

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

I. CALL TO ORDER

With a quorum present, Cm. Gene Belmares called the meeting to order.

II. PLEDGE OF ALLEGIANCE

Cm. Gene Belmares 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 Salinas, Mayor Pro Tem Garza and Cm. Liendo Espinoza.

Moved: Cm. Garcia

Second: Cm. Landeck

For: 6

Against: 0

Abstain: 0

IV. MINUTES

Approval of the minutes of September 21, 2009

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 6

Against: 0

Abstain: 0

Mayor Salinas joined the meeting at 5:44 p.m.

Cm. Liendo Espinoza joined the meeting at 5:46 p.m.

Mayor Pro Tempore Garza arrived at 6:07 p.m.

V. COMMUNICATIONS AND RECOGNITIONS

Recognitions

- a. Recognizing Ruthe B. Cowl Rehabilitation Center on their 50th Anniversary Celebration.

Mrs. Lilian Dickenson received the recognition on behalf of Ruthe B. Cowl Rehabilitation Center from the Mayor and City Council.

Communiqués

Citizen comments

Emilio Martinez spoke on two final reading ordinances. Regarding the parking ticket ordinance, he stated that the City was creating a new bureaucracy which included a hearing officer. He felt that there was money being misspent on this item. He also mentioned the ordinance regarding the proposed storage of explosive materials near schools and residential areas. He asked for Council to reconsider this item.

VI. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

None.

VII. PUBLIC HEARINGS

1. Public hearing and introductory ordinance amending Chapter 11 entitled (Electricity) of the Code of Ordinance of the City of Laredo by amending Section 11-2, of the Laredo Code of Ordinances by adopting with modification and amendments, the 2008 edition of the National Electrical Code of the National Fire Protection Association, Inc.; deleting sections 11-6, 11-23, 11-25, 11-27, 11-61, 11-64; modifying sections 11-4, 11-7, 11-22, 11-43; amending section 11-24 registration fees for contractors; amending section 11-44 basis fees from \$20.00 to \$25.00 and re-inspection fees from \$10.00 to \$50.00; adding section 11-65 providing a penalty not to exceed \$2,000.00; providing a saving clause; providing severability clauses; and providing an effective date. (Approved by Operations & Finance Committees)

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. Valdez

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

2. Public hearing and introductory ordinance amending the City of Laredo Health Department FY2009-2010 annual budget by authorizing the City Manager to accept, execute and appropriate revenues and expenditures for the continuation of the Women, Infants and Children (WIC) Program in funds not to exceed a total of \$4,552,528.00 (\$4,133,295.00 (6008) and \$419,233.00 (6009)) from the Texas Department of State Health Services beginning October 1, 2009 through September 30, 2010; and amending the FY 2009-2010 City of Laredo full-time equivalent positions by adding one (1) full-time equivalent breastfeeding peer lay educator position with benefits (226-6008) and one (1) full-time equivalent nutritionist position with benefits (226-6009). (Approved by Finance Committee)

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. Belmares

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

3. Public hearing and introductory ordinance amending the City of Laredo Health Department FY 2009-2010 annual budget by authorizing the City Manager to accept, execute and appropriate revenues and expenditures in the amount of \$40,000.00 for the Texas Mexico Bi-National Solid Waste Reduction and Vector Control Border 2012 grant to provide prevention, disease control, and health promotion activities from the Border Environment Cooperation Commission for the term period of October 1, 2009 through March 31, 2011. (Approved by Finance Committee)

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Landeck

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Valdez

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

4. Public hearing and introductory ordinance amending the City of Laredo 2009-2010 budget by appropriating revenues and expenditures in the amount of \$300,000.00. The United States Section of the International Boundary and Water Commission (USIBWC) agreed to give the City of Laredo a contribution in the amount of \$250,000.00 and the City of Nuevo Laredo, Tamp. agreed to give a contribution in the amount \$50,000.00 for the Rio Grande Low Water Weir Project. (Approved by Finance Committee)

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. Valdez

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

5. Public hearing and introductory ordinance amending the City of Laredo FY 2010 Airport Construction Budget to recognize additional revenues from a grant received from the Federal Aviation Administration Airport Improvement Program Grant Project No. 3-48-0136-057-09 in the amount of \$3,092,510.00 to rehabilitate General Aviation Apron Phase 4, Rehabilitate Runway 17R/35L edge lights, signs, upgrade electrical vault to include replacing regulators and emergency power generator(s), rehabilitate edge lights at Runway 17L and Taxiway J and engineering work to extend Runway 17R/35L at the Laredo International Airport and appropriating said grant revenue to the appropriate revenue and expenditure accounts and authorizing the City Manager to implement said budget amendment. The City's local match in the amount of \$163,764.00 (5%) is available through the land purchased in FY2006 (Rash Tract). (Approved by Operations & Finance Committees)

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. Valdez

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

VIII. INTRODUCTORY ORDINANCES

6. Setting the maximum speed limits on that portion of Shiloh Drive between IH 35 and McPherson Avenue, within the City limits of Laredo, Webb County, Texas, as 40 MPH, as defined in the control section map provided by the City of Laredo, Traffic Safety Department. (Approved by Operations Committee)

Introduction Ordinance: City Council

7. Authorizing the City Manager to convey a 15 foot easement to AEP for an overhead power line from Las Peñitas Road through the City's 30 acre site for the Peñitas Wastewater Treatment Plant in order for AEP to provide electric service for the plant, copy of which easement is attached as Exhibit 1, and copy of the location of the power pole is shown on Exhibit A of Exhibit 1; and providing for an effective date. (Approved by Operations Committee)

Introduction Ordinance: City Council

8. Amending Ordinance No. 2007-O-016 providing for a lease agreement by and between the Laredo Transit Management, Inc. and the City of Laredo Department of Community Development by increasing the leased space at the Laredo Transit Center located at 1301 Farragut by 1,016 sq. ft. from 6,628 sq. ft. to 7,644 sq. ft. for a monthly sum of \$5,289.65 and increasing the Community Development's prorated share of the electric and water bills from 20% to 25% for the remaining term of the existing lease that expires February 2010. All other terms of the agreement will remain the same. This action is contingent upon the continued availability of grant funding and as a result of recently funded programs through the American Reinvestment and Recovery Act (ARRA). (Approved by Finance Committee)

Introduction Ordinance: City Council

IX. FINAL READING OF ORDINANCES

Motion to waive the final readings of Ordinances 2009-O-169, 2009-O-170, 2009-O-171, 2009-O-172, 2009-O-173, 2009-O-174, 2009-O-175, 2009-O-176, 2009-O-177, 2009-O-178, 2009-O-179, and 2009-O-180.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

9. 2009-O-169 Amending the City of Laredo Health Department FY 2008-2009 annual budget by authorizing the City Manager to accept, execute and appropriate revenues and expenditures in the amount of \$258,965.00 from the Texas Department of State Health Services for Public Health Emergency Response (PHER) to provide pandemic planning for prevention, disease control, health promotion and risk communication activities for the term period September 15, 2009 through July 31, 2010; and amending the FY 2008-2009 City of Laredo full-time equivalent positions by adding three (3) full-time positions with benefits.

Motion to adopt Ordinance 2009-O-169.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

- 2009-O-170 Amending the City of Laredo Health Department FY 2008-2009 annual budget by authorizing the City Manager to accept, execute and appropriate revenues and expenditures in the amount of \$150,000.00 for continuation of the Office of Border Health-Early Warning Infectious Disease Surveillance (EWIDS) grant to continue to provide prevention, disease control, and health promotion activities from the Texas Department of State Health Services for the term period of August 1, 2009 through July 31, 2010.

Motion to adopt Ordinance 2009-O-170.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

- 2009-O-171 Amending the City of Laredo 2008-2009 Annual Budget by appropriating revenues and expenditures in the amount of \$139,813.00 and accepting a grant award in same amount from the Bureau of Justice Assistance. The Office of Justice Programs, Bureau of Justice Assistance is contributing the full grant amount of \$139,813.00 with no match amount obligated to the City of Laredo. The City of Laredo and Webb County will each receive \$69,906.50. The City of Laredo will utilize this funding for the purchase of equipment for Homeland Security purposes by the Laredo Police Department for the period of October 1, 2008 through September 30, 2012.

Motion to adopt Ordinance 2009-O-171.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

- 2009-O-172 Authorizing the City Manager to amend the City of Laredo's FY 2008-2009 Transit System's Capital Grant Budget by \$475,709.00. Ten (10%) percent of the capital funds from the Federal Transit Administration American

Recovery and Reinvestment Act (ARRA) Grant TX-96-X001 will be used to fund El Metro's Operating Expenses.

Motion to adopt Ordinance 2009-O-172.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

2009-O-173 Amending Chapter 19 Motor Vehicles and Traffic, Articles VIII, stopping, standing or parking, Section 19-355, by amending subsection(A) by separating into subsections (B) and (C) and by creating new subsections (A) and (D) through (I), thereby declaring the violation of City Ordinances relating to stopping, standing, or parking to be civil offenses; prescribing civil fines and other civil penalties; authorizing the City Manager to appoint hearing officer(s); providing for administrative appeal to municipal court; providing for the amount and disposition of civil fines, costs, and fees; and authorizing the Municipal Court to collect an administrative appeal cost for each offense appealed to Municipal Court, and to provide for severability, publication and effective date.

Motion to adopt Ordinance 2009-O-173.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

2009-O-174 Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for a ballroom with alcohol sales on Lot 3, Block 2, Junction Park at Loop 20 Subdivision, located at 804 Los Presidentes Avenue; providing for publication and effective date.

Motion to adopt Ordinance 2009-O-174.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

2009-O-175 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 12, Block 1851, Eastern Division, and 7,716.73 square feet out of Canada Avenue, located at 3002 Clark Boulevard, from R-3 (Mixed Residential District) to B-1 (Limited Commercial District); providing for publication and effective date.

Motion to adopt Ordinance 2009-O-175.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

2009-O-176 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Tract 17, D-5 Acres, located at 7092 Los Nietos Street, from R-1 (Single Family Residential District) to R-3 (Mixed Residential District); providing for publication and effective date.

Motion to adopt Ordinance 2009-O-176.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

2009-O-177 Amending Ordinance No. 2009-O-050 authorizing the issuance of a Special Use Permit for a flea market on Lot 1, Block 1, Ervin Farm, located at 4210 S Highway 83, by amending the provisions; providing for publication and effective date.

Motion to adopt Ordinance 2009-O-177.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

2009-O-178 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 16-22, Block 1, Santa Fe Subdivision, Unit XII, located at 4517, 4519, 4521, 4523, 4525, 4527, and 4529 Vanessita Court, from B-3 (Community Business District) to R-1MH (Single Family Manufactured Housing District); providing for publication and effective date.

Motion to adopt Ordinance 2009-O-178.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

2009-O-179 Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit for the storage of flammable and explosive products on Lot 1, Block 1, United Independent School District Central Administration Complex Plat, located at 501 Eden Lane; providing for publication and effective date.

Motion to adopt Ordinance 2009-O-179.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

2009-O-180 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 1, 2, 8, 9, and 10, Block 28, Western Division, located at 1 S Main Avenue, from AG (Agricultural District) to B-3 (Community Business District); providing for publication and effective date.

Motion to adopt Ordinance 2009-O-180.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

X. RESOLUTIONS

10. 2009-R-115 Accepting the donation of a tract of land for one (1) utility easement from Esther Martinez, Olga Veronica Martinez, Julio Martinez, Jr., Homero Martinez and Rolando Martinez, for the Pueblo Nuevo Subdivision Easement Acquisition Project; said 0.1020 acre tract, more or less out of Lot 4, Block 19, Pueblo Nuevo Subdivision, recorded in Volume 5, Page 19, Map Records, Webb County, Texas, more particularly described by metes and bounds and a survey; hereto, attached as Exhibits "A" and "B". (Approved by Operations Committee)

Motion to approve Resolution 2009-R-115.

Moved: Cm. Belmares

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

11. 2009-R-117 Adopting the City of Laredo Pre Disaster Mitigation (PDM) Plan for the purpose of assisting in identifying and analyzing the various hazards that may occur in our community and organizing the different strategies that will help in making the City of Laredo more disaster resistant by reducing or eliminating the long term risk of loss of life and property damage from the full range of natural disasters or significant emergencies. The State of Texas Governor's Division of Emergency Management and the Federal Emergency Management Agency (FEMA) have both reviewed and approved the plan contingent on adoption of the City Council, Adopting the City of Laredo Pre Disaster Mitigation. Exhibit A as attached hereto.

Motion to approve Resolution 2009-R-117.

Moved: Cm. Belmares

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

XI. MOTIONS

12. Consideration to award a contract to Gulf Coast Emergency Vehicles, Houston, Texas in the amount of \$456,393.00 through the Houston Galveston Area Council Government (H-GAC) cooperative purchasing program, for the purchase of two (2) replacement ambulance trucks. One ambulance will be assigned to Fire Station No. 11 and the other truck will be a reserve ambulance. Funding is available from 2009 Contractual Obligation Bond Proceeds, 2009 PPFCA. (Approved by the Finance Committee)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

13. Consideration to exercise the purchase option for contract FY09-089 awarded to the low bidder, Gulf Coast Emergency Vehicles, Houston, Texas in the amount of \$772,142.00 for the purchase of two (2) fire custom rescue fire fighting vehicles (engine pumper trucks). These replacement trucks will be assigned to Fire Stations No. 2 and 10. Funding is available from 2009 Contractual Obligation Bond Proceeds, 2009 PPFCO. (Approved by Finance Committee)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

14. Consideration for approval of Change Order #4 in the amount of \$202,093.25 to Jimmy Closner Construction Co., Inc. for the project on Mines Road Colonias Water Distribution Systems Work Order #1 and is subject to the approval of the Texas Water Development Board. This change order consists on the lowering existing services for the Pueblo Nuevo Data Matic System and to reflect the quantities constructed until now. The construction contract time is extended for an additional 90 calendar days. The revised contract amount is \$2,534,916.50. The new construction time including this change order will be 595 calendar days. Funding is available in the Colonias Project Fund. (Approved by Finance Committee)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

15. Consideration for approval of Change Order #2 in the amount of \$14,265.00 to QROMEX Construction Co., Inc. Granite Shoals, Work Order #2 Water Distribution and Wastewater Collection for Pueblo Nuevo Improvements Project, subject to the approval of the Texas Water Development Board. This change order consists of construction improvements to provide electrical services for two (2) Lift Stations, located on Paredes Street and the other on Main Street. The revised contract amount is \$2,584,984.89. Funding is available in the Colonias Fund. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

16. Consideration for approval of amendment No. 1 an increase of \$186,000.00 to the

professional services contract with FQR Architects, Inc., Laredo, Texas, for the James and Maria Luisa Haynes Health and Wellness Center for the design and preparation of the construction bid documents to include additional facilities including racquetball courts, restrooms, mechanical and storage areas, additional landscaping, tennis courts, walkways, jogging track, and swimming pool. Current engineering contract amount including this amendment No. 1 is \$1,096,208.00. Funding is available in the 2008 and 2009 C.O. Issues. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

17. Consideration for approval to award a professional services contract to Design Group International, Laredo, Texas, in an amount not to exceed \$90,000.00 to provide feasibility study and design services for the roof replacement of the old Santo Nino Library to include new roofing, steel roof structure, foundation modifications if needed, exterior painting and non-structural repairs, new a/c and ducts lighting and plumbing fixtures, electrical panels and wall wiring, new finishes as required and all in compliance with ADA requirements. Design work is to be done on a fast track basis. Funding is available in the 2006 C.O. Issue. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

18. Consideration for approval of amendment No. 2 to Howland Engineering and Surveying Co. in the amount of \$8,500.00 for updating design and construction plans and specifications of the 24" Water Transmission Line from Mary Help of Christian Booster Station to International Boulevard along Michigan Avenue to meet Texas Water Development Board/ American Recovery & Reinvestment Act requirements. The revised contract amount is \$150,400.00. Funding is be available in the 2008 Utility Bond. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

19. Consideration for approval to award a construction contract to the lowest bidder ALC Construction, Inc., Laredo, Texas, in the base bid amount of \$320,484.25 for the Sidewalk City-Wide Project No. 38 (50 Blocks) – District VIII. Construction contract time is ninety (90) working days. Funding is available in the 2009 C.O. Bond. (Approved by Operations Committee; however, item tabled by Finance Committee pending additional information and a review by the City Attorney.)

Motion to table.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

20. Consideration to authorize the City Manager to place work orders with several creative services providers during Fiscal Year 2009-2010 for the design and production of advertisements and marketing images to promote Laredo as a destination. The total amount is not to exceed \$30,850.00. Funding is available in the CVB Marketing Division Budget. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

21. Consideration to award the contract to Antares Development Corporation, San Antonio, Texas, in the amount of \$552,900.00, utilizing the BuyBoard cooperative purchasing program contract award #225-06, to automate, archive, and streamline the data system operations to improve the environmental health services mobile business processes, food permits, inspections and animal control field operations, for phase III of the Data Management Infrastructure Project for the City of Laredo Health Department. Funding is available in the Health Department Operational budget and the stimulus grant. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

22. Authorizing the City Manager to enter into a (1) one-year service agreement with SunGard Public Sector, Lake Mary, FL, in the amount of \$133,240.00. The service agreement is for software enhancements and maintenance on the financial applications residing on the City's IBM iSeries computer system for the period of October 1, 2009 through September 30, 2010. Funding is available in the Information Technology Fund. (Approved by Finance Committee)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

23. Approval of Change Order #1 for a credit of \$564.00 and consideration for acceptance, final payment and release of retainage in the amount of \$50,586.80 to Qromex Construction Granite Shoals, Texas. Funding is available in the 2007 & 2008 Sewer Bonds. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

24. Authorizing the City Manager to approve payment from the City's Arena Renewal and Replacement Account for the purchase of chair parts, trane chiller and electrical water heater in the total amount not to exceed \$66,000.00. Funding is available under the Sports and Community Venue Fund. (Approved by Finance Committee)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

25. Consideration to authorize a Construction Agreement with AEP, Laredo, Texas, in the estimated amount of \$90,017.42 for the installation of street lights and transformer, and relocation of a pull box for the Bartlett Avenue Extension Project in Laredo, Texas. Funding is available from 2006 Certificates of Obligation bond proceeds. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

26. Consideration to award one (1) year contracts to:

- 1) VF Imagewear Inc., Houston, Texas in the estimated amount of \$50,000.00 through the State of Texas- Texas Multiple Award Schedule (TXMAS) cooperative purchasing program for the purchase of industrial uniforms and;
- 2) G&K Services, San Antonio, Texas in the estimated amount of \$25,000.00 through the Buyboard cooperative purchasing program for the purchase of industrial uniforms.

Funding is available in the various department budgets. (Approved by Finance Committee)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

27. Authorizing the City Manager to award a contract with Dannenbaum Engineering in

the amount of \$294,012.00 for the preliminary engineering design phase and feasibility study of the Rio Grande Low Water Weir Project funded by the International Boundary and Water Commission for the development of a weir along the Rio Grande River, said weir being constructed primarily for water storage, conservation, generating hydroelectric power and providing recreational opportunities for citizens of both the U.S. and Mexico; the United States International Boundary Water Commission (USIBWC) and City of Nuevo Laredo proposes to cost share in this study in an amount of \$250,000.00 and \$50,000.00 respectively. (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

28. A. Request by Mayor Raul G. Salinas

1. Report on the status of the Civil Service Ordinance, with possible action.

Dan Migura, Human Resources Director, reported that all the council members involved in the committee did a very good job. He added that the final draft of the ordinance had been prepared with help from local and out-of-town legal advisors. He went on to say that it was currently being reviewed by the City's legal department and afterward would be provided to the committee members.

B. Request by Council Member Dr. Michael Landeck

1. Discussion with possible action regarding all issues concerning the completion of construction and repairs to the Santa Rita Park.

Cm. Landeck reported that in the past, this project had been 95% complete, but in the past three years he had heard that many problems had to be overcome. He asked for the issues to be resolved and felt that it was a good opportunity to speak of time commitments and projections as to when they could finish.

Tomas Rodriguez, Utilities Director, reported that the repair of the 36" line was completed. He added that there were still lines to be repaired by Closner Construction, but meanwhile they were not denying service to anyone. He went on to say that an agreement to finish the repairs was passed at the last Council meeting. He concluded that the design for storm drainage was still being amended, and he promised to provide a timeline to Council.

City Manager Carlos Villarreal stated that he felt that the project needed to be looked at because it had been messed up. He said that things could not be left the way they were. He concluded, however, that staff would look at this matter and bring a final report to the next Council meeting.

C. Request by Council Member Juan Narvaez

1. Update and with possible action on juvenile delinquency concerns discussed at a recent forum attended by various local officials, members of several law enforcement agencies, and community organizations. (Co-sponsored by Mayor Raul G. Salinas)

Cm. Narvaez stated that the idea here was to address juvenile delinquency in Laredo. He added that he had made some comments to KLDO regarding the child who fled to Mexico. He said that the mother knew that the person who was after her daughter was in the United States illegally, but she felt that she was not a bad parent. He went on to say that these kind of problems were what they were trying to avoid through parents taking better care of their children.

Dr. Hector Gonzalez, Health Director, recommended pulling local groups together to develop a centralized hotline. It was suggested that these hotline phone numbers be placed on the public access channel and the City's webpage.

2. Status report with possible action on the enforcement of city ordinance(s) regarding solicitations for alms ("pan handling") by groups and individuals on City streets and right-of-ways.

Raul Casso, City Attorney, reported that the question was enforcement of ordinances that they already had.

Assistant Police Chief Gilberto Navarro reported that the organizations soliciting funds were local, well-established organizations such as churches and even law enforcement. He added that the concerns were abuse of the right to solicit funds in this way, hindrance of traffic flow, the creation of traffic hazards and the use of children to solicit funds. However, he said that these concerns were addressed in 2004 by updating the ordinance pertaining to this issue.

Cm. Garcia asked City Attorney Raul Casso if it were possible to suspend the ordinance until they could do further research.

City Attorney Raul Casso answered that the ordinance would have to be amended or repealed, because there was no mechanism for suspension of an ordinance.

D. Request by Council Member Gene Belmares

1. Discussion with possible action on drafting a resolution in support for Kansas City Southern Railroad East Laredo Bypass Loop, a \$4,000,000 plus investment. (Co-sponsored by Cm. Landeck)

Cm. Belmares stated that he brought this item to Council in light of the company's recent visit and the advances they had made in the Presidential Permit process. He wished to address the grade separations and their desire to go within the multimodal corridor and be part of the environmental assessment process. He added that he thought there were still questions that they would like to ask.

Cm. Garcia said that his only concern was that he would prefer, before making a resolution in support, that they come to the table and tell Council what is going on.

Cm. Landeck said that first they needed to acknowledge the fact that there was a mistake; they were not discussing \$4 million, but rather \$400 million. He also felt that the company was working on something within their authority because it was outside of the city limits, and that once the bypass loop would be built there, this would become the first step in a huge economic development for Laredo.

Motion to make contact with Kansas City Southern Railroad in order to hold a workshop or a presentation to Council regarding the East Laredo Bypass Loop.

Moved: Cm. Belmares

Second: Mayor Pro Tem Garza

For: 8

Against: 0

Abstain: 0

2. Discussion with possible action on drainage improvements on Forest Loop.

Riazul Mia, Environmental Services Director, reported that they met with the resident and were looking at options.

Motion to bring back a proposed solution as a staff item at the first Council meeting in November.

Moved: Cm. Belmares

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

E. Request by Council Member Jose A. Valdez, Jr.

1. Discussion with possible action to create a local City of Laredo builder's registry program similar to the Texas Residential Construction Commission (TRCC).

Cm. Valdez stated that he spoke with the Laredo Builders Association. Their concern was not having fly-by-night contractors in Laredo.

Motion to have staff figure out a method to start up a registry locally and have this issue be a staff item to be discussed at the next Council meeting.

Moved: Cm. Valdez

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

2. Discussion with possible action regarding all District VII park projects.

Motion to table.

Moved: Cm. Valdez

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

F. Request by Council Member Cynthia Liendo Espinoza

1. Discussion with possible action on opening negotiations with property owners around the proposed convention center site.

Cm. Liendo Espinoza stated that she had talked to the property owners near the proposed convention center site. They wanted to have the opportunity to meet with staff to open negotiations.

Motion to open negotiations between staff and property owners around the proposed convention center site.

Moved: Cm. Liendo Espinoza

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

2. Discussion with possible action to consider the use of Hotel/Motel funds for the Rio Fest. (Co-sponsored by Cm. Gene Belmares

Cm. Liendo Espinoza said that the event was coming up on October 17, and they were still short of money. She reminded Council that they had motioned to work on an agreement to underwrite the event, but no fixed amount was ever discussed. She added that on June 22nd, they approved \$10,000 for Texas Monthly advertising. She wanted Council to agree to help out with additional funding to make this event a success.

Bob Zacariah stated that they were coming up short in funding at the moment. He advised that Webb County offered to match whatever the City would provide, and they were hoping to receive from \$10,000 to \$15,000 from the City.

Motion to instruct staff to fund \$10,000 for the Rio Fest contingent on Webb County's matching that amount, knowing that staff would come back with adjustments.

Moved: Mayor Pro Tem Garza

Second: Cm. Landeck

For: 8

Against: 0

Abstain: 0

XIII. STAFF REPORTS

29. Staff report with possible action for allocating a maximum of three thousand dollars (\$3,000.00) for the purchase of ceremonial armaments for the Veteran's Color Guard to provide appropriate military funeral decorum (21 gun salute) for all Laredo veterans.

City Manager Carlos Villarreal reported that normally with functions related to burials, the veterans have to work with equipment that is not in the best of shape. He felt that they might need to go to gun shows in order to get the needed equipment.

Motion to approve up to \$10,000 if needed.

Moved: Cm. Valdez

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

XIV. EXECUTIVE SESSION

XV. RECESS AS THE LAREDO CITY COUNCIL AND CONVENE AS THE LAREDO MUNICIPAL HOUSING CORPORATION

Motion to recess as the Laredo City Council and convene as the Laredo Municipal Housing Corporation.

Moved: Cm. Belmares

Second: Mayor Pro Tempore Garza

For: 8

Against: 0

Abstain: 0

30. Consideration to award contract FY09-092 to Freddy Insulation Inc., Laredo, Texas in the amount of \$78,236.80 for the installation of loose fill fiberglass insulation for 144 units at the Jose Flores duplexes. Funding is available from the AEP Weatherization Grant Program in the Municipal Housing Budget. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Mayor Pro Tempore Garza

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

31. Consideration to award contract FY09-093 to DeHoyos Air Conditioning, Laredo, TX in the amount of \$473,412.00 for the installation of 145 complete central air conditioning and heating units at the Jose Flores Duplexes. Funding is available from the AEP Texas Central Low Income Weatherization Program grant. (Approved by the Operations Committee; however, the Finance Committee recommended additional review with a presentation to the entire City Council)

Motion to approve.

Moved: Mayor Pro Tempore Garza

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

XVI. RECESS AS THE LAREDO MUNICIPAL HOUSING CORPORATION AND CONVENE AS THE LAREDO MASS TRANSIT BOARD

Motion to recess as the Laredo Municipal Housing Corporation and convene as the Laredo Mass Transit Board.

Moved: Cm. Belmares

Second: Mayor Pro Tempore Garza

For: 8

Against: 0

Abstain: 0

32. Authorizing the City Manager to accept and execute the Texas Department of Transportation (TXDOT), Section 5317, New Freedom (NF) Project Grant Agreement #51022F7072 in the amount of \$218,624.00 with a local match of \$54,656.00, for a

grant total of \$273,280.00; and to amend the FY 2009-2010 Transit Capital Grants Budget by appropriating the same amount for the purchase of Americans with Disabilities Act (ADA) vehicle equipment (as amended.) (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Mayor Pro Tempore Garza

Second: Cm. Landeck

For: 8

Against: 0

Abstain: 0

33. Authorizing the City Manager to accept and execute the Federal Transit Administration (FTA) Grant TX-04-0047, Section 5309, in the amount of \$714,000.00 with a local match of \$178,500.00, for a total grant budget of \$892,500.00; and to amend the FY 2008-2009 Transit Capital Grants Budget in the amount of \$892,500.00 to be used for the Transit "Administrative/ Operational/ Maintenance Facility". (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Mayor Pro Tempore Garza

Second: Cm. Landeck

For: 8

Against: 0

Abstain: 0

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

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

Moved: Cm. Landeck

Second: Mayor Pro Tempore Garza

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 19 and they are true, complete, and correct proceedings of the City Council meeting held on October 5, 2009.

Gustavo Guevara, Jr.
City Secretary