

**CITY OF LAREDO
CITY COUNCIL MEETING
M2009-R-015
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
August 17, 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 Salinas led in the Pledge of Allegiance.

III. ROLL CALL

In attendance:

Raul G. Salinas,	Mayor
Mike Garza,	Mayor Pro Tempore, District I
Hector Garcia,	Council Member, District II
Michael Landeck,	Council Member, District III
Juan Narvaez,	Council Member, District IV
Johnny Rendon,	Council Member, District V
Gene Belmares,	Council Member, District VI
Jose Valdez, Jr.	Council Member, District VII
Cynthia Liendo-Espinoza,	Council Member, District VIII
Carlos Villarreal,	City Manager
Gustavo Guevara,	City Secretary
Cynthia Collazo,	Deputy City Manager
Horacio De Leon,	Assistant City Manager
Jesus Olivares,	Assistant City Manager
Raul Casso,	City Attorney

Motion to excuse Mayor Pro Tempore Garza and Cm. Belmares.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 6

Against: 0

Abstain: 0

Cm. Belmares joined the meeting at 5:38 p.m.

Mayor Pro Tempore Garza joined the meeting at 6:00 p.m.

IV. MINUTES

Approval of the minutes of August 3, 2009.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Narvaez

For: 6

Against: 0

Abstain: 0

V. COMMUNICATIONS AND RECOGNITIONS

Recognitions

a. Recognizing the following students as 8th graders of the year by Friends of the Family:

- * 1st Place- Clarissa Carrillo, Clark Middle School
- * 2nd Place- Chamonix Mejia, Trautman Middle School
- * 3rd Place- Caroline Notzon, United Day School

Mayor Salinas and City Council presented the three students with Certificates of Recognition.

Communiqués

a. Presentation by City of Laredo Youth Committee on their travel to Belfast, Ireland where they participated in the Sister Cities International Youth Conference “Bridging Differences: Building a Peaceful Future”. Sponsored by Council Member Hector “Tito” Garcia and Council Member Cynthia Liendo Espinoza.

Sergio Moreno, 2008-2009 President, gave a short presentation on their travel to Belfast, Ireland.

b. Presentation by Renewable Energy Technologies on innovated green energy technologies.

Al Lopez, representing Renewable Energy Technologies, gave the following presentation:

Renewable Energy Technologies

Who is RET?

- A company founded in Laredo earlier this year
- Founders are local entrepreneurs
 - Logistics/Freight
 - Custom Brokers
 - Electrical Contracting
- In local business for over 50 years, combined labor force of approx. 43 FTEs
- Challenged to do more for the environment and the competitiveness of our community
- Traveled to various parts of the world

- EPOCH, an innovative partner who can turn water into safe, clean and renewable fuel!

RET's Mission

Generate significant, sustainable, positive environmental and economic impact locally, nationwide and in Latin America.

Key Accomplishments to Date

- Fortune 500 Senior Executive, former President & CEO of Blair Corporation, a \$426 million publicly traded company to develop and execute RET's Strategy and accelerate market penetration
- Investment in travel, equipment purchases, installation and testing of technology
- Ongoing meetings
 - Texas state and local officials
 - Long Haul US trucking companies
 - Officials from the States of Nuevo Leon, Guanajuato & Michoacan

Benefits to Laredo/Texas

- Opportunity to partner with RET and Lead with environmentally friendly green energy technologies that will deliver significant, sustainable, long-term benefits to region/nation
 - Reduce carbon emissions (cleaner environment)
 - Generate jobs (improve quality of living)
 - Reduce foreign energy dependency and fossil fuel usage
 - Improve energy efficiency
 - Lower operating costs
 - Improve Safety

Next Steps

- Finalize testing of equipment
- Work with you/others on understanding how we can best work together to ensure success
 - Understand your needs
 - Job creation, access to grants and other city/state benefits

Cm. Belmares said that the only thing he would ask staff to do would be to look at how they might be able to visit with the Laredo Development Foundation and departments that have energy grants. He thought they could look at these technologies and see what possibly would fit for them. He also felt it was important to open a line of communication with their Congressman.

- c. Invitation by the Central Labor Council of Webb County, Texas AFL-CIO to the Labor Day event scheduled for September 7, 2009.

Rolando Herrera, Secretary-Treasurer for the Center Labor Council, publicly invited the Mayor and City Council. He read a Resolution which will be presented at the AFL-CIO Convention in Pittsburgh in September.

Whereas one of the most important goals of organized labor is the assist individuals in the pursuit of educational preparation to become qualified to enter the mainstream of American society as successful citizens and

Whereas traditionally the Hispanic population is hindered by a high incidence of poverty this creating an environment of crime, teenage pregnancies, drug addiction, school dropouts, unemployment and this cycle continues and

Whereas a great number of students cannot master the exit examinations, therefore not being able to graduate and

Whereas those that continue into the community college must participate in remedial courses after remaining in such courses for a number of semesters and eventually many leave the institution in debt and

Whereas those that dropout from high school are not ready as they do not possess the necessary educational/technical skills and

Whereas "closing the gaps by 2015" formulated by the Higher Education Board (see attachment) of having more Hispanics in higher education seem unattainable.

Therefore be it resolved that the central labor of Webb county AFL-CIO is embark on an aggressive initiative to remediate the aforementioned barriers facing a large percentage of the Hispanic population and be further resolved that strategies be designed to combat those barriers so that the population addressed to be able to experience success and be productive, law abiding citizens and

Therefore be it further resolved that the national AFL-CIO provide funding/assistance to better the quality of life of the underprivileged population.

Citizen comments

Martin Portillo asked how to help the businesses in Laredo because many were being forced to close. It seemed to him that the Solid Waste Department was raising their prices and the businesses could not afford to pay. He said that his intention was to know how they could help the businesses to grow. He felt that the rents were too high for businesses and also that the City was charging too much for their utilities.

A. B. Barrera, PMDG, asked for an opportunity to make a presentation to Council at the next meeting. He wished to clarify points that were raised in a recent newspaper article with regards to Laredo's image. He asked for this item to be put on the agenda for the next Council meeting.

VI. PUBLIC HEARINGS

1. 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 \$230,491.00 from the Texas Department of State Health Services, for continuation of the Immunization Action Plan (IAP) Program of the Health Department, including a projected amount of program income of \$76,627.00 for the period from September 1, 2009 through August 31, 2010.

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. Belmares

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

2. Public hearing and introductory ordinance authorizing the City Manager to accept a contract from the Texas Department of State Health Services and appropriating revenues and expenses in the amount of \$74,582.00 for the Community Preparedness Section/Public Health Emergency Preparedness (PHEP) Discretionary Fund Phase II for the support of PHEP activities in particular the Early Warning Infectious Disease Surveillance (EWIDS) Program and bio-safety level III laboratory for the term period beginning July 24, 2009 through November 30, 2009.

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Belmares

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

3. Public hearing for the adoption of a tax rate of \$0.637000 per \$100 value for the Tax Year 2009. The tax rate will provide revenue for the general fund and debt service. The rate includes \$0.512772 per \$100 value for Maintenance and Operation and \$0.124228 per \$100 value for Sinking Fund of the Debt Service and is estimated to generate a tax levy of \$66,883,941.00. The City Council is scheduled to vote on the tax rate on September 15, 2009 at 12:00 p.m. and September 21, 2009 at 5:30 p.m. at City Council Chambers located at 1110 Houston.

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: Mayor Pro Tempore Garza

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

4. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for an office on Lot 7, Block 1930, Eastern Division, located at 3104 Loop 20. The Planning and Zoning Commission has recommended approval of the permit. District II

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

Enrique Delgado, property owner, requested approval of his request.

Motion to close the public hearing and introduce.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 8

Against:

Abstain:

Ordinance Introduction: Cm. Garcia

5. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 6, Block 349, Eastern Division, located at 101 E Lyon Street, from R-3 (Mixed Residential District) to B-1 (Limited Commercial District). The proposed use is for commercial purposes. The Planning and Zoning Commission has recommended approval of the zone change. District IV

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 table.

Moved: Cm. Narvaez

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

6. Public hearing and introductory ordinance amending Ordinance No. 2005-O-304 authorizing the issuance of a Conditional Use Permit for maintenance and parts for forklifts on Lots 11 & 12, Block 432, Eastern Division, located at 302 W. Saunders Street, by amending the site plan, Exhibit "B". The Planning and Zoning Commission has recommended approval of the amendment with the change that access to Saunders be limited to an "Exit Only." District V

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Landeck

For: 8

Against: 0

Abstain: 0

Mr. Alex Kleiman spoke in favor of the approval. He stated that the request was originally to make this an entrance and exit, and that it was currently zoned B-3. He added that they had requested a few years ago to amend this for a CUP because they were leasing to a forklift company. However, the Planning and Zoning Commission recommended an exit-only.

City Manager Carlos Villarreal stated that staff had a concern because of the narrowness of the streets. He felt that this would cause major traffic problems.

Cm. Rendon stated that his concern was for the exit. He felt that the entrance should be allowed.

Cm. Belmares wished to know if there were still pending citations for this applicant in municipal court. If so, the applicant agreed to the original terms and then did not comply for the past four years. This conflicted with the access management plan.

Motion to table this item.

Moved: Cm. Rendon

Second: Mayor Pro Tempore Garza

For: 8

Against: 0

Abstain: 0

VII. FINAL READING OF ORDINANCES

Motion to waive the Final Reading of Ordinances 2009-O-129, 2009-O-130, 2009-O-131-, 2009-O-132, 2009-O-133, 2009-O-134, 2009-O-135, 2009-O-136, 2009-O-137, 2009-O-144, 2009-O-145, 2009-O-146, 2009-O-147, 2009-O-148, 2009-O-149, 2009-O-150, and 2009-O-151.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

7. 2009-O-129 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

2009-O-133 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, term from January 1, 2009 through December 31, 2009; and amending the City of Laredo FY 2008-2009 full-time equivalent positions by adding one (1) Health Educator II position. (AS AMENDED)

Motion to adopt Ordinance # 2009-O-133.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

2 009-O-134 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 adopt Ordinance # 2009-O-134.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

2009-O-135 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.

Motion to adopt Ordinance # 2009-O-135.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

2009-O-136 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

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 adopt Ordinance # 2009-O-150.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

- 2009-O-151 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.

Motion to adopt Ordinance # 2009-O-151.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

VIII. RESOLUTIONS

8. 2009-R-066 Authorizing the City Manager to execute two (2) addenda to the facilities rental service agreement dated February 4, 1980 between City and AEP Texas Central Company, as follows:
1. Addendum1 providing for monthly facilities rental charges of \$4,611.04 for ESI ID: 10032789424596240; and
 2. Addendum 2 providing for monthly facilities rental charges of \$7,805.30 for ESI ID: 10032789419420260 based on the total cost of facilities as specified in the designed expansion improvements to be

Tract 1. A 0.0597 acre parcel more or less out of a 20 foot wide community lane, situated in Porcion 22, Abstract 277, Original Grantee Maria De Jesus, City of Laredo, Webb County, Texas.

Tract 2. A 0.1039 acre parcel, more or less, out of Arnulfo Santos property, called to contain 2.01 acres, recorded in volume 539, pages 886-889, Official Public Records of Webb County, Texas; herein, described parcel situated in Porcion 22, Abstract 277, Original Grantee Maria De Jesus, City of Laredo, Webb County, Texas.

Tract 3. A 0.6778 acre parcel, more or less, out of Iglesia Castillo Del Rey, Incorporated (ICDR) Property, called to contain 2.00 acres, recorded in Volume 1230, Pages 139-141, Official Public Records of Webb County Texas; herein described parcel situated in Porcion 22, Abstract 277, Original Grantee Maria De Jesus, City of Laredo, Webb County, Texas.

Tract 4. Lot 2, Block 15, Crown Ridge Phase I Subdivision, City of Laredo, Webb County, Texas;

Further authorizing staff to negotiate with the owners for the acquisition of said parcels by purchase at their market values established by a State Certified Real Estate Appraiser; and authorizing the City Attorney to initiate condemnation proceedings to acquire one or more of said parcels if staff is unable to acquire one or more due to inability to agree to a purchase price, conflict of ownership, owner refusal to sell, and/or inability to locate a listed owner.

Motion to approve Resolution # 2009-R-096.

Moved: Cm. Belmares

Second: Mayor Pro Tempore Garza

For: 8

Against: 0

Abstain: 0

12. 2009-R-097 Authorizing the City Manager to sign a water rights agreement attached hereto as exhibit A between the City of Laredo and Geraldine McCann Sisco, where by the City is agreeing to purchase the right to divert and use 207 ac/ft. per annum of Class "B" irrigation water rights which after conversion from irrigation rights to municipal use rights amounts to 82.80 ac/ft of municipal use rights per annum. A purchase price of \$2,250.00 per ac/ft for a total purchase price of \$186,300.00 and further authorizing the City Manager to sign and file necessary applications with the Texas Commission on Environmental Quality on behalf of the City requesting that said water rights be severed from Certificate of Adjudication No. 23-2774 and combined with Certificate of Adjudication No. 23-3997 as amended and that the point of diversion, purpose and place of use of said water rights be changed as required by the City. Funding is available in the water availability fund.

Motion to approve Resolution # 2009-R-097.

Moved: Cm. Garcia
Second: Mayor Pro Tempore Garza
For: 8 Against: 0 Abstain: 0

17. Consideration to award a contract for \$102,412.99 to Positron Public Safety Systems through the Houston Galveston Area Council of Governments (HGAC) cooperative purchasing program for digital aerial photography for Jim Hogg, Starr, Webb, and Zapata counties. The aerial photography will be used by 9-1-1 database personnel and 9-1-1 centers to provide enhanced level of service. Funding is available in the 9-1-1 Regional Fund.

Motion to approve.

Moved: Cm. Garcia
Second: Mayor Pro Tempore Garza
For: 8 Against: 0 Abstain: 0

18. Authorizing the City Manager to execute a contract between the City of Laredo (City), South Texas Development Council (RPC), and Commission on State Emergency Communications (CSEC) for the period beginning September 1, 2009 and ending August 31, 2011 to administer the 9-1-1 program on behalf of the RPC for the Counties of Jim Hogg, Starr, Webb and Zapata.

Motion to approve.

Moved: Cm. Garcia
Second: Mayor Pro Tempore Garza
For: 8 Against: 0 Abstain: 0

19. Consideration to authorize payment to nine (9) vendors (Embarq, Intrado, DIR, AT&T, Sprint/Nextel, Verizon Southwest, Jim Hogg County, Starr County, Zapata County and Laredo Community College) for providing existing 9-1-1 telephone network, database, wireless, equipment maintenance, and training services for the four (4) county regional 9-1-1 system in the projected amount of \$515,271.00. Payments are for the period September 1, 2009 through August 31, 2010. Funding is available in the 9-1-1 Regional Fund.

Motion to approve.

Moved: Cm. Garcia
Second: Mayor Pro Tempore Garza
For: 8 Against: 0 Abstain: 0

20. Approving monthly adjustments to the tax roll. The amounts to be adjusted for the month of July 2009 represent an increase of \$23,223.14. These adjustments are determined by the Webb County Appraisal District and by court orders.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

21. Consideration for approval of the North Central Park—Phase 1A as complete and approval of Change Order No. 3 a decrease of \$11,407.79 for the balance of quantities actually constructed in place, release of retainage, and approval of final payment in the amount of \$61,673.84 to Jerry Resendez Enterprises, Inc., Laredo, Texas. Final construction contract amount is \$1,233,476.71. Furthermore, liquidated damages assessed for late completion and accepted by contractor is (20 days at \$550.00/day)-- \$11,000.00 to be deducted as follows: \$8,507.05 for in-kind work and \$2,492.95 deduct from final payment, therefore, net final payment is \$59,180.89. Funding is available in the 2005 C.O. Bond and 2006 C.O. Bond.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

22. Consideration for approval of the Texas/Piedra China Improvements Phase III--Paving as complete, and approval of Change Order No. 1 a decrease of \$32,529.00 for the balance of quantities actually constructed in place, release of retainage and approval of final payment in the amount of \$33,818.00 to Reim Construction, Inc., Alton, Texas. Final construction contract amount is \$561,296.00. Funding is available in the 2007 C.O. Piedra China Ph. 3 Paving.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

23. Consideration for approval to award a professional services contract to URS Corporation, Dallas, Texas, for an amount not to exceed \$127,477.44 for design and preparation of plans and specifications for the Laredo International Airport General Aviation Apron Reconstruction Phase 6. Design work is to be on a fast track basis approximately four (4) months. Funding is available in the Airport Construction Fund FAA Grant. 53.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

24. Consideration to exercise the renewal option for one (1) additional year for contract FY 07-162 awarded to McNeilus Truck, Hutchins, Texas, for OEM McNeilus repair parts/service (refuse trucks) in the estimated annual amount of \$90,000.00. All parts and services will be purchased on an as needed basis. Funding is available in the Fleet Maintenance budget.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

25. Consideration to award contract FY09-089 to the low bidder, Gulf Coast Emergency Vehicles, Houston, TX in the amount of \$1,544,284.00 for the purchase of four (4) fire custom rescue fire fighting vehicles (engine pumper trucks). Funding is available from 2007 and 2008 contractual obligation bond proceeds and CDBG grant funding.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

26. Consideration for approval of the selection of consultant HKS Sports & Entertainment, Dallas, Texas, in association with Humphries & Sanchez Architects, Laredo, Texas, and Puig Engineering, Laredo, Texas, to provide feasibility plans, surveys, designs, plans and specifications and construction services for the Professional Baseball Facility to be located in the vicinity of the Laredo Entertainment Center.

Motion to table.

Moved: Cm. Valdez

Second: Cm. Garcia

For: 3

Against: 5

Abstain: 0

Mayor Pro Tem Garza

Cm. Garcia

Cm. Valdez

Cm. Landeck

Cm. Narvaez

Cm. Rendon

Cm. Belmares

Cm. Liendo Espinoza

Motion fails.

Motion to open the item for discussion.

Moved: Cm. Garza

Second: Cm. Belmares

For: 8

Against: 5

Abstain: 0

Assistant City Manager Jesus Olivares reported that they had looked at all the qualifications of the team members. They felt that the team that they were recommending was a strong team that could come in and develop the plans and specifications that the City desired.

Cm. Garcia wanted to make sure that a majority of the work was kept in Laredo and not brought in from the outside.

Juan Homero Sanchez of Humphries & Sanchez Architects said that they were happy to have been selected and felt that they had something to offer to either team. They had negotiated an arrangement with the recommended firm. His concern was also that local subcontractors be involved. He felt that there were local firms very well qualified to do this type of work and that there should be more local participation.

Jeff Puig of Puig Engineering felt that both teams had extremely good qualifications. He said that the important thing to understand was that when they were working in their hometown, there needed to be communication. He felt disappointed that a large firm would not communicate the information that the team members would be attending this meeting.

City Manager Carlos Villarreal said that they needed to have the best possible stadium that they could construct for the City of Laredo. This meant needing the experience of people who had constructed stadiums.

Motion to instruct staff to select consultants HKS Sports Entertainment Dallas in association with Humphries & Sanchez Architects and to stipulate that 50% of participation would be Laredo firms as amended.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

27. Motion to authorize the City Manager to increase funding for the Laredo Entertainment Center Operations from the Sports and Community Venue General Sales & Use Taxes for FY08-09 in an amount not to exceed \$207,990.00 for an estimated total of \$927,371.00.

Motion to approve.

Moved: Mayor Pro Tempore Garza

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

28. Award a construction contract to the lowest bidder Whitestone Construction Ltd. in Laredo, Texas in the amount of \$110,765.22 for the Dorel Lift Station Elimination Project. The improvements consist of constructing 8” sanitary sewer collection line with manholes. The construction time is 120 calendar days. Funding is available in the 2006 Sewer Bond.

Motion to approve.

Moved: Mayor Pro Tempore Garza

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

29. To select the following ancillary providers for employees voluntary benefits: Group Life Insurance to be provided by Fort Dearborn Life Insurance Company with agent service provided by Laurel and Associates; group disability to be provided by UNUM Insurance with agent service provided by Laurel and Associates; group vision care to be provided by superior vision services on a direct basis; group cancer, individual accident and individual critical illness to be provided by Colonial Life as a package program with agent service provided by Laurel and Associates; these benefit changes will be effective October 1, 2009.

Motion to approve.

Moved: Mayor Pro Tempore Garza

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

X. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

30. A. Request by Council Member Dr. Michael Landeck

1. 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.

Cm. Landeck said that they should move forward with this project, but he had nothing else to add at this time since they had now selected a firm.

B. Request by Council Member Gene Belmares

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

Cm. Belmares stated that he wished to table this item except for adding a cost differential and an estimate for building the speed cushions in-house.

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.

Cm. Belmares said that he put this item on the agenda because he felt that they needed to reignite the process.

Assistant City Manager Jesus Olivares said that they would prepare a new RFP.

Motion to go out for RFP's for a water park with two caveats: that there would be an additional amenity close by and that they would consider some infrastructure improvements as part of the negotiations but not to be designed or operated themselves.

Moved: Cm. Belmares

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

3. Discussion with possible action on creating an assessment for reconstruction and

acceptance of Martingale Street from individual owners.

Cm. Belmares reported that there was a street that lay in Del Mar, just off of Springfield, south of Village that made a horseshoe connection. It appeared that this street did not belong to the City of Laredo, but belonged to the residents as a private street. They could not prepare that street or accept it unless they could create an assessment to every single owner of a property on that street which would be equal to the cost of reconstructing that road.

Motion to come back with a cost assessment for reconstructing the street with the caveat that if they do not own the property, then the study is cursory.

Moved: Cm. Belmares

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

XI. STAFF REPORTS

31. Discussion with possible action regarding the Interlocal Cooperation Agreement between the City of Laredo and the County of Webb for fire protection, emergency medical, and rescue services for areas in the county outside the incorporated limits of the City. Council action may include possible modification(s) of the contract, and other related matters.

Steve Landin, Fire Chief, gave the following presentation:

City of Laredo and Webb County Interlocal Agreement

- 3/1/1997 – 9/30/2000 \$500,000 per annum payable in seven (7) equal monthly installments of \$41,666.66 (3 year contract)
- 10/1/1999 – 9/30/2001 \$450,000 per annum payable in twelve (12) equal monthly installments of \$37,500 (2 year contract)
- 10/1/2001 – 9/30/2003 \$450,000 per annum payable in twelve (12) equal monthly installments of \$37,500 (2 year contract)
- 11/1/2003 – 9/30/2005 \$481,250 for the first 11 months payable in 11 equal monthly installments of \$43,750 & \$600,000 for the next 12 months payable in 12 equal monthly installments of \$50,000 each (2 year contract)
- 10/1/2005 – 9/30/2010 \$600,000 per annum payable in sixty (60) equal monthly installments of \$50,000 (5 year contract)

Maintenance and Operation Fee Schedule

City of Laredo

FY07-08 Actual FD Budget \$34,347,381 / 36,220 Actual Responses
= \$948 per incident

FY08-09 Estimated FD Budget \$34,657,420 / 31,839 Estimated Responses
= \$1,089 per incident

FY09-10 Proposed FD Budget \$35,417,546 / 35,132 Proposed Responses
= \$1,008 per incident

Webb County

FY07-08 Actual calls 708 @ \$948 per incident = \$671,184

FY08-09 Estimated calls 908 @ \$1,089 per incident = \$988,812

FY09-10 Proposed calls 1,108 @ \$1,008 per incident = \$1,116,864

Total FD FY Budget
 FY07-08 - \$34,347,381
 FY08-09 - \$34,657,420
 FY09-10 - \$35,417,546

FY07-08 Actual annual cost @ \$671,184 + 32,688 = \$703,872
 FY08-09 Estimated annual cost @ \$988,812 + 32,688 = \$1,021,500
 FY09-10 Proposed annual cost @ \$1,116,864 + 32,688 = \$1,149,552

Capital Outlay Fee Schedule

Webb County Response Fleet Listing

Pumpers	Tankers	Incident Command Unit	Rescue Ambulance	EMS Supervisors
\$400,000	\$164,000	\$50,000	\$239,000	\$50,000
x 14 units	x 4 units	x 3 units	x 10	x 3
\$5,600,000	\$656,000	\$150,000	\$2,390,000	\$150,000

Fire Suppression	EMS
\$5,600,000 (Pumpers)	\$2,390,000 (Rescue Ambulance)
\$656,000 (Tankers)	<u>\$150,000</u> (EMS Supervisor Unit)
<u>\$150,000</u> (Incident Command)	
\$6,406,000	\$2,540,000

\$6,406,000 ÷ 10 year replacement cycle = \$640,600 per year Fire Suppression
 \$2,540,000 ÷ 5 year replacement cycle = \$508,000 per year EMS

\$640,000 per year (Fire Suppression)

\$508,000 per year (EMS)

\$1,148,000 per year (Fleet Replacement Cost / City of Laredo Fire Department)

\$1,148,000 Fleet Replacement Cost per Year Total

÷ 31,839 Estimated 08/09 C.O.L. calls

\$ 36 C.O.L. fleet replacement cost/call

\$36 cost/call @ 908 estimated 08/09 County Calls = \$32,688 fleet replacement cost/year

Fire Responses

07-08	08-09	09-10
Actual	Estimated	Proposed
329	249	422

EMS Responses

07-08	08-09	09-10
Actual	Estimated	Proposed
379	546	686

City Manager Carlos Villarreal said they wanted to understand what direction they were getting from the Council. He asked if this was referring to structural fires with the exception of churches and schools in the non-incorporated areas in the County of Webb.

Cm. Belmares responded that the instructions were for structural fires in non-incorporated areas and EMS services.

City Manager Carlos Villarreal said that they would have to go to Webb County and indicate to them that for the duration of the contract, they would handle EMS calls, structural fires in non-incorporated areas in Webb County, and no brush fires.

Motion to inform Webb County that they would like to renegotiate the contract based on structural fires in non-incorporated areas and EMS and mutual assistance agreements for schools and churches not including brush fires.

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

Against: 0

Abstain: 0

XII. EXECUTIVE SESSION

XIII. 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: Mayor Pro Tem Garza
Second: Cm. Landeck
For: 8

Against: 0

Abstain: 0

32. 2009-RT-007 Authorizing the City Manager to apply for State Public Transportation Funds for FY 2009-2010 in the amount of \$708,885.00 with the Texas Department of Transportation which is authorized to distribute State Funds for Transit Capital and Operating Assistance in urbanized areas under 200,000 in population.

Motion to approve.

Moved: Mayor Pro Tem Garza
Second: Cm. Narvaez
For: 8

Against: 0

Abstain: 0

33. Consideration to award annual supply contracts (FY 09-067) to the listed vendors for providing bus and van fleet parts.

Vendor	Total	Vendor	Total
Diesel Injection	\$5,806.80	MCI Service Parts	\$53,395.42
Sales			
Gonzalez Auto	\$7,450.20	New Flyer	\$80,268.61

Parts			
Texas Alternator	\$9,103.26	RDO Equipment	\$93,024.16
		Co. Coastal Diesel	
Velco	\$12,088.80	Injection Service,	\$97,502.14
		Inc.	
Thermo King of	\$15,578.16	C.C. Battery Co.,	\$98,784.42
West Texas		Inc.	
Andy's Auto Air &	\$20,748.30	Muncie Transit	\$99,846.41
Supply		Supply	
Cummins Southern	\$22,958.86	Stewart &	\$104,955.47
Plains, Inc.		Stevenson Sr.	
Texas Fleet Supply	\$24,596.28	Rush Truck	\$108,648.56
		Centers	
Reliable	\$25,705.68	Gillig Corporation,	\$110,951.99
Transmission		Inc.	
National Bus Sales	\$49,946.16	Prevost Parts	\$112,459.58
Vehicle	\$51,884.51		
Maintenance			
Programs			

Contracts will be awarded by item(s) to the lowest responsible bidder for parts most commonly purchased for non-warranty repairs. All items will be purchased on an as needed basis. Funding is available in the El Metro Operations Fund.

Motion to approve.

Moved: Mayor Pro Tempore Garza

Second: Cm. Narvaez

For: 8

Against: 0

Abstain: 0

XIV. 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: Mayor Pro Tempore Garza

Second: Cm. Landeck

For: 8

Against: 0

Abstain: 0

I, Gustavo Guevara, Jr., City Secretary, do hereby certify that the above and foregoing is a true and correct copy of the minutes contained in pages 01 to 24 and they are true, complete, and correct proceedings of the City Council meeting held on August 17, 2009.

Gustavo Guevara, Jr.
City Secretary