appropriate such proceeds for purposes authorized herein; and ordaining other matters relating to this subject.

Motion to open the public hearing.

Moved: Cm. Rendon

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

15. Public hearing and introductory ordinance amending Ordinance #2005-O-339 of the City of Laredo by renewing the effective date of the existing water conservation and drought contingency plans, as required by the Texas Commission on Environmental Quality and the Texas Water Development Board; providing for publication, severability, and an effective date. (Approved by Operations Committee)

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. Rendon

For: 8

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: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

16. Public hearing and introductory ordinance amending *Laredo Land Development Code*, section 24-92 entitled, Amendments or District Changes, by revising the established conditions, requirements, and procedures for the initiation of *Laredo Land Development Code* Amendments, as well as the initiation and/or reinitiation of changes to the Official Zoning Map, providing for publication and effective date. The Planning and Zoning Commission has recommended approval of the amendment.

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Rendon

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

17. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 1-8, Block 2024, Eastern Division, located at 3210 Loop 20, from B-3 (Community Business District) to B-4 (Highway Commercial District). The Planning and Zoning Commission has recommended approval of the zone change. The proposed use is for a bingo hall. District II

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Mayor Pro Tempore Garza

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Garcia

18. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 16.8 acres, as further described my metes and bounds in attached Exhibit "A," located south of Riverhill Loop and west of Nogal Lane, from R-2 (Multifamily Residential District) to R-1MH (Single Family Manufactured Housing District). The Planning and Zoning Commission has recommended approval of the zone change. The proposed use is for manufactured housing. District III

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Landeck

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Landeck

19. Public hearing and introductory ordinance amending Ordinance No. 2008-O-157 authorizing the issuance of a Conditional Use Permit for a children's amusement

establishment on Lots 4, 5, and 6, Block 700, Eastern Division, located at 1220 Guatemozin Street, by amending the narrative, Exhibit “A,” and the site plan, Exhibit “B.” The Planning and Zoning Commission’s recommendation is pending. District III

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

Keith Selman, Planning Director, reported that the Planning and Zoning Commission has recommended favorably for this amendment which includes removing Exhibit B which is a narrative submitted by the applicant. The second part of the amendment is to revise the site plan by enlarging the swimming pool and create an open air structure.

Motion to close the public hearing and introduce as amended.

Moved: Cm. Landeck

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Landeck

20. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for an amusement redemption machine establishment on Lot 2A, Block 2, Lago Del Mar Subdivision, Unit 7, located at 2515 Del Mar Boulevard. The Planning and Zoning Commission recommended approval of the Conditional Use Permit with the limitation of one hundred and seventy-six (176) machines. District V

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Rendon

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Rendon

21. Public hearing and introductory ordinance amending Ordinance No. 2008-O-138 authorizing the issuance of a Conditional Use Permit for a nursing home on 3.87 acres, located at the southeast corner of Rocio Drive and the proposed Tournament Trail Drive, by amending the site plan, Exhibit “B,” and allowing for transferability. The Planning and Zoning Commission’s recommendation is pending. District V

Motion to open the public hearing.

Moved: Cm. Rendon

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

Keith Selman, City Planner, said that there is an amendment to the revising dealing with the transferability. He mentioned that the draft ordinance and the ordinance for introduction read Laredo Nursing and Rehabilitation Center Inc. and it should read Laredo RP Limited which is in the text of the ordinance itself. Under Section A it reads, “any conveyance transfer, foreclosure, or other transaction from one lending institution to another”, but that it should read: any conveyance transfer and or foreclose.

Carlos Zaffirini, Sr., representing Alexander Management LP, said that the Conditional Use Permit was requested because of a nursing home that is being proposed to be built by the purchaser of the property. The issue is one of transferability. In this instance the project involves an \$8,000,000 construction job from the offset and payroll. It is a desirable project for the City of Laredo, particularly in times such as we are experiencing right now. A deed of trust is a conveyance. From the start they must come back to City Council and get a deed of trust then the lender would not be able to foreclose without the permission of the City Council.

Motion to close the public hearing and introduce with amendments. The ordinance calls out for transferability by approval of City Council and Planning and Zoning has used that exact language in this amendment for which transferability is hereby approved. The use is strictly for a nursing home.

Moved: Cm. Rendon

Second: Mayor Pro Tempore Garza

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Rendon

22. Public hearing and introductory ordinance amending Chapter 14, garbage, trash and refuse, Article II, rates for garbage and refuse collection and landfill operations, Section 14-9, rates, of the City of Laredo Code of Ordinances by changing Section (d) (3) to designate a special service fee for commercial establishment in the downtown central business district for garbage collection, and to change section (c) to increase the garbage collection fee for commercial establishments to thirty-five

dollars (\$35.00), forty-five dollars (\$45.00), eighty dollars (\$80.00), and one hundred ten dollars (\$110.00) depending on square footage of the establishment, and to increase the garbage collection fee for commercial establishments located in the downtown central business district to seventy dollars (\$70.00), ninety dollars (\$90.00), one hundred sixty dollars (\$160.00), and two hundred twenty dollars (\$220.00) depending on square footage of the establishment, and by changing section (h) to increase all commercial tipping fees in the landfill by one dollar fifty cents (\$1.50), as all other fees remain in effect; and to provide for effective date and publication.

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

Emilio Martinez, said that he would like for City Council to be cognizant of the fact that businesses are struggling because of the current economy.

Motion to close the public hearing and introduce.

Moved: Cm. Garcia

Second: Cm. Landeck

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

## **VIII. INTRODUCTORY ORDINANCES**

23. Closing as a public easement, that section of South Bartlett Avenue between Marion and Gates Streets, also known as the 300 Block of South Bartlett Avenue, situated in the Eastern Division, City of Laredo, Webb County, Texas, provided that the City retains the right to maintain, operate, repair and replace by itself or by any licensee or a holder of a franchise from the City, any poles, wires, pipes, conduits, sewer mains or any other facilities or equipment for the maintenance of operation of any utility now located in the street portion; hereof, closed as a public easement and providing for an effective date. (Approved by Operations Committee)

Ordinance Introduction: City Council

## **IX. FINAL READING OF ORDINANCES**

Motion to waive the Final Readings of Ordinances: #2009-O-119, # 2009-O-123, # 2009-O-124, # 2009-O-125, # 2009-O-126, # 2009-O-127, and # 2009-O-128.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 8

Against:

Abstain: 0



24. 2009-O-119 Accepting funds from D & J Alexander Management, L.P., Laredo, Texas in the amount of \$29,028.45 for the McPherson Lift Station and amending the City of Laredo FY 2008-2009 Budget for the 2006 Utility Sewer Bond by appropriating revenues and project expenditures in the amount of \$29,028.45.

Motion to adopt Ordinance 2009-O-119.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 8                      Against: 0                      Abstain: 0

- 2009-O-123 Amending the City of Laredo 2008-2009 Autotheft Task Force Annual Budget in the amount of \$76,056.00 to fund the Laredo Autotheft Task Force and accepting a grant award in the amount of \$433,514.00 from the State of Texas Auto Burglary and Theft Prevention Authority. The City of Laredo will be designating \$231,349.00 in matching funds, and Webb County will be designating \$37,661.00 in matching funds for a total grant amount of \$702,524.00. This grant is effective from September 1, 2009 through August 31, 2010.

Motion to adopt Ordinance 2009-O-123.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 8                      Against: 0                      Abstain: 0

- 2009-O-124 Authorizing the City Manager to implement the FY 2010 and FY 2011 South Texas 9-1-1 Regional Administration Strategic Plan as approved by the Commission on State Emergency Communication (CSEC) on July 14, 2009; and amending the FY 2010 9-1-1 Regional Administration Fund by appropriating revenues and expenditures in the amount of \$86,819.00 for administrative, equipment and program budgets for Jim Hogg, Starr, Webb, and Zapata counties for the period beginning September 1, 2009 and ending August 31, 2010. Funding for subsequent years is contingent upon future budget approvals.

Motion to adopt Ordinance 2009-O-124.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 8                      Against: 0                      Abstain: 0

- 2009-O-125 Accepting funds in the amount of \$14,338.00 from the South Texas 9-1-1 Regional Administration Division to cost share personnel at the Laredo Police Department Public Safety Answering Point in accordance to Section 771.0751 of the Texas Health and Safety Code

and Rule 251.3 Use of Revenue in Certain Counties from the Commission on State Emergency Communications; and amending the FY 2009-2010 General Fund Budget of the City of Laredo by appropriating revenues and expenditures in the amount of \$14,338.00 for salary expenses for Laredo Police Department Communications Division salaries.

Motion to adopt Ordinance 2009-O-125.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 8                      Against: 0                      Abstain: 0

2009-O-126    Amending the City of Laredo FY 2008-2009 annual budget by appropriating revenues from the Social and Health Research Center-University of Texas Health Science Center at San Antonio (SAHRC-UTHSCSA) and expenditures in the amount of \$250,000.00 for Proyecto Bienestar-Laredo to conduct an additional year of intervention in the early school health based diabetes reduction project for the term period beginning May 1, 2009 through April 30, 2010.

Motion to adopt Ordinance 2009-O-126.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 8                      Against: 0                      Abstain: 0

2009-O-127    Designating as a one-way eastbound that one (1) block section of Denmark Lane, and as a one-way westbound that one (1) block section of Yukon Lane, between Backwoods Drive on the east and Greenland Drive on the west, during the peak hours of 7:00 a.m. to 8:00 a.m., and 2:30 p.m. to 3:30 p.m. Monday thru Friday, during school days and as two-way that one (1) block section of Backwoods Drive, between Denmark Lane on the north and Yukon Lane on the south, all days of the week, providing for the installation of appropriate signs to indicate one-way and two-way traffic and providing for publication and effective date.

Motion to adopt Ordinance 2009-O-127.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 8                      Against: 0                      Abstain: 0

2009-O-128    Closing as a public easement, that section of Burnside Street between Vidaurri and Santa Rita Avenue, also known as the 1900 block of Burnside Street, situated in the Western Division, City of Laredo Webb County, Texas; provided that the City retains the right to maintain, operate, repair and replace by itself or by any licensee or a

holder of a franchise from the City, any poles, wires, pipes, conduits, sewer mains or any other facilities or equipment for the maintenance of operation of any utility now located in the street portion; hereof, closed as a public easement and providing for an effective date.

Motion to adopt Ordinance 2009-O-128.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 8                      Against: 0                      Abstain: 0

**X. RESOLUTIONS**

25.    2009-R-084    Authorizing the City Manager to submit a grant application to State Farm Insurance Corporation in the amount of \$6,000.00 for promotional supplies for the Autotheft Task Force. The grant is to be funded under the State Farm Safe Neighbors Program for the period of October 01, 2009 through September 30, 2010 at no cost to the City.

Motion to approve Resolution 2009-R-084.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 8                      Against: 0                      Abstain: 0

26.    2009-R-086    Authorizing the City Manager to enter into and execute a Memorandum of Understanding, attached hereto as Exhibit A, between the City of Laredo Police Department and the Department of Veterans Affairs, South Texas Veterans Health Care System (STVHCS) for the purpose of providing assistance on a special needs basis at the Veterans Affairs facilities.

Motion to approve Resolution 2009-R-086.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 8                      Against: 0                      Abstain: 0

27.    2009-R-087    Authorizing the City Manager to enter into and execute a Memorandum of Agreement, attached hereto as Exhibit A, between the City of Laredo Police Department and the Texas Military Forces for the purpose of providing counter drug support. (Approved by Operations Committee)

Motion to approve Resolution 2009-R-087.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 8                      Against: 0                      Abstain: 0

28. 2009-R-088 Authorizing the City Manager to enter into and execute a Memorandum of Understanding, attached hereto as Exhibit A, between the City of Laredo Police Department and the Laredo Independent School District (LISD) Police Department for the purpose of outlining communication and coordination efforts among each other to better serve the community and schools. (Approved by Operations Committee)

Motion to approve Resolution 2009-R-088.

Moved: Cm. Garcia  
Second: Cm. Valdez

For: 8                      Against: 0                      Abstain: 0

29. 2009-R-089 Authorizing the City Manager to enter into and execute a Memorandum of Understanding, attached hereto as Exhibit A, between the City of Laredo Police Department and the United Independent School District (UISD) Police Department for the purpose of outlining communication and coordination efforts among each other to better serve the community and schools. (Approved by Operations Committee)

Motion to approve Resolution 2009-R-089.

Moved: Cm. Garcia  
Second: Cm. Valdez

For: 7                      Against: 0                      Abstain: 1  
Mayor Pro Tempore Garza

30. 2009-R-094 Authorizing the City Manager to submit a grant application to the Texas Water Development Board (TWDB) to obtain a grant in the amount of \$48,196,000.00 to fund various projects as part of the American Recovery and Reinvestment Act (DWSRF). (Approved by Operations & Finance Committees)

Motion to approve Resolution 2009-R-094.

Moved: Cm. Garcia  
Second: Cm. Valdez

For: 8                      Against: 0                      Abstain: 0

## **XI. MOTIONS**

31. Consideration to award of supply contract number FY09-084 to Leyendecker Materials, Laredo, Texas, in the estimated amount of \$5,000,000.00 for the purchase of asphalt type "D" hot mix and asphalt type "D" hot mix with 1% lime (picked up the vendor's yard and job site is delivered). The term of this contract for a one (1)

year period and is subject to availability of funds. All materials are purchased on an as needed basis utilizing the Public Works Department, construction projects budgets. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

32. Consideration to award contract FY09-083 to the following bidders:

1. Rush Truck Center, Laredo, Texas in the estimated amount \$70,000.00 for the purchase of Peterbilt original equipment manufacturer (OEM) parts;
2. Family Chevrolet, Laredo, Texas in the estimated amount of \$20,000.00 for the purchase of General Motors original equipment manufacturer (OEM) parts;
3. Freightliner of Laredo, Laredo, Texas in the estimated amount of \$20,000.00 for the purchase of Freightliner original equipment manufacturer (OEM) parts.

These parts will be purchased for the City's medium and heavy duty trucks on an as needed basis. Funding is available in the Fleet Maintenance budget. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

33. Consideration to renew contract number FY08-098 currently awarded to System Controls & Instrumentation, Converse, Texas, in the estimated amount of \$266,025.00 for providing professional services in the maintenance of all water and wastewater SCADA monitoring and electrical controls under preventative maintenance and emergency responsive objectives. Pricing is based on a flat hourly rate for management/ professional, technician, electrician, CAD Draftsmen, and clerical services. Funding is available in the Water and Wastewater Operational Funds. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

34. Consideration for approval of Change Order number 1, acceptance and release of final payment in the amount of \$21,832.89 to T. Gray Utility & Rehab Co. The Manhole Rehabilitation Project Phase I and Change Order Number 1 consisted of the

replacement of a concrete manhole that collapsed during the project construction. Final construction contract amount is \$202,203.91. Funding for Change Order Number 1 and release of final payment is available in the Sewer Rehabilitation Fund. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Garcia  
Second: Cm. Liendo Espinoza  
For: 8 Against: 0 Abstain: 0

35. Consideration to award contract FY09-077 to the lowest bidder, Rhino Builders, Laredo, Texas, in the estimated amount of \$54,730.00 for the modifications to the overflow pipes for the Lyon Street and the Milmo Avenue water storage tanks. Funding for this project is available in the Utility Department Fund. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia  
Second: Cm. Liendo Espinoza  
For: 8 Against: 0 Abstain: 0

36. Consideration to renew contract number FY07-125 awarded to the sole bidder, Landfill Service Corporation, Apalachin, NY, in the amount of \$396,000.00 for a two-year contract for providing materials for an alternative daily cover system for the landfill operation. This system utilizes a spray-applied, fiberized, cement mortar which includes the use of recycled materials to replace the use of limited on-site natural soils currently used by the City to cover the daily solid waste at the disposal area. The City is currently required to cover the waste on a daily basis with a minimum of six (6) inches of compacted soil. This results in an increased cell capacity for future solid waste disposal and significant cost savings in heavy equipment and manpower. Funding for this contract is available in the Solid Waste Fund and would be subject to future appropriations. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia  
Second: Cm. Liendo Espinoza  
For: 8 Against: 0 Abstain: 0

37. Consideration to award supply contract number FY09-075 to SCC Pure Materials Inc., Laredo, Texas, in the estimated amount of \$214,000.00, for the purchase of flexible base crushed concrete. The term of this contract is for a one (1) year period and is subject to the availability of funds. All materials are purchased on an as needed basis utilizing the Public Works Department, Utilities Department, and construction projects budgets. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

38. Consideration for approval of the Father McNaboe Park Phase II – Step “A” as complete and approval of change order no. 1 an increase of \$13,400.00, release of retainage, and approval of final payment in the amount of \$49,879.84 to Reim Construction, Inc., Alton, Texas. Final construction contract amount is \$700,816.80. Funding is available in the 2005 C.O. Issue, Father McNaboe Park Improvements Phase II. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

39. Approval of the 2009 Certified Appraisal Roll from the Webb County Appraisal District for the development of the City’s tax roll, acceptance of the Effective and Rollback Tax Rate calculations for Tax Year 2009, and setting of the public hearing dates and August 17<sup>th</sup> and September 8<sup>th</sup>, 2009 for the proposed tax rate of \$0.637000/\$100 value. Final Appraisal Roll and Effective and Rollback Tax Rate calculations will be submitted to City Council at the meeting.

In accordance with Truth-in-taxation guidelines, below I will certify the Estimated Debt Collection Rate for Tax Year 2009 and Excess Debt Tax Collections for Tax year 2008 as follows:

**Estimated Debt Collection Rate for Tax Year 2009**

Total dollars that will be collected for current debt taxes, delinquent taxes, special appraisal roll back taxes, penalties, and interest.	\$15,724,119
Debt the unit plans to levy for paying debt in 2009-2010	\$12,484,382
2009 Estimated Debt Collection Rate	125.95%
Certified 2009 Anticipated Collection Rate	100%

**Excess Debt Tax Collections for Tax Year 2008**

Amount actually collected in current Debt taxes, delinquent taxes special appraisal roll back taxes, penalties, and interest (July 2008 through June 2009)	\$15,692,623
2008 Estimated Debt Collections	\$15,286,831
2008 Excess Debt Tax Collections	\$423,792
Since the 2008 Anticipated Collection Rate was 100% last year the Certified 2008 Excess Debt Collections is	0

Also attached are copies of Webb County Appraisal District’s 2009 Appraisal Roll and Effective and Rollback Tax Rate Worksheets supporting documents for Item #

The following summarizes these final numbers:

	Certified Appraisal Roll	Under ARB Review	Certified Grand Total
Total Market Value	\$12,237,565,217	\$169,045,877	\$12,406,611,094
Total Assessed	\$12,072,471,714	\$128,385,334	\$12,200,857,048
Total Taxable Value	\$10,495,192,197	\$127,939,604	\$10,623,131,801
Number of Accounts	\$81,022	\$773	\$81,7985

Of the above totals, annexed property and new improvements are as follows:

	Market Value	Taxable Value
Properties annexed After January 1, 2008	19,015,300	3,963,400
New Improvements and New Personal Property	328,210,591	235,817,335

Calculations in accordance with Truth and Taxation guidelines are as follows:

2009 Effective Tax Rate	0.636415
2009 Rollback Rate	0.677460

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

40. Consideration for approval of the completion of the project to design, construct, and install shade structures at seven (7) designated parks namely

- \*Blas Castaneda Park
- \*Market Tennis Courts
- \*Andrew Trautmann
- \*Father McNaboe Park
- \*Chapparral Park
- \*Albert Ochoa Park
- \*Azteca Park

by USA Shade and Fabric Structures, Inc., Dallas, Texas, and authorization to release retainage, approval of final pay estimate in the amount of \$224,877.00. Final construction contract amount is \$224,877.00. Funding is available in the Capital Improvement Fund - Lamar Bruni Vergara Shade Structure Project. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza



For: 8

Against: 0

Abstain: 0

41. Consideration for approval of the Airport Truck Route Water Utilities Improvements as complete and approval of change order no. 1 a decrease of \$89,697.14 for the balance of quantities actually constructed in place and a decrease of ten (10) working days from the construction contract time, release of retainage, and approval of final payment in the amount of \$83,123.24 to Closner Construction Company, L.C., Laredo, Texas; also since the project was reduced in scope, consideration for approval to waive the City Policy of 25% maximum change in construction change orders and approval of change order no. 1 a 33% decrease as negotiated with the contractor and with the City Utilities Department purchasing the contractor's surplus materials in the amount of \$71,942.52. Final construction contract amount is \$183,749.36. Funding is available in the 2007 Utility Revenue Bond. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

42. Authorizing the City Manager to execute a joint use agreement between the City of Laredo and Diocese of Laredo to construct an outdoor basketball court on the grounds of St. Augustine High School, a school site that is owned by the Diocese and located at 1300 Galveston, Laredo, Texas. Funding for the construction of the Facility shall not exceed thirty thousand dollars (\$30,000.00). The term of this agreement shall commence upon execution by both parties and shall remain in effect for fifty (50) years. City Council finds and declares that a valid public purpose would be served. Funding is available in the 2007 C.O. Discretionary Funds District III, IV, and VIII. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Liendo Espinoza

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

43. Refund of property tax in the amount of \$1,615.21 payable to D&J Alexander Management LP due to an overpayment. Account #987-25006-150.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

44. Consideration for approval of the City Manager to purchase a mobile communications command center from the Texas Association of Local Health Officials (TALHO) the sole vendor in the amount of \$110,500.00 for this emergency

preparedness action for the Health Department's Public Health Emergency Preparedness Program. This will be used for an integrated communication command center response for any potential public health emergency. Funds are available in the Health Department's Public Health Emergency Preparedness Discretionary Funds Phase II. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

45. Approving the submission of the 2009 Consolidated One Year Action Plan which identifies the projects proposed to be funded by the U.S. Department of Housing and Urban Development through \$3,634,339.00 in 35th Action Year Community Development Block Grant (CDBG) funds, and \$96,066.00 in CDBG Program Income; \$1,389,582.00 in 2009 HOME Investment Partnerships Program (HOME) funds, and \$20,006.00 in HOME Program Income; \$159,838.00 in 2009 Emergency Shelter Grant (ESG) funds; and \$70,000.00 through the Housing Rehabilitation Revolving Loan fund. The projects proposed to be funded are as follows:

**Community Development Block Grant**

Community Development Administration	\$664,392
Housing Rehabilitation Administration	\$237,640
Housing Rehabilitation Loan Program (\$96,066 in PI)	\$490,274
Code Enforcement	\$462,716
Graffiti Removal Program	\$49,282
Hamilton Hotel - Section 108 Loan Repayment	\$150,901
ADA Sidewalk Improvements	\$200,000
Civic Center Soft Track	\$211,000
Freddie Benavides Sports Complex Shade Structure	\$75,000
George Washington Park Playscape Shade Structure	\$30,000
Heritage Park Improvements	\$210,700
Santa Fe Secondary Baseball Field	\$210,700
Sidewalks District I	\$105,700
Sidewalks District IV	\$210,700
Sidewalks District V	\$210,700
Sidewalks District VII	<u>\$210,700</u>
Total	\$3,730,405

Housing Rehabilitation Revolving Loan Program \$70,000

**HOME Investment Partnership Grant**

HOME Program Administration	\$138,494
Downpayment Assistance (\$20,006 in PI)	\$722,656
Tenant-Based Rental Assistance	\$340,000
Azteca Economic Development and Preservation	

Corp. Apartments (CHDO set aside) \$208,438  
 Total \$1,409,588

**Emergency Shelter Grant**

ESG Program Administration	\$3,000
Bethany House Shelter Complex Homeless Prevention	\$33,000
Bethany House Shelter Complex Operations	\$58,403
Casa de Misericordia Operations	\$25,000
Bethany House Shelter Complex Essential Services	\$40,435
<b>Total</b>	<b><u>\$159,838</u></b>

Motion to approve.

Moved: Cm. Garcia  
 Second: Cm. Liendo Espinoza  
 For: 8    Against: 0    Abstain: 0

46. Consideration to award contract FY09-052 to the lowest bidder meeting specifications, Closner Construction, Laredo, Texas, in the estimated amount of \$1,173,418.06 for the rehabilitation of sixty seven (67) manholes and sewer line cleaning for the Utilities Department. The City received a lower bid from National Works however, the recommendation is not to award a contract to this vendor based on incomplete pricing for required services. Funding for this project is available in the 2008 Utility Bond. (Approved by Operations & Finance Committees)

Motion to table.

Moved: Cm. Garcia  
 Second: Cm. Liendo Espinoza  
 For: 8    Against: 0    Abstain: 0

47. Consideration to award a contract with Jacobs, Inc. for an amount not to exceed \$71,000.00 for the professional services to include the design of the Haynes Storm Water Management pond and the preparation of the implementation plan for the Killam Lake Mitigation, approved by the Army Corps of Engineers (USACE project # 199700515) along the Chacon Creek. Funding is available in the Environmental Services and Solid Waste Funds. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia  
 Second: Cm. Liendo Espinoza  
 For: 8    Against: 0    Abstain: 0

48. Consideration for approval of amendment no. 1 an increase of \$116,570.00 to the professional services contract with Sepulveda Associates Architects, Inc., Laredo, Texas for the New Laredo Fire Department Administration Center and Site Improvements for the new replacement of Fire Station No. 8 (four bays) with second

level floor preparation for future development of the new Emergency Operation Center (EOC). Current engineering contract amount including this amendment no. 1 is \$830,895.00. Funding is available in the Fire Department Headquarters –2006 C.O. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

## **XII. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS**

49. A. Request by Mayor Raul G. Salinas

1. Discussion with possible action on the status of the installation of cameras at designated parks, pools and city facilities. (Co-sponsored Council Member Cynthia Liendo Espinoza)

Heriberto Ramirez, IST Director, gave the following presentation:

WI-FI Pilot Project Status  
August 3, 2009

WI-FI-Motomesh Project Update

Phase I

Include Internet Protocol (IP) enabled Video Surveillance Cameras deployed at 15 City Parks/Facilities and Bridge I.

Phase II

Include WI-FI outdoor coverage in the downtown area and serves as a foundation for secure data communications by City departments and Public safety.

Benefits

Creates network connectivity for multiple city departments.  
Offers opportunity to reduce city leased lines (T1)  
Significantly reduces the need for expensive fiber optic infrastructure.  
Allows city to prioritize and expand modularly as city grows.  
Enhances public safety services & protects officers.  
Fulfills immediate needs of Traffic and Parks

Phase I Parks Video Surveillance

District I

Benavides Park  
Mario Tijerina Park

District II

Dryden Park  
Villa del Sol

District III

Santa Fe Park  
Slaughter Park

District IV

Inner City Park  
Villa San Luis

District V

Zacate Creek Linear Park  
Eistetter Park

District VII

Lafayette Park  
Father McNaboe Park

District VIII

El Quatro Park  
Seven Flags Park  
El Azteca Park

Bridge No. 1

Phase II

Provides for a wireless MOTOMESH backhaul for the Traffic Management System in the downtown area.

The MESH includes the installation of 21 access points.

Provides for future network connectivity for public safety and various city departments.

Radio Communications Tower erected at the Telecom building for core connectivity

Trenching work performed for powering up surveillance cameras at various city parks.

Pole installations at six (6) City Parks to mount surveillance cameras.

Electric Network cable installations at 21 Downtown locations for powering up wireless access points..

2. Discussion with possible action regarding the status of canopies at the Gateway of the Americas Bridge (Bridge No. 1). (Co-sponsored by Council Member Cynthia Liendo Espinoza)

Rogelio Rivera, City Engineer, reported that he had submitted a short status report. He said that staff has had difficulties with this contract including the permits with GSA and difficulties in the fabrication of the structure itself. However, the contractor is moving forward and is installing the roof in the last sections, and by the middle of August the roof will be in place. The only items that will be missing are the GSA

portion and the misting mechanisms that will be installed by September of 2009.

3. Status report regarding the Animal Shelter's overcrowding conditions and efforts to promote adoption, with possible action.

Cindy Burdorf, Animal Shelter Director, reported that they have recently held a very successful adoption campaign because they needed additional kennels. She added that the only animals that have been euthanized since she became director are ones that are sick, injured or aggressive. She stated that the City helped them to receive a Capital Improvement Grant so they are upgrading the facility.

Motion to extend the meeting an additional 15 minutes.

Moved: Cm. Garcia

Second: Mayor Pro Tempore Garza

For: 8                                      Against: 0                                      Abstain: 0

Dr. Gonzalez, Health Director, reported that many citizens from Laredo do not live up to their responsibility as pet owners. He explained that some pet owners call the City of Laredo to pick up their animal because they do not want them anymore. He explained that when a property owner is cited they surrender the animal. He continued to explain that the City of Laredo is revamping the current Ordinance that deals with animals. He noted that they will be working on a campaign which emphasizes the importance of spaying and neutering their animals.

**B. Request by Mayor Pro-Tempore Mike Garza**

1. Discussion with possible action on directing the City Manager to formally request support from Police and Fire Unions to help fund pay raises for all City employees.

Mayor Pro Tempore Garza reported that this is a simple request because they cannot force anyone to do anything; however, there are other places throughout Texas where Police and Fire Unions help fund pay raises for all City employees. He explained that they could defer the pay raise date which would fund raises.

Carlos Villarreal, City Manager, said that the budget honors the commitment that the City has according to the collective bargaining contracts and the Police Department is scheduled to receive four percent and the Fire Department will receive five percent. The deferral of three months would mean a difference of \$260,000 in the Fire Department and \$325,000 in the Police Department for a total of \$585,000. He acknowledged that other cities have used this method to

help city employees. He further stated that it is in the hands of the Fire/Police officers.

Cm. Garcia spoke in favor of a pay increase for the City employees.

Carlos Villarreal, City Manager, instructed City Council that he will poll other cities that have used this method and return with recommendations.

Luis Dovalina, President of the Laredo Police Officer Association, said that there are some legal issues when opening up the contract. It states that there must be a written notice 150 days before the anniversary day which is October 1, 2009.

Cm. Valdez noted that City Council could save over \$200,000 for City employees if they would consider reversing the recently amended Ordinance dealing with charges/reimbursements for City Council. He said that before 2006 they would simply get a small stipend, cell and the internet.

Cm. Belmares asked the City Manager what a three percent pay increase would do to the general fund.

City Manager said that it would be \$900,000 from the General Fund.

Cm. Belmares said to consider the \$50 increase on the redemption machines which amounts to \$250,000 and if you take the reimbursement ordinance that was passed in 2006 that would be another 200,000 by budget time City Council could find another \$500,000 that you need to make sure that everyone gets an increase. He said that he would do his part to look for ways to offer city employees a raise.

2. Discussion with possible action on an election in November and items to be presented on the ballot.

This item was not discussed.

**C. Request by Council Member Hector “Tito” Garcia**

1. Discussion with possible action on installing speed cushions on Guerrero St. as a pilot project utilizing discretionary funds.

Motion to approve.

Moved: Mayor Pro Tempore Garza

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

2. Presentation on this year's One City, One Book initiative and discussion with possible action for the City of Laredo to cover the cost of the author's reception and to waive the Civic Center fees for the night of the author's lecture.

Annie Trevino, Beverly Rivera, and Carmen Escamilla reported that they have held the official launch for the One City, One Book program at the Library. She noted that the title of this year's book is *Enrique's Journey* which is available at the Library or the local book store. She further explained that there is a full calendar of events planned for the citizens. She explained that the topic is "family".

Motion to approve.

Moved: Cm. Garcia

Second: Mayor Pro Tempore Garza

For: 8

Against: 0

Abstain: 0

**D. Request by Council Member Dr. Michael Landeck**

1. Discussion with possible action and report by the police chief of all issues regarding the police department that require changes and/or readjustments in the police department's planning/budget as the result of the non allocation of the expected COPS federal grant financing.

Cm. Landeck stated that one of the things that the City Manager did to close the budget was not to fund thirty positions of the police which were funded. He noted that Council has made a pledge to the people to not cut security, meaning police or fire departments.

Carlos Maldonado, Police Chief, said as the City Manager mentioned that he had been very optimistic about receiving funding for police officers to no avail. He mentioned in spite of the networking in Washington D. C. and Austin where everyone mentioned the importance of border security, Laredo did not receive any additional funds. He further informed City Council that approximately 400 applicants submitted an application for police academy but only eight qualified. He informed Council that he is working hard with the other entities to enforce security.

2. Discussion and possible action regarding the possible construction of a baseball park including a report/presentation as a follow-up to the visit conducted by representatives of the city council and administration at the Air Hogs baseball stadium in Grand Prairie.

This item was not discussed.

**E. Request by Council Member Johnny Rendon**



1. Discussion with possible action to obtain a cost estimate for sidewalks between Yucca Drive and Rita, located on the south side of Calton Road, using discretionary funds.

Motion to approve.

Moved: Cm. Rendon

Second: Cm. Valdez

For: 7                      Against: 0                      Abstain: 0

Cm. Garcia was not present.

2. Update on Bartlett Avenue Extension Project, with possible action.

This item was not discussed.

#### F. Request by Council Member Gene Belmares

1. Discussion with possible action on placement of speed humps for District VI.

This item was not discussed.

2. Status report with possible action on a water park request for proposals for the development of a water park in the Laredo Entertainment Center area.

This item was not discussed.

#### G. Request by Council Member Jose A. Valdez, Jr.

1. Update and discussion regarding the City of Laredo's first Home Expo held on July 11-12, 2009 at the Laredo Entertainment Center.

This item was not discussed.

### XIII. STAFF REPORTS

50. Discussion with possible action to consider Police Officer Arturo Benavides first request for an extension of Injury Leave with pay in accordance with 143.073 (b) of the Texas Local Government Code. Officer Benavides is currently out on injury status.

Motion to approve.

Moved: Cm. Valdez

Second: Mayor Pro Tempore Valdez

For: 8                      Against: 0                      Abstain: 0

51. Discussion with possible action to consider Police Lieutenant Pedro Sarmiento's third request for an extension of Injury Leave with pay in accordance with 143.073 (b) of the Texas Local Government Code. Lieutenant Sarmiento returned to duty on July 6, 2009.

Motion to approve.

Moved: Cm. Valdez

Second: Mayor Pro Tempore Valdez

For: 8

Against: 0

Abstain: 0

52. Status report on negotiations of proposed Municipal Golf Course, with possible action.

#### Chronology of Events

2005 – RFPs

2006 – Council approves Las Islitas site

2007 – City sells bond of \$5.1 million and adds \$500,000 to the project for a club house.

Many meetings from 2007 to the present due to challenges in Utilities and the cost of construction given the budget.

June 09 – Many terms and conditions have been clarified.

July 6, 2009 – Council asks that an agreement be brought back in 60 days with annexation of surrounding property as part of the agreement.

July 20, 2009 – Council hears from property owner and moves that we continue negotiations without annexation and that a report be brought back in 30 days.

#### Land owners Obligations

Donate the surface only of 270 acres for the golf course, additional tract of 120 acres would also be donated for recreational purposes.

Cash contribution of \$1,000,000 to pay for cost of the project.

Lease to City 500 acre feet per year of Class A Rio Grande River Water Rights for \$1.00 per year, 20 years.

#### City's Obligations

City funding for the project of \$5.6 million.

Construction of city utilities, capacity agreement, reservation of utility capacity.

Execution of IRS Form 8283 recognizing the donation of land for public purpose.

Major terms and conditions pending agreement

Timeline leading to closing on property

Service Area for utilities

Description of land to be donated



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

Moved: Cm. Liendo Espinoza

Second: Mayor Pro Tempore Garza

For: 8

Against: 0

Abstain: 0

55. Consideration to award annual supply contract number FY09-079:

1. To the low bidder, Petroleum Traders, Fort Wayne, IN, in the estimated amount of \$1,124,982.00 for the purchase of unleaded and low sulfur diesel fuel, for the transit system's fleet; or
2. To Arguindegui Oil Co., LTD., Laredo, Texas in the estimated amount of \$1,126,476.00 for the purchase of unleaded and low sulfur diesel fuel, for the transit system's fleet utilizing the local bidder's preference provision of the State of Texas Local Government Code. Arguindegui Oil Co., LTD, qualifies for the "local bidder's preference" pursuant to section 271.905 of the State of Texas Local Government Code because;

1) Arguindegui Oil Co., LTD's principal place of business is in Laredo, Texas;

2) Arguindegui Oil Co., LTD's bid is within 5% of the lowest bid and therefore the Mass Transit Board may find that Arguindegui Oil Co., "offers the local government the best combination of contract price and additional economic development opportunities for the local government created by the contract award, including the employment of residents of the local government and increased tax revenues for the local government" –TLGC Section 271.905 (b) (2).

Funding is available in the Transit Fund. (The Operations & Finance Committees recommended Arguindegui Oil Co., Ltd as local preference)

Motion to approve item # 2.

Moved: Cm. Belmares

Second: Cm. Garcia.

For: 8

Against: 0

Abstain: 0

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

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

Moved: Mayor Pro Tempore Garza

Second: Cm. Valdez

For: 7

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 36 and they are true, complete, and correct proceedings of the City Council meeting held on August 3, 2009.

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Gustavo Guevara, Jr.  
City Secretary