

**CITY OF LAREDO
CITY COUNCIL MEETING
M2009-R-23
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
DECEMBER 21, 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 called the meeting to order.

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
Cynthia Liendo-Espinoza,	Council Member, District VIII
Carlos Villarreal,	City Manager
Amy Sanchez,	Deputy City Secretary IV
Cynthia Collazo,	Deputy City Manager
Horacio De Leon,	Assistant City Manager
Jesus Olivares,	Assistant City Manager
Raul Casso,	City Attorney

Motion to excuse Cm. Valdez.

Moved: Cm. Narvaez

Second: Cm. Garcia

For: 5

Against: 0

Abstain: 0

Cm. Landeck arrived at 5:51 pm.

Mayor Pro Tem Mike Garza arrived at 6:11 pm.

IV. MINUTES

Approval of the minutes of December 7, 2009

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Narvaez

For: 6

Against: 0

Abstain: 0

V. COMMUNICATIONS AND RECOGNITIONS

Recognitions

- a. Recognizing Chelsea Morgensen for being crowned Miss Texas Teen USA.

This item was not discussed.

- b. Recognition of Ruiz Homes of Laredo, Texas for being honored with the 2009 AVID Diamond Award—Best Customer Experience in United States.

This item was not discussed.

- c. Recognition of the H.E.B. employees and volunteers who participated in the 21st Annual H.E.B. Feast of Sharing.

Mayor Salinas and Council recognized the H.E.B. employees and thanked them for their hard work.

- d. Recognizing J.W. Arndt Elementary School Cardinals Soccer team for being undefeated in the 2009 Season and winning the championship game on November 23, 2009.

Mayor Salinas and Council presented a certificate of recognition to the team and coaches.

Communiqués

- a. Presentation regarding the 2009 City of Laredo 5th Annual HEB Holiday Bowl.

Cm. Belmares presented a video to Mayor Salinas and Council and presented a trophy to the winning team.

Citizen comments

None.

VI. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

- a. Appointments by City Council to the Drug and Alcohol Commission.

Appointment by Cm. Rendon of Javier Compean to the Drug and Alcohol Commission.

Moved: Mayor Pro Tem Garza

Second: Cm. Garcia

For: 7

Against: 0

Abstain: 0

Appointment by Cm. Valdez of Sharon Jordan to the Drug and Alcohol Commission.

Moved: Mayor Pro Tem Garza

Second: Cm. Garcia

For: 7

Against: 0

Abstain: 0

Appointment by Cm. Landeck of Hector Patiño to the Drug and Alcohol Commission.

Moved: Mayor Pro Tem Garza

Second: Cm. Garcia

For: 7

Against: 0

Abstain: 0

VII. PUBLIC HEARINGS

1. Public hearing and introductory ordinance adopting the 2009 Edition of the International Fire Code by amending Section 12-02 of Chapter 12 (Fire Protection and Prevention) of the Code of Ordinances, regulating and governing the safeguarding of life and property from fire and explosion arising from storage, handling and use of hazardous substance, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City of Laredo; providing for the issuance of permits and collection of fees therefore; repealing ordinance No. 2006-O-232 of the City of Laredo and all other ordinance and parts of the ordinance in conflict therewith; providing a saving clause; providing a severability clause; providing for publication; and providing for an effective date. (Approved by Operations Committee)

Motion to open the public hearing.

Moved: Cm. Narvaez

Second: Cm. Belmares

For: 6

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 6

Against: 0

Abstain: 0

Ordinance Introduction: City Council

Mayor Pro Tem Garza was chairing the meeting.

2. Public hearing and introductory ordinance amending Article VI [Investment Policy] of Chapter 2 [Administration] of the Code of Ordinances in order to:

1. Replace the word “Securities” with the word “Investment” throughout the document;
2. Grammatically modify various sections throughout the document;
3. And provide for effective date.

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 6

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 6

Against: 0

Abstain: 0

Ordinance Introduction: City Council

3. Public hearing and introductory ordinance amending the City of Laredo’s 2010 General Fund Budget by appropriating revenues and expenditures in the amount of \$1,180,351.00 from the Homeland Security Grant Program, Texas Division of Emergency Management. The use of these funds will be divided in the following manner: \$801,327.00 for an upgrade to the ASTRO 25 System Master Switch (800 MHz Trunked System) from its current System Release 7.2 to 7.7, including Integrated Voice & Data with programming Over the Air and Global Positioning System capability by the Information Services & Telecommunications Department and \$379,024.00 for the purchase of minor and capital equipment for the Police Department’s Bomb Squad Unit. There are no matching funds required. (Approved by Operations & Finance Committees)

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 6

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Garcia

Second: Cm. Narvaez

For: 6

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 amusement redemption machine establishment on Lot 1, Block 2, Cuatro Vientos Norte Subdivision, Phase 1, located at 3302 Chacota Street, Units 21 and 22.

Staff supports the proposed Conditional Use Permit and the Planning and Zoning Commission has recommended approval of the Conditional Use Permit with the revision of condition nine to read, "Hours of operation shall be 11:00 a.m.-2:00 a.m." and the revision of condition twelve to read, "The C.U.P. shall be issued for two (2) years from the date the certificate of occupancy is issued." District I

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Rendon

For: 6

Against: 0

Abstain: 0

Margarito Benavides, representing the owner Mr. Garcia, explained that the owner applied for a Conditional Use Permit rather than a zone change.

Vanessa Guerra, Planning Department, stated that parking would be provided and that this application was for sixty-six machines.

Motion to close the public hearing and introduce.

Moved: Mayor Pro Tem Garza

Second: Cm. Garcia

For: 4

Against: 2

Abstain: 1

Mayor Pro Tem Garza

Cm. Landeck

Cm. Narvaez

Cm. Garcia

Cm. Belmares

Cm. Rendon

Cm. Liendo Espinoza

Ordinance Introduction: Cm. Garza

5. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 6, Block 1693, Eastern Division, located at 2806 Clark Boulevard, from R-3 (Mixed Residential District) to B-1 (Limited Commercial District).

Staff supports the rezone and the Planning and Zoning Commission has recommended approval of the zone change. District II

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

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

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Garcia

6. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 1-7, Block 3; Lots 1-29, Block 2; Lots 12-23, Block 1; Lots 1-13, Block 4; Lots 1-13, Block 5; Lots 1-29, Block 6; and Lots 9-16, Block 8 of La Joya Subdivision, Phase 2, located north and south of Obsidian Boulevard and east and west of Pearl Stone Road, from R-1A (Single Family Reduced Area District) to R-1MH (Single Family Manufactured Housing District).

Staff supports the rezone and the Planning and Zoning Commission has recommended approval of the zone change. District III

Motion to open the public hearing.

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

Against: 0

Abstain: 0

Cm. Landeck commented that the district was incorrectly listed here and that it was actually in District I.

Motion to close the public hearing and introduce.

Moved: Mayor Pro Tem Garza
Second: Cm. Belmares
For: 7

Against: 0

Abstain: 0

Ordinance Introduction: Mayor Pro Tem Garza

7. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 1-10, Block 488, Western Division, located at 2220 Moctezuma Street, from R-2 (Multi-Family Residential District) to M-1 (Light Manufacturing District).

Staff supports the rezone and the Planning and Zoning Commission has recommended approval of the zone change. District VIII

Motion to open the public hearing.

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

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Liendo Espinoza

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Liendo Espinoza

8. Public hearing and introductory ordinance 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 2, Block 2002, South Laredo Industrial Park, located at 321 Wildcat Drive.

Staff supports the Special Use Permit and the Planning and Zoning Commission has recommended denial of the Special Use Permit. District II

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Rendon

For: 7

Against: 0

Abstain: 0

Mr. Noe Treviño, owner of lot #5, spoke against the item because of perceived danger.

Vanessa Guerra, Planning Department, explained that the area was industrial, currently zoned M-1, with a residential area in the rear. She went on to say that the applicant wished to place four diesel tanks 200 feet from the residential area.

Motion to close the public hearing and introduce.

Moved: Cm. Garcia

Second: Mayor Pro Tem Garza

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Garcia

VIII. FINAL READING OF ORDINANCES

Motion to waive the final reading of Ordinance 2009-O-221, 2009-O-222, 2009-O-223, 2009-O-224, 2009-R-225, 2009-O-226, 2009-O-227, 2009-O-228, 2009-O-229, 2009-O-230, 2009-O-231, 2009-O-232, 2009-O-233, and 2009-O-234.

Moved: Cm. Belmares

Second: Cm. Rendon

For: 7

Against: 0

Abstain: 0

9. 2009-O-221 Designating the city limits and Extra Territorial Jurisdiction (ETJ) five miles outside city limits as tax abatement reinvestment zone for commercial/industrial tax abatement; establishing the boundaries thereof and other matters relating thereto; declaring findings of fact; providing for severability; and providing for an effective date.

Motion to adopt Ordinance 2009-O-221.

Moved: Cm. Belmares

Second: Cm. Rendon

For: 7

Against: 0

Abstain: 0

2009-O-222 Amending the City of Laredo 2009-2010 Utilities Budget by appropriating revenues and expenditures in the amount of \$7,500,000.00. The Texas Water Development Board awarded a grant to the City of Laredo in the amount of \$7,500,000.00 to purchase water rights.

Motion to adopt Ordinance 2009-O-222.

Moved: Cm. Belmares

Second: Cm. Rendon

For: 7

Against: 0

Abstain: 0

2009-O-223 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 \$60,000.00 from the Texas Department of State Health Services for continuation of the Health Department Title V Family Planning Services for the term of November 1, 2009 through August 31, 2010.

Motion to adopt Ordinance 2009-O-223.

Moved: Cm. Belmares

Second: Cm. Rendon

For: 7

Against: 0

Abstain: 0

2009-O-224 Amending Chapter 24, Article VI, of the Laredo Land Development Code, Section 24.63.2: permitted land uses, in order to permit fire stations in the B-1 (Limited Commercial), B-1R (Limited Office/Residential), CBD (Central Business District), and B-3 (Community Business) Districts; providing for publication and effective date.

Motion to adopt Ordinance 2009-O-224.

Moved: Cm. Belmares

Second: Cm. Rendon

For: 7

Against: 0

Abstain: 0

2009-O-225 Amending the Laredo Land Development Code of the City of Laredo by: Establishing a 500' distance requirement for Halfway Houses from any Residential District by amending Section 24.65.14 B-4 Highway Commercial District, Section 24.65.15 M-1 Light Manufacturing District, Section 24.65.16 Heavy Manufacturing District, Section 24.65.17 MXD Mixed Use Development District, and amending Appendix A by establishing a definition for Halfway Houses; and providing for publication and effective date.

Motion to adopt Ordinance 2009-O-225.

Moved: Cm. Belmares

Second: Cm. Rendon

For: 7

Against: 0

Abstain: 0

2009-O-226 Authorizing the issuance of approximately \$4,075,000.00 in aggregate principal amount of City of Laredo, Texas Combination Tax and Revenue Certificates of Obligation, Series 2010A, for paying all or a portion of the City's contractual obligations incurred for the purpose of

(1) Constructing, improving and repairing the City's municipal airport streets and sidewalks, together with drainage, traffic and street signalization and lighting improvements;

(2) Acquiring and constructing of improvements and extensions to the municipal airport's waterworks and sewer system;

(3) Constructing municipal airport infrastructure improvements, including extension of runways, reconstructing or relocating taxiways, relocation of instrument landing system and reconstruction of general aviation apron; and

(4) Improving, repairing and renovating existing municipal airport buildings and for the payment of legal, fiscal, and engineering fees in connection with such projects; authorizing the execution of an investment letter, 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 adopt Ordinance 2009-O-226.

Moved: Cm. Belmares

Second: Cm. Rendon

For: 7

Against: 0

Abstain: 0

2009-O-227 Authorizing the issuance of City of Laredo, Texas Combination Tax and Airport Revenue Refunding bonds, Series 2010, in the principal amount of \$2,060,000.00 for the purpose of refunding the airport indenture obligation for release of land from indenture, and ordaining other matters relating thereto.

Motion to adopt Ordinance 2009-O-227.

Moved: Cm. Belmares

Second: Cm. Rendon

For: 7

Against: 0

Abstain: 0

2009-O-228 Authorizing the issuance of City of Laredo, Texas Public Property Finance Contractual Obligations, Series 2010, in the approximate principal amount

of \$5,060,000.00 for the purchase of personal property; authorizing the execution of an investment letter, 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 adopt Ordinance 2009-O-228.

Moved: Cm. Belmares

Second: Cm. Rendon

For: 7

Against: 0

Abstain: 0

2009-O-229 Re-adopting guidelines and criteria governing tax abatements by the City of Laredo; providing for severability; providing for an effective date and publication.

Motion to adopt Ordinance 2009-O-229.

Moved: Cm. Belmares

Second: Cm. Rendon

For: 7

Against: 0

Abstain: 0

2009-O-230 Authorizing the City Manager to execute a lease assignment from Josefa Lago de Sarabia, as Lessee, of that lease agreement approved by Ordinance No. 91-O-266 and as amended by Ordinance No. 2000-O-210 and Ordinance No. 2005-O-138 for Hangar No. 162 consisting of approximately 13,114 square feet and situated on an approximate 42,038 square foot tract located at the Laredo International Airport to Altair Aviation, LLC., as assignee. The current monthly rental is \$4,407.14 and annually adjusted by changes in CPI, providing for effective date.

Mayor Pro Tem Garza asked for more information about the conditions and requirements of the lease agreement.

Jose Flores, Airport Director, explained that they were currently doing an audit of the Aerocenter.

City Manager Carlos Villarreal suggested that they make a checklist in order to be in compliance.

Mayor Pro Tem Garza added that he also felt that they needed a written legal opinion concerning the lease.

Motion to table Ordinance 2009-O-230.

Moved: Cm. Belmares

Second: Mayor Pro Tem Garza

For: 7

Against: 0

Abstain: 0

2009-O-231 Authorizing the City Manager to convey easements and right of way to

of four (4) parcels of land for the Calton Road Grade Separation Project, and declaring the public necessity to acquire the “surface only” of said properties further described herein;

Tract 5. A tract of land containing 0.08 acres (3,688.29 Sq. Ft.) more or less, being out of a 2.6924 acre tract of land shown in Central Power & Light Company Subdivision Plat recorded in Volume 17, Pages 32, Webb County Map Records, Texas, situated in Survey 1238, E. Garza Original Grantee Abstract 425, City of Laredo, Webb County, Texas.(Revised)

Tract 6. A tract of land containing 0.003 acres (135.11 Sq. Ft) more or less, being out a 0.057 acre tract conveyed to AEP Texas Central Company recorded in Volume 2833, Pages 571-578, Official Public Records, Webb County, Texas, situated in Survey 1238, E. Garza Original Grantee, Abstract 425 and Survey 1026, J.L. Fuentes Original Grantee, Abstract 317, City of Laredo, Webb County, Texas. (Revised)

Tract 7. A tract of land containing 0.44 acres (19,281.58 Sq. Ft.) more or less, being 0.41 acres out of that certain 9.4675 acre tract of land conveyed to Central Power & Light Co., recorded in Volume 396, Pgs 77-86, Webb County Deed Records and 0.03 acres out of that certain 1.3118 acre tract of land conveyed to Central Power and Light Co., recorded in Volume 400, Pages 228-231, Webb County Deed Records, Texas, situated in Survey 1238, E Garza Original Grantee, Abstract 425 and Survey 1026, J. F. Fuentes Original Grantee Abstract 317, City of Laredo, Webb County, Texas. (Revised)

Tract 8. A tract of land containing 0.01 acres (168.24 Sq. Ft.) more or less, being out of a 7.813 Acre tract conveyed to Wal-Mart Stores, Inc., recorded in Volume 28, Pages 11-14, Webb County Deed Records, Texas, situated in Survey 1238, E. Garza Original Grantee, Abstract 425 and Survey 1026, J.F. Fuentes Original Grantee, Abstract 317, City of Laredo, Webb County, Texas. (Revised)

Each of said four tracts is further described by metes and bounds in Exhibits 1 to 4, inclusive, attached to this resolution; and 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. Tracts 1 through 4 as described in Resolution 2009-R-052 will remain unchanged.

Motion to approve Resolution 2009-R-140.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 7

Against: 0

Abstain: 0

11. 2009-R-141 Authorizing the City Manager to enter into a contract with the University of Texas Health Science Center at San Antonio for the continuation of the Health Department's South Texas Family Aids Network Grant in the amount of \$25,000.00 for the term period beginning August 1, 2009 through July 31, 2010. (Approved by Operations Committee)

Motion to approve Resolution 2009-R-141.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 7

Against: 0

Abstain: 0

12. 2009-R-142 Authorizing the City Manager to enter into a contract with the Texas Department of State Health Services for continuation of the Health Department's Tuberculosis Program in the amount of \$171,081.00 for the term period beginning January 1, 2010 through December 31, 2010. (Approved by Operations Committee & Finance Committees)

Motion to approve Resolution 2009-R-142.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 7

Against: 0

Abstain: 0

13. 2009-R-144 Approving a Memorandum of Understanding between the Multimodal Hub of the Americas, Panama and the City of Laredo and approving a Cooperation and Coordination Agreement between the Association of Panama Exporters (APEX) and the City of Laredo and authorizing the City Manager and Mayor to execute said documents.

Motion to approve Resolution # 2009-R-144.

Moved: Cm. Rendon

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

14. 2009-R-145 Authorizing the City Manager to execute Memorandum of Understandings between the City of Laredo and Central American countries for the fostering of a spirit of cooperation between the City of Laredo and the countries of Central America and to promote the Port of Laredo as a premier destination port for Latin American commerce.

Motion to approve Resolution # 2009-R-145.

Moved: Cm. Rendon

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

X. MOTIONS

15. Consideration to approve of change order #3 in the amount of \$25,280.00 to install for (4) additional air release valves; electrical updates to the lift stations to SLC Construction, L.P., Conroe, Texas, to add construction time for the NADB-02 Mines Road Sanitary Sewer Collection System at Peñitas. The new contract amount is \$2,900,933.39. The new contract time including this change order is four hundred twenty five (425) calendar days. Funding is available in the Sewer System 1998 Bond and the Colonias Fund. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 7

Against: 0

Abstain: 0

16. Consideration to approve change order #2 in the amount of \$5,750.00 to CG Construction, Inc. DBA CC Construction Laredo, Texas for the Nadbank-2, Phase "B", Peñitas Wastewater Treatment Plant. The contractor for this project will provide additional land clearing and grading. The revised contract amount is \$1,387,119.98. The new construction time including this change order will be 344 calendar days. This project is funded by the North American Development Bank (NADB) and is subject to their approval. Funds are available in the 1998 Sewer Bond. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 7

Against: 0

Abstain: 0

17. Award of a construction contract to the lowest bidder Price Construction, Ltd., Laredo, Texas, in the amount of \$50,000.00 for the TxDOT Wastewater Relocation Bore under LP 20. The improvements consist of an 8" PVC SDR26 wastewater line with an 18" steel casing under Loop 20. The construction time is forty (40) calendar days. Funding is available in the 2008 Utility Bond. (Approved Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 7

Against: 0

Abstain: 0

18. Authorizing the City Manager to provide a payment in the amount of \$132,184.15 to the Texas Commission on Environmental Quality (TCEQ) for a newly formulated Public Health Service Fee effective on July 30, 2009 for required support of all TCEQ state funding for essential water related activities. Funds are to be made available under the Waterworks Construction Fund. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 7

Against: 0

Abstain: 0

19. Consideration to award Amendment #2 to Lockwood, Andrews & Newnam (LAN), Inc., Houston, Texas, in association with Crane Engineering, for the City of Laredo, in the amount of \$54,088.00, to provide additional consulting services for the Flores Street Drainage Improvement and Sanitary Sewer Rehabilitation Project for the City of Laredo. The amendment will extend the storm drain line from Lincoln to Hidalgo Streets and the water line replacement from Zaragoza St. to Hidalgo St. on Flores Avenue, and includes construction field services. The total contract with this amendment will be \$394,088.00. Funding is available in the 2008 CO. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 7

Against: 0

Abstain: 0

20. Consideration for approval of the Park Shade Structures at Nine (9) Designated Park Sites (Lamar Bruni Vergara Shades) as complete and ratification of change order no. 1 an increase of \$55,311.13 for the balance of quantities actually constructed in place, and approval of final payment in the amount of \$55,311.13 to Kraftsman, L.P., dba Kraftsman Commercial Playground and Water Park Equipment, Spring, Texas. Final construction contract amount is \$204,186.11. Funding is available in the Capital Improvement Fund. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 7

Against: 0

Abstain: 0

21. Consideration to award contract number FY10-018, to the low bidder, Interboro Packaging, Inc., Montgomery, NY, in the amount of \$55,280.00, for the purchase of one million (1,000,000.00) plastic bags for use in the City's Recycling Program. The bid pricing is 0.86% lower than the previous purchase amount. Funding is available in the Solid Waste Services budget. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 7

Against: 0

Abstain: 0

22. Consideration to award contract number FY09-098 to Enterprise Rent A Car, Laredo, Texas, estimated annual amount of \$75,000.00 for providing rental vehicles for the Laredo Police Department. Approximately fifteen (15) to twenty five (25) vehicles are secured for use by the various task forces working with the Police Department. The

term of this contract is for a twenty four (24) month period and is contingent upon continued funding in future fiscal years. Funding is currently available in the Police Department's budget. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 7

Against: 0

Abstain: 0

23. Consideration to award contract FY10-015 to the low bidder, Sam Pack's Five Star Ford, Carrollton, Texas, in the amount of \$957,888.00 for the purchase of thirty six (36) police vehicles. These vehicles will be equipped with sirens, light bars, speakers, and prisoner cages. Funding for this project is available in the 2009 PPFCO Bond Proceeds. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 7

Against: 0

Abstain: 0

24. Consideration to award contract FY10-017 for the purchase of passenger cars and trucks for the Police Department to the following bidders:

1. Planet Ford, Spring, Texas, in the amount of \$87,448.00, for the purchase of four (4) full size sedans, and;
2. Caldwell Country Chevrolet, Spring, Texas, in the amount of \$141,984.00, for the purchase of five (5) mid size sedans and one (1) crew cab truck.

Funding for this purchase is available in the 2009 PPFCO Bond Proceeds. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 7

Against: 0

Abstain: 0

25. Consideration to authorize the purchase of a Digital Information Management System (DIMS) from Linear Systems Law Enforcement Division in the amount of \$76,466.80. Funding is available through a grant from the Bureau of Justice Assistance, Office of Justice Programs and the Laredo Police Department's General Fund. The Digital Information Management System will be installed at the Laredo Department's ID Division. (Approved by Operations & Finance Committees)

Motion to approve.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 7

Against: 0

Abstain: 0

30. Consideration to the ratify of change order no. 2 an increase of \$9,299.00 for the balance of quantities actually constructed in place, approving and accepting the City of Laredo Health Department West Side Parking Lot Expansion as complete, approval of release of retainage and approval of final payment in the amount of \$29,091.90 to Juan Ramirez Investments, Laredo, Texas. Final construction contract amount is \$167,043.00. Funding is available in the West Side Parking Lot Expansion – Improvements Other Than Buildings. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 7

Against: 0

Abstain: 0

31. Motion to select a date and time in January 2010, for a Council Workshop on the proposed Ethics Ordinance.

Mayor Pro Tem Garza requested that the Civil Service Ordinance also be discussed at this workshop.

City Manager Carlos Villarreal stated that other items would also be discussed at the workshop.

Motion to approve the date of January 11, 2010 at 5:30 pm.

Moved: Cm. Belmares

Second: Cm. Rendon

For: 7

Against: 0

Abstain: 0

XI. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

32. A. Request by Mayor Raul G. Salinas

1. 2009-R-143 Supporting the efforts of the “Laredo Reads Committee” to approach bookstore corporations to open a bookstore in Laredo by encouraging the community to demonstrate their love for reading. (Co-Sponsored by Council Member Hector “Tito” Garcia & Council Member Cynthia Liendo Espinoza)

Motion to approve Resolution 2009-R-143.

Moved: Cm. Narvaez

Second: Cm. Rendon

For: 7

Against: 0

Abstain: 0

2. Presentation by “Laredo Reads Committee”.

Xochitl Mora, Public Information Officer, presented information about an online petition at www.laredoreads.com. She introduced committee members Maria Soliz, Library Director, Veronica Castillo of L.I.S.D., and Jose Garcia.

3. Presentation by Tim Schmidt, Laredo Medical Center CEO, regarding Laredo Medical Center’s Major Expansion Project.

Mr. Tim Schmidt, Laredo Medical Center CEO, gave the following presentation.

Quality Care. Close to Home.

Laredo Medical Center Main Campus

- 326 Licensed beds
- Level 3 Trauma Center
- Campus sits on 50 acres
- 975,000 square-foot building

ED Volume 2009

ED Length of Stay 2009

LMC Expansion for Emergency Department

Expansion in ER

- Expansion to ER/ICU: \$22.5 million investment
- 28,000 sq ft of new construction
- Consisting of 38 treatment rooms (including three trauma rooms)
- Fast track area
- Large reception area

ER & ICU Expansion

Timeline:

- Ground breaking ceremony: March 2010
- Phase I Construction of ER:
- Construction will start April 2010 (10-12 month project)
- Phase II Renovation of ICU:
- Renovation of ICU will start 2011 after Phase I completion (8 month project)

Hospital Impact:

- ER treatment rooms expanded from 28 to 38 treatment rooms
- ICU capacity increased from 22 to 42 ICU beds (2 separate units)

Economic Impact:

- Over 100 construction jobs through contractors and sub-contractors
- Estimate 4 new nursing jobs in ER
- Estimate 50 new nursing jobs in ICU
- Expect additional job growth in other hospital departments such as lab, radiology, admissions, & surgery

LMC Expansion for ICU

Expansion in ER/ICU

- 18,000 sq ft of renovation
- Consisting of 20 ICU beds
- Larger more comfortable family reception area

- \$16 million will be used for construction
- \$4 million in equipment
- \$2 million in fees and contingency

LMC Expansion Emergency Room
Community Benefits Report

- Providing Quality Care:
 - ER Visits: 50,500
 - Inpatient: 17,077
 - Outpatient Visits: 184,029
 - Surgeries: 13,500
- Financial Benefits:
 - Payroll (1500 employees): \$54,000,000
 - Capital Investments: \$6,200,000
 - Property & Taxes: \$5,200,000
- Caring for our Community:
 - Charity & Uncompensated Care: \$95,000,000
 - Donations to the Community: \$162,000
- Caring for our Community:
 - Free Health Screenings: 5000 people served
 - H1N1 Community & School Clinics: 7000 vaccines
- Hospital Based Health & Wellness Groups:
 - Healthy Woman: 1500 members
 - Senior Circle: 800 members
 - Tiny Toes pre-natal services

Total Community Investment: \$160,562,000

B. Request by Council Member Hector “Tito” Garcia

1. Discussion with possible action regarding the purchasing of the Paul Young Car Center located at Bob Bullock Loop for the One Stop Shop, Fleet, and Parks and Leisure Departments.

This item was discussed on the supplemental agenda.

C. Request by Council Member Juan Narvaez

1. Discussion with possible action to consider funding for the Latin American International Sports Hall of Fame. (Co-sponsored by Council Member Hector “Tito” Garcia)

Pitín Guajardo, representing the Latin American International Sports Hall of Fame, invited Mayor Salinas and Council to their 35th celebration on Saturday, January 30, 2010. He requested a contribution of \$15,000 as funding for the Hall of Fame.

Motion to contribute \$15,000 to the Latin American International Sports Hall of Fame.

Moved: Cm. Narvaez

Second: Mayor Pro Tem Garza

For: 7

Against: 0

Abstain: 0

2. Presentation on “Christmas in the Barrio” in District IV.

Cm. Narvaez presented a video to Mayor and Council.

D. Request by Council Member Gene Belmares

1. Discussion with possible action on pursuing the 5th bridge application.

Cm. Belmares said that he wanted to know which current studies in connection with the presidential permit application were still valid and which needed updating.

City Manager Carlos Villarreal indicated that the State department had sent the application back and that between 20-25% needed to be redone.

Cm. Landeck indicated that he believed that an entirely new application was needed.

City Manager Carlos Villarreal responded that no new application was needed but merely a resubmittal of the current application with the necessary updates included. He added that they should schedule a meeting with Webb County to discuss the matter.

Motion to instruct staff to create a Memorandum of Understanding with Webb County after first scheduling a City-County Government Issues Committee meeting.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 7

Against: 0

Abstain: 0

2. Discussion with possible action on authorizing the City Manager to determine how the sports venue tax may be used for economic development.

Cm. Belmares said that he wanted to see how the sports venue tax could put to good use.

Motion to authorize the City Manager to determine how the sports venue tax could be used for economic development.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 7

Against: 0

Abstain: 0

E. Request by Council Member Cynthia Liendo Espinoza

1. Discussion with possible action on the temporary traffic modifications along San Agustin Plaza.

Cm. Liendo Espinoza said that many people were complaining about the orange cones in San Agustin Plaza. She wanted to see the orange cones removed. She felt that it was unnecessary to have 24-hour enforcement in that area.

Cm. Garcia suggested removing the meters all around the plaza. He felt that there should be ten-minute loading zones in those areas.

Cm. Belmares felt that without the cones there would still be a double parking issue and that the corners still needed to be no parking areas.

Motion to remove orange traffic cones in San Agustin Plaza, decrease the 24-hour police enforcement, and consider instituting ten-minute loading zones in the future.

Moved: Cm. Liendo Espinoza

Second: Mayor Pro Tem Mike Garza

For: 7

Against: 0

Abstain: 0

XII. STAFF REPORTS

33. Presentation of the draft Zacate Creek Flood Protection Plan with possible action. The report provides a comprehensive evaluation of the entire Zacate creek with all the recent improvements (Upper Zacate creek Detention Pond and Channel improvements, Alexander detention pond, proposed channel improvements around the Canal Street) and focuses on more frequent storm analysis rather than 100 year storm for FEMA and providing recommendations for the future needed improvements.

Riazul Mia, Environmental Services Director, introduced Tom Mountz of Espey Consultants who gave the following presentation:

Zacate Creek Flood Protection Plan

Introduction

Flood Problem Area

Flood Mitigation Alternatives

Overview

Alternatives/Zones

Costs/Benefits

Implementation & Phasing

Discussion

Floodplain Maps

Flooding Issues

- Tributary 1 & 1A
 - Trib 1 has very limited capacity
 - Trib 1A consists of overland and street flows (no channel)
 - I-35 was built in the old Trib 1/1A channel
- Zacate Crk Reaches 3 & 4
 - The channel capacity is exceeded at confluence of Zacate Creek and Tributary 2
- Tributary 2A
 - The channel is overtopped for the 5-yr event near Carlton Rd.
 - Larger events flow overland toward Zacate Creek

Flooding Issues – Tributary 1 & 1A

Tributary 1 (I-35) tends to run flatter than Zacate Creek at the base of the hill
Zacate Creek will flood the I-35 frontage road even without additional flow in Tributary 1

Assessing Risks & Benefits: HAZUS-MH

Assessing Risk – FEMA software used to estimate potential flood loss

- Amount of land area susceptible to a 100-year flood
- Amount of square footage of buildings potentially damaged
- Number of buildings potentially damaged
- Amount of direct economic losses directly related to buildings

Determining Benefits –

- Benefit of alternatives is the reduction of potential loss
- Benefits of each alternative is calculated in relative terms to existing conditions with city projects
- Benefits are per single event
- Methodology can be refined over time, using actual parcel data and building data
- HAZUS Technical manual lists reliability of estimates to within a factor of two

Alternative/Zone Overview

Existing conditions with city projects assumes implementation of the Shiloh Detention Basin and the Multi-Purpose Detention Basin

All alternatives show benefits assuming city projects are in place.

Combined Improvements

Increased level of service, except Trib1A (local flooding issue)

HAZUS Benefit

10-yr \$46.6 million

100-yr \$89.9 million

Cost \$86.3 million

Zacate FPP Alternatives/Zones	Total Benefits (\$Millions)		Costs (\$Millions)
	10-year event	100-year event	
Existing conditions			
Existing conditions with City Projects	\$3.1	\$10.8	N/A*
Zone 2	\$19.5	\$30.7	\$8
Zone 3	\$6.9	\$19.9	\$20.5
Alternative 3A	\$14.4	\$27.5	N/A
Zone 4	\$24.5	\$42.6	\$31.0
Zone 5	\$3.7	\$10.7	\$0.5
Zone 6	\$7.1	\$16.6	\$16.6
Zone 7	\$25.6	\$60.9	\$54.7
Zone 8	N/A	N/A	\$16.4
Combined Improvements (Zone 2-7)	\$46.6	\$89.9	\$86.3
*Funding in place			

Implementation and Phasing

1. Continue Zone 2 (Canal St.) Drainage Improvements – “Best bang for the buck.”
2. Pursue expansion of Alexander Ranch Detention Basin (Zone 3), as it is the last remaining potential area to provide significant storage.
3. Pursue further investigation of Zone 8 Downstream ZC Channel option and the potential upstream impacts.
4. Begin discussion with TxDOT about drainage improvements in the IH-35 corridor.

Motion to accept Zacate Creek Flood Protection Plan.

Moved: Mayor Pro Tem Mike Garza

Second: Cm. Rendon

For: 7

Against: 0

Abstain: 0

34. Report on all grants received by the City of Laredo to include non-profit organizations, foundations, local, state, federal grants, including American Recovery and Reinvestment Act (ARRA), and any other grants received during this calendar year.

Rosario Cabello, Finance Director, gave the Mayor and Council a packet containing the ARRA report.

35. Report by the Laredo Delegation (Mayor Raul G. Salinas and City Manager Carlos R. Villarreal) regarding the recent trip to Central America, with possible action.

City Manager Carlos Villarreal explained the various countries' desires to open distribution centers in Laredo and to form partnerships. He mentioned that the trip taken took eight days and that they were able to visit six different Central American countries at minimal cost.

XIII. EXECUTIVE SESSION

XIV. RECESS AS THE LAREDO CITY COUNCIL AND CONVENE AS THE LAREDO MASS TRANSIT BOARD

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

Moved: Mayor Pro Tem Mike Garza

Second: Cm. Narvaez

For: 7

Against: 0

Abstain: 0

36. Authorizing the City Manager to enter into a lease agreement by and between the Laredo Transit Management, Inc., (El Metro) and Bringing Everyone Special Together (B.E.S.T.) Time Bank, a Texas non-profit corporation, for the lease of building space at the Laredo Transit Center located at 1301 Farragut Street, for a monthly sum of two hundred sixty-five dollars (\$265.00) for a term of one (1) year commencing on January 1, 2010 to December 31, 2010 and thereafter on a month to month basis depending on B.E.S.T.'s funding availability and or Transit building lease space availability. (Approved by Operations Committee)

Motion to approve.

Moved: Mayor Pro Tem Garza

Second: Cm. Narvaez

For: 7

Against: 0

Abstain: 0

37. Consideration for approval of the Transit Terminal Renovation Project as complete and

approval of change order no. 1 an increase of \$7,783.72 for the balance of quantities actually constructed in place and to add twenty-nine (29) calendar days to the construction contract time, release of retainage and approval of final payment in the amount of \$41,517.02 to Amberland Development, Ltd., Laredo, Texas. Final construction contract amount is \$345,116.72. Funding is available in the Transit FTA Capital Grant X-04-0040. (Approved by Operations Committee)

Motion to approve.

Moved: Mayor Pro Tem Garza

Second: Cm. Narvaez

For: 7

Against: 0

Abstain: 0

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

Motion to adjourn as the Laredo Mass Transit Board and reconvene as the Laredo City Council and adjourn (adjournment was made after the supplemental agenda items were voted on).

Moved: Mayor Pro Tem Mike Garza

Second: Cm. Narvaez

For: 6

Against: 0

Abstain: 0

**SUPPLEMENTAL AGENDA
M2009-S-04
DECEMBER 21, 2009
5:30 P.M.**

I. RESOLUTION

1. 2009-R-146 Supporting the creation of the Laredo Public Facility Corporation under Chapter 303 of the Texas Local Government Code to act on behalf of the City of Laredo, Texas; authorizing the City's staff to negotiate terms with the NRP Group L.L.C., regarding a proposed low income housing tax credit project and authorizing the filing of the necessary applications for low income housing tax credits; and resolving other matters in connection therewith.

Motion to approve Resolution # 2009-R-146.

Moved: Mayor Pro Tem Garza

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

II. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

2. Request by Mayor Pro-Tempore Mike Garza

Presentation by Mr. Dan Marksom of the NRP Group on the creation of multifamily housing facilities in South Laredo with tax exemptions for financing, and related matters, namely, the creation of a tax credit partnership, a public facility corporation, and the filing a low income housing tax credit application with the Texas Department of Housing and Community Affairs (ref. Proposed Resolution 2000-R-146, supra).

Dan Marksom, Senior Vice President of the NRP Group, presented booklets to Mayor Salinas and City Council.

Mayor Pro Tem Garza felt that this would be a great opportunity to make a grand impact because of the housing shortage in Laredo and that it would also generate revenue.

3. Request by Council Member Hector "Tito" Garcia

Discussion with possible action regarding the purchasing of the Paul Young Car Center located at Bob Bullock for the One Stop Shop, Fleet, and Parks and Leisure Departments. ((Co-sponsored by Council Member Juan Narvaez) (Replacing agenda item no. 32 B. 1))

Cm. Garcia said that he wanted the City Manager to go out and look at this property because he felt that it would be perfect for a One Stop Shop.

Motion to authorize the City Manager to visit and inspect the Paul Young Car Center in order to consider possibly purchasing it for use as a One Stop Shop.

Moved: Cm. Garcia

Second: Mayor Pro Tem Garza

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 27 and they are true, complete, and correct proceedings of the City Council meeting held on December 21, 2009.

Gustavo Guevara, Jr.
City Secretary