

**CITY OF LAREDO
CITY COUNCIL MEETING
M2008-R-014
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
JULY 21, 2008
5:30 P.M.**

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

Mayor Raul G. Salinas led in the Pledge of Allegiance.

III. ROLL CALL

In attendance:

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

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

IV. MINUTES

Approval of the minutes for April 21, 2008.

Motion to approve.

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

Against: 0

Abstain: 0

V. COMMUNICATIONS AND RECOGNITIONS

Cm. Landeck joined at 5:40 p.m.

Recognitions

Recognition of Jesus Hinojosa for his service as committee member in the Board of Adjustment.

Cm. Rendon presented Jesus Hinojosa, III a certificate of appreciation for serving four years in the Board of Adjustment.

Communiqués

Presentation by Mr. Hector J. Perez, UISD Technology Department Executive Director, regarding cyber bullying and website abuse.

Hector J. Perez, United Independent School District Technology Department Executive Director, gave a comprehensive report regarding cyber bullying and website abuse. He advised that the school would be placing a presentation for parents to view on the Public Access Channel. The presentation educates parents on how to recognize different internet sites and educational points for monitoring. He played the video for City Council to review.

The Mayor thanked the City Wide Low Rider's Club for exhibiting their cars in an effort to raise funds for Enrique "Kike" Collazo who is a five year old boy that suffers from leukemia. He recognized the presence of Honorable Judge Elma Salinas Ender from the 341st District Court and Honorable Judge Oscar Hale from the 406th District Court at the Council Meeting. He also recognized the Honorable Justice of the Peace, Oscar Liendo. The Mayor congratulated the Laredo Heat for advancing to the playoffs. He also congratulated the Community Development Department for responding immediately to a family that had lost all of their belongings in a fire.

Cm. Garza congratulated the Laredo South Ladies' Softball for making the state tournament for the first time in history.

Cm. Garcia also congratulated the Laredo South Ladies Softball team for advancing to State. He wished Jerry Garcia, his older brother, a happy birthday.

Cm. Landeck agreed with the other Council Members that South Laredo is swiftly developing and he is excited about the work that the City has initiated.

Cm. Rendon recognized the Parks & Recreation Department for holding a track meet on the weekend and for the forty individuals who will advance to the state meet in San Antonio. He also congratulated the Hillside girls' softball team for winning the state championship.

Cm. Belmares advised that the Del Mar Little League is continuing to advance to state championships in the minor and majors' baseball. He said that the Northwest is still in competition. He went on to say that the Emergency Management Operations will be activated in preparation of an upcoming hurricane that is in the Gulf. He noted that he was impressed with the local Fire and Public Works Departments for uniting to assure safer

conditions during hazardous weather conditions. He reminded the viewing public not to go around the barricades during flooding conditions.

Mayor Pro Tempore Valdez asked the viewing public to take the proper precautions during the hurricane that was expected to travel through the Laredo area. He wished his daughter a happy seventh birthday.

Cm. Liendo Espinoza congratulated the cast of Oliver for doing such a great acting job. She wished Krissy Montemayor a happy “10th” birthday.

Carlos Villarreal, City Manager, said that the City is in the alert mode because of the approaching hurricane.

Citizen comments

Jesus Flores, representing CUTFAT, spoke on cutting back city expenditures, water rate increases, and to reduce the high appraised values.

Dr. Javier Cantu spoke about the high appraisal values. He stated that the State doesn't have to do anything for us and that the City of Laredo can do something about it. He had thousands of signatures of taxpayers protesting the values.

Emilio Martinez spoke against the appraised values and stated that the problem is on the City Council and asked them to place it on the ballot.

Hilario Cavazos, LISD teacher, stated that people are hurting economically and asked City Council to consider the property value issue.

Former City Council Member Juan Ramirez spoke against the water and sewer rate increase for the low income people.

VI. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

Appointment by Mayor Pro-Tempore Gene Belmares of Roxanne Vedia to the Library Advisory Committee.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

VII. PUBLIC HEARINGS

1. Public hearing and introductory ordinance amending the City of Laredo FY 2007-2008 Waterworks Fund Annual Budget by appropriating an additional \$1,624,856.00 under Waterworks operations and drawing down the Restricted for Capital Improvements Fund to cover the cost of the project between the City of Laredo and the Texas Engineering Experiment Station (TEES) for the purpose of developing technology in order to desalinate brackish water. This funding is funded from the United Water Settlement.

Motion to table the public hearing.

Moved: Mayor Pro-Tempore Belmares

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

2. Public hearing and introductory ordinance amending the City of Laredo Health Department Fiscal Year 2007-2008 budget by appropriating revenues and expenditures in the amount of \$264,059.00 in funds from the Texas Department of State Health Services for the Health Department-Public Health Emergency Preparedness Program. These funds are for the term period of August 1, 2008 through July 31, 2009 and authorizing the City Manager to execute all documents resulting from the same.

Motion to open the public hearing.

Moved: Mayor Pro-Tempore Belmares

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Mayor Pro-Tempore Belmares

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

3. Public hearing and introductory ordinance amending the City of Laredo Health Department Fiscal Year 2007-2008 annual budget by increasing revenues and expenditures in the amount of \$10,000.00 of additional funds from the Texas Department of State Health Services for the Health Department Title V Family Planning Services Grant for a total amount awarded of \$71,068.00 for the period of September 1, 2007 through August 31, 2008.

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Rendon

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Mayor Pro-Tempore Belmares

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

4. Public hearing and introductory ordinance amending the City of Laredo 2007-2008 Autotheft Annual Budget in the amount of \$10,358.00 to fund the Laredo Autotheft Task Force and accepting an award in the amount of \$346,000.00 from the Texas Auto Burglary and Theft Prevention Authority. The City of Laredo will be designating \$274,599.00 in matching funds, and Webb County will be designating \$48,459.00 in matching funds for a total grant amount of \$669,058.00. This grant is effective from September 1, 2008 through August 31, 2009.

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Mayor Pro-Tempore Belmares

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 Belmares

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

5. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 5, Block 8, Moreno Addition, located at 3319 Guerrero Street, from R-1 (Single Family Residential District) to R-3 (Mixed Residential District). The Planning and Zoning Commission has recommended approval of the zone change. The proposed use is apartments. District II

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Mayor Pro-Tempore Belmares

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 Belmares

For: 8

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 4.92 acres as further described by metes and bounds in attached Exhibit “A,” located approximately 600 feet south of State Highway 359 and 1,580 feet east of Old Milwaukee Road, from R-2 (Multi-Family District) to M-1 (Light Manufacturing District). The Planning and Zoning Commission has recommended approval of the zone change. The proposed use is commercial. District II

Motion to open the public hearing.

Moved: Mayor Pro-Tempore Belmares

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Garcia

7. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for a children’s amusement establishment on Lots 4, 5, and 6, Block 700, Eastern Division, located at 1220 Guatemozin Street. The Planning and Zoning Commission has recommended approval of the Conditional Use Permit. The proposed use is a children’s amusement establishment. District III

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Mayor Pro-Tempore Belmares

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Landeck

Second: Cm. Rendon

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Landeck

8. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for Used Auto Sales on Lots 10, 11, and 12, Block 4, Calton Mims Gardens Subdivision, located at 4701 Gallagher Avenue. The Planning and Zoning Commission has recommended approval of the Conditional Use Permit. The proposed use is a Used Auto Sales. District V

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. Rendon

Second: Mayor Pro-Tempore Belmares

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Rendon

9. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 2.94 acres as further described by metes and bounds in attached Exhibit "A," located approximately 1,000 feet south of State Highway 359 and 1,580 feet east of Old Milwaukee Road, from R1-A (Single Family Reduced Area District) to M-1 (Light Manufacturing District). The Planning and Zoning Commission has recommended denial of the zone change. The proposed use is commercial. District II

Motion to open the public hearing.

Moved: Mayor Pro-Tempore Belmares

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

Rodolfo Torres, engineer representing the property owner, requested an extension to his other property for an M1.

Motion to close the public hearing, override Planning and Zoning and introduce.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Garcia

VIII. INTRODUCTORY ORDINANCES

10. Authorizing the City Manager to execute a Foreign-Trade Zone Operations Agreement with Consolidora Internacional de Carga, S.A. de C.V., as Zone Site Operator within Site No. III, located at 12014 Sara Road, Killam Industrial Park, effective August 1, 2008 and ending on September 30, 2009. Providing activation, administration and transaction fees be paid to the City; providing for an effective date.

Introduction Ordinance: City Council

- 11. Authorizing the City Manager to execute an amendment to the lease agreement authorized by Ordinance No. 2000-O-276 dated November 20, 2000, with Region One Education Service Center for Building No. 55 consisting of approximately 8,580 square feet located at 4818 Thomas Avenue at the Laredo International Airport. Said amendment will specifically add paragraph (f), Rent Abatement, to Section 1.03, Rental Obligation. The rent abatement will reimburse Lessee the cost of replacing the roof in an amount not to exceed \$36,000.00. The monthly rent obligation shall be decreased (abated) by \$1,000.00 for a total of thirty six (36) months commencing October 1, 2008, and ending on September 30, 2011. All other terms and conditions of the lease agreement remain unchanged and in effect; providing for an effective date.

Introduction Ordinance: City Council

IX. FINAL READING OF ORDINANCES

Motion to waive the final readings of Ordinance # 2008-O-119, # 2008-O-143, # 2008-O-144, # 2008-O-145, # 2008-O-146, # 2008-O-147, # 2008-O-148, # 2008-O-149, # 2008-O-150, and # 2008-O-151.

Moved: Mayor Pro-Tempore Belmares

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

- 12. 2008-O-119 Designating as a one-way eastbound the 1400 block of Ugarte Street, between Santa Maria Avenue and Juarez Avenue, as a one-way southbound the 3800 and 3900 block of Juarez Avenue, between Ugarte Street and Boston Street, and as a one-way Westbound the 1400 block of Boston Street, between Juarez and Santa Maria Avenue, during the peak hours of 7:00 a.m. to 8:15 a.m. and 2:30 p.m. to 3:45 p.m., Monday thru Friday during school days, providing for the installation of appropriate signs to indicate one-way traffic; providing for publication and an effective date.

Motion to adopt Ordinance # 2008-O-119.

Moved: Mayor Pro-Tempore Belmares

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

- 2008-O-143 Amending the City of Laredo Code of Ordinances Chapter 31 (Utilities), Division 5 (Rates and Charges), Article II, (Sewers and Sewage Disposal), specifically section 31-92 (a) that provides for sewer rate charges, by adding the following;

<i>Residential</i>			
	Usage (gallons)	Current Rate	New Rate (Oct. 08)

B	0	2,000 gallons	\$8.50 base	\$8.75 base
1	2,000 gallons	4,000 gallons		\$1.36 / 1000 gal
2	4001 gallons	10,000 gallons	\$1.03/ 1000 gal	\$1.39/ 1000 gal
3	10,001 gallons	20,000 gallons	\$1.08/ 1000 gal	\$1.46/ 1000 gal
4	20,001 gallons	30,000 gallons	\$1.14/ 1000 gal	\$1.54/ 1000 gal
Commercial				
	Usage (gallons)		Current Rate	New Rate (Oct. 08)
B	0	2,000 gallons	\$13.00	\$13.38 base
1	2,000 gallons	4,000 gallons		\$1.25/ 1000 gal
2	4,001 gallons	10,000 gallons	\$1.25/ 1000 gal	\$1.69/ 1000 gal
3	10,001 gallons	20,000 gallons	\$1.31/ 1000 gal	
3	20,001 gallons	30,000 gallons	\$1.37/ 1000 gal	
3	10,001 gallons	30,000 gallons		\$1.77/ 1000 gal
4	30,001 gallons	40,000 gallons	\$1.43/ 1000 gal	\$1.93/ 1000 gal
5	40,001 gallons	50,000 gallons	\$1.48/ 1000 gal	
5	50,001 gallons	100,000 gallons	\$1.54/ 1000 gal	
5	100,001 gallons	150,000 gallons	\$1.60/ 1000 gal	
5	40,001 gallons	150,000 gallons		\$2.00/ 1000 gal
6	150,001 gallons	200,000 gallons	\$1.65/ 1000 gal	
6	200,001 gallons	250,000 gallons	\$1.71/ 1000 gal	
6	250,001 gallons	300,000 gallons	\$1.77/ 1000 gal	
6	150,001 gallons	300,000 gallons		\$2.23/ 1000 gal
7	300,001 gallons	350,000 gallons	\$1.82/ 1000 gal	
7	350,001 gallons	400,000 gallons	\$1.88/ 1000 gal	
7	400,001 gallons	450,000 gallons	\$1.94/ 1000 gal	
7	450,001 gallons	500,000 gallons	\$2.00/ 1000 gal	
7	500,001 gallons	550,000 gallons	\$2.05/ 1000 gal	
7	550,001 gallons	600,000 gallons	\$2.11/ 1000 gal	
7	300,001 gallons	600,000 gallons		\$2.46/ 1000 gal
8	600,001 gallons	650,000 gallons	\$2.16/ 1000 gal	
8	650,001 gallons	700,000 gallons	\$2.22/ 1000 gal	
8	700,001 gallons	750,000 gallons	\$2.28/ 1000 gal	
8	750,001 gallons	800,000 gallons	\$2.34/ 1000 gal	
8	800,001 gallons	850,000 gallons	\$2.39/ 1000 gal	
8	850,001 gallons	900,000 gallons	\$2.45/ 1000 gal	
8	900,001 gallons	950,000 gallons	\$2.51/ 1000 gal	
8	950,001 gallons	1,000,000 gal	\$2.57/ 1000 gal	
8	600,001 gal	1,000,000 gal		\$2.92/ 1000 gal
9	1,000,001 gal	Above	\$2.62/ 1000 gal	\$2.54/ 1000 gal

and an annual average increase in residential rates not less than 17% in 2009, 8% in 2010, 6% in years 2011 through 2014 and 2% thereafter until 2037; and commercial rates of 14% in 2009, 7% in 2010, 5% in years 2011 through 2013 and 2% thereafter until 2037 to of these tiers to be automatically implemented starting on October 1 of each year up to 2037 specifically at the levels indicated in the rate tables provided within this ordinance; Providing for publication and an effective date.

Carlos Villarreal, City Manager, said that the lower rates would not be increased. He added that Council will need to adjust the higher rates if they continue to adjust the lower rates.

Tomas Rodriguez, Utilities Director, advised that staff put the rate at \$8.50 for the first five years. That number includes 12% of the City's 60,000 accounts within that range. The base fee covers up to 2,000. The current sewer is 4,000 as a minimum and water is 2,000.

Cm. Valdez said that the last motion was to keep the initial 0 to 2,000 frozen for life; however, the Utilities Director said that the amount would be frozen for the first five years. He questioned whether the Director can return with corrected adjustments in the numbers. He stressed that he was concerned for the individuals that live on fixed incomes.

Cm. Garza said that he is interested in freezing the amount for life; however, he suggested a 2 or 3 percent increase on the base rate starting after five years.

Tomas Rodriguez said that the last sewer rate increase was back in 1996. He added that the City of Laredo has a commitment with TCEQ to increase capacity on the south side. The City also needs to increase capacity on the north side. He emphasized that the City needs to create additional sewer sites to meet the demands of the City.

Carlos Villarreal, City Manager, said that the City of Laredo had a shortfall of \$1.4 million dollars and there are \$1M dollars that need to be recovered.

Cm. Belmares agreed with the City Manager and asked City Council to adopt the Ordinance.

Motion to adopt Ordinance # 2008-O-143.

Moved: Mayor Pro-Tempore Belmares

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

2008-O-144 Accepting a grant awarded by the Office of the National Drug Control Policy (ONDCP) High Intensity Drug Trafficking Area (HIDTA) in the

amount of \$836,020.00 to fund the Laredo Financial Task Force and the Public Corruption Task Force at no cost to the City, and to amend the FY 2007-2008 Financial Task Force budget by \$60,000.00 to reflect actual grant amount. Funds will be used to pay personnel, travel, and operational expenses from January 1, 2008 through December 31, 2008.

Motion to adopt Ordinance # 2008-O-144.

Moved: Mayor Pro-Tempore Belmares

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

- 2008-O-145 Amending the City of Laredo Fiscal Year 2007-2008 Special Police Fund annual budget by increasing revenues and expenditures in the Special Police Fund in the amount of \$17,615.00. The increase is additional funding by the Laredo Housing Authority to reimburse costs for overtime incurred by the Laredo Police Department officers in providing resources for the Weed and Seed Community Building Program.

Motion to adopt Ordinance # 2008-O-145.

Moved: Mayor Pro-Tempore Belmares

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

- 2008-O-146 Authorizing the City Manager to execute an Assignment and Assumption Agreement between Laredo Car Rental, Inc. d/b/a Alamo Rent-a-Car, a Texas corporation, as Assignor, and Vanguard Car Rental USA, Inc., a Delaware corporation, d/b/a National and Alamo, as Assignee. Said Assignment and Assumption Agreement is to that Permit and Right of Entry for Access by an Off-Airport Rental Car Business between the City of Laredo and Laredo Car Rental, Inc. d/b/a Alamo Rent-a-Car, dated September 11, 2007, and approved by Ordinance No. 2007-O-152. All other terms and conditions remain unchanged and in effect; providing for an effective date.

Motion to adopt Ordinance # 2008-O-146.

Moved: Mayor Pro-Tempore Belmares

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

- 2008-O-147 Authorizing the City Manager to execute a lease with GIZ Investments LLC d/b/a El Patio Nursery for approximately 1.41 acres of land located At 1704 E. Hillside Road at the Laredo International Airport. Lease term is for five (5) years commencing on June 1, 2008, and ending on May 31, 2013, and may be extended for one (1) five (5) year option until May 31, 2018. Monthly rent determined by fair market appraisal shall be \$3,915.65 and will be adjusted annually according to changes in the Consumer Price Index; providing for an effective date.

Motion to adopt Ordinance # 2008-O-147.

Moved: Mayor Pro-Tempore Belmares

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

2008-O-148 Authorizing the City Manager to execute a lease between the City of Laredo-Airport Fund, as Lessor, and City of Laredo-Utilities Fund, as Lessee, for an approximate 4.6148-acre tract of land located at 5812 Daugherty Avenue, Block No. 14, at the Laredo International Airport. Lease term is for twenty (20) years commencing on June 1, 2008, and ending on May 31, 2028, and may be extended for two (2) terms of ten (10) years each ending on May 31, 2028 and May 31, 2048. Monthly rent shall be \$6,229.00 and will be adjusted annually according to changes in the Consumer Price Index and by fair market rent appraisal at each ten (10) year anniversary; providing for an effective date.

Motion to adopt Ordinance # 2008-O-148.

Moved: Mayor Pro-Tempore Belmares

Second: Cm Garcia

For: 8

Against: 0

Abstain: 0

2008-O-149 Authorizing the City Manager to execute a Lease and Restaurant Concession Agreement with Carlos Bella d/b/a Villa Laredo Restaurant for approximately 1,116 square feet constituting suite number 101 on the first (1st) floor of the airport passenger terminal located at 5210 Bob Bullock Loop at the Laredo International Airport. Lease term is for five (5) years commencing on July 1, 2008, and ending on June 30, 2013. Monthly rent shall be \$3,000.00 and will be adjusted annually according to changes in enplaned revenue passengers; providing for an effective date.

Motion to adopt Ordinance # 2008-O-149.

Moved: Mayor Pro-Tempore Belmares

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

2008-O-150 Authorizing the City Manager to execute an Assignment and Assumption Agreement between Laredo Car Rental, Inc. d/b/a National Car Rental, a Texas corporation, as Assignor, and Vanguard Car Rental USA, Inc., a Delaware corporation, d/b/a National and Alamo, as Assignee. Said Assignment and Assumption Agreement is to that Rental Car Agency Concession and Lease Agreement between the City of Laredo and Laredo Car Rental, Inc., dated August 28, 2006, and approved by Ordinance No. 2006-O-199. All other terms and conditions remain unchanged and in effect; providing for an effective date.

Motion to adopt Ordinance # 2008-O-150.

4. Dedicating the project site for permanent public park and recreational use; and
5. Certifying that the application has been submitted to the appropriate Regional Council of Governments for the Texas Review and Comment System (TRACS) for consideration.

Motion to approve Resolution # 2008-R-080.

Moved: Mayor Pro-Tempore Belmares

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

15. 2008-R-081 Authorizing the participation of the City of Laredo, hereinafter referred to as “applicant,” in the local Park Grant Program with the Texas Department of Parks and Wildlife for the Independence Hills Park Project, hereinafter referred to as the “Program”;
 1. Authorizing the City Manager to designate the Director of Parks and Leisure Services as being responsible for, acting for, and on behalf of the applicant in dealing with the Texas Parks & Wildlife Department, hereinafter referred to as “Department”;
 2. Certifying that the City of Laredo as applicant is eligible to receive program assistance in the amount of \$500,000.00;
 3. Certifying that the matching share of the City of Laredo as applicant is 50% or \$500,000.00 and that said amount has been appropriated;
 4. Dedicating the project site for permanent public park and recreational use; and
 5. Certifying that the application has been submitted to the appropriate Regional Council of Governments for the Texas Review and Comment System (TRACS) Review for consideration.

Motion to approve Resolution # 2008-R-081.

Moved: Mayor Pro-Tempore Belmares

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

16. 2008-R-082 Authorizing the City Manager to sign a water rights sales agreement, attached hereto as Exhibit A, between the City of Laredo and Cameron County Irrigation District No. 2 in which the city is agreeing to purchase the right to divert and use 700 acre feet per annum of municipal, industrial and domestic use water rights to the Rio Grande River at \$2,250.00 per ac./ft., for a purchase price of \$1,575,000.00; and further authorizing the City Manager to sign and file necessary application(s) with the Texas Commission on Environmental Quality on behalf of the city requesting that said water rights be severed from Certificate of Adjudication no. 23-841 of the seller and combined with Certificate of Adjudication no. 23-3997, as amended, of the city 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 # 2008-R-082.

Moved: Mayor Pro-Tempore Belmares

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

17. 2008-R-083 Authorizing the City Manager to sign a water rights sales agreement, attached hereto as Exhibit A, between the City of Laredo and Campbell Patton in which the city is agreeing to purchase the right to divert and use a maximum of not to exceed 60 acre feet per annum from the Rio Grande to irrigate land in Hidalgo County, Texas, on a class "A" irrigation priority basis, and 50 acre feet per annum from the Rio Grande to irrigate land in Hidalgo County, Texas, on a Class "B" irrigation priority basis, at \$2,200.00 per ac./ft., for a purchase price of \$110,000.00; and further authorizing the City Manager to sign and file necessary application(s) with the Texas Commission on Environmental Quality on behalf of the city requesting that said water rights be severed from certificate of adjudication no. 23-427 of the seller and combined with Certificate of Adjudication no. 23-3997, as amended, of the city 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 # 2008-R-083.

Moved: Mayor Pro-Tempore Belmares

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

XI. MOTIONS

18. Appointment of Mayor Pro-Tempore as per Ordinance 90-O-101. City Council shall confirm one of the Council Members who shall be known and designated as Mayor Pro Tempore.

Motion to table.

Moved: Cm. Garcia

Second: Mayor Pro-Tempore Belmares

For: 8

Against: 0

Abstain: 0

19. Consideration to revise the scheduled City Council Meeting dates for the months of July, August and September 2008 by approving either Option 1 or Option 2 as listed below:

Option 1:

July 21, 2008 @ 5:30 p.m. - Regular City Council Meeting

July 30, 2008 @ 12:15 p.m. - Special City Council Meeting

August 4, 2008 @ 5:30 p.m. - Regular City Council Meeting

August 11th thru August 13th @ 5:30 p.m. - Budget Workshops

August 18, 2008 @ 5:30 p.m. - Regular City Council Meeting
*Tuesday, September 2, 2008 @ 5:30 p.m. - Regular City Council Meeting
(*9/1/08 is an observed holiday)
September 15, 2008 @ 5:30 p.m. - Regular City Council Meeting

Option 2:

July 21, 2008 @ 5:30 p.m. - Regular City Council Meeting
July 30, 2008 @ 12:15 p.m. - Special City Council Meeting
August 4, 2008 @ 5:30 p.m. - Regular City Council Meeting
August 18th thru August 20th @ 5:30 p.m. - Budget Workshops
August 25, 2008 @ 5:30 p.m. - Regular City Council Meeting
September 8, 2008 @ 5:30 p.m. - Regular City Council Meeting
**September 12, 2008 @ 12:15 p.m. – Special City Council Meeting
(**9/12/08: Required only if there is no meeting on September 15, 2008)
September 22, 2008 @ 5:30 p.m. - Regular City Council Meeting

Motion to table.

Moved: Mayor Pro-Tempore Belmares

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

20. Authorizing the award of a contract in the amount of \$50,582.00 to Don Durden, Inc., d/b/a Civil Engineering Consultants (CEC), for the development of the McPherson Road Capacity and Mobility Analysis. Funding for the project is available through the Metropolitan Planning Organization (MPO) account using Federal Planning Grant (PL112) funds.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

21. Referring the Transportation Element of the City of Laredo Comprehensive Plan to the Planning and Zoning Commission and requiring that a report from the Planning and Zoning Commission with any recommendations be brought back before the City Council before the adoption of the budget; in accordance with Article IX, Section 9.03 of the Chart of the City of Laredo.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

22. Consideration to award an annual supply contract number FY08-99 to the low bidder, Arguindegui Oil Company, Laredo, Texas, in the estimated amount of \$6,000,000.00 for the purchase of unleaded and diesel fuel for the City of Laredo's fleet. Funding is available in the Fleet Maintenance Fund.

Motion to approve.

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

Against: 0

Abstain: 0

23. Consideration to award the annual Municipal Court software maintenance contract in the amount of \$34,357.00 to Tyler Technologies. The amount represents a 4% increase over the previous year. The annual software maintenance contract begins July 1, 2008, and ends June 30, 2009, and includes the following programs: Acucorp AcuServer, Cash Collections, HTE Interface, Municipal Court applications, Police Interface, and Data Dictionary. Funding is available in the Municipal Court budget.

Motion to approve.

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

Against: 0

Abstain: 0

24. Awarding a contract to Lambda Construction I, Ltd, New Braunfels, Texas in the amount of \$399,510.00 for the construction of improvements to the Zacate Creek Wastewater Treatment Plant Mechanical Bar Screen Upgrade consisting of the full installation of a new mechanical screen for improving the plants removal materials into the plants process. Funding is available in the 2007 Utility Bond issue.

Motion to approve.

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

Against: 0

Abstain: 0

25. Approving the monthly adjustments to the tax roll. The amounts to be adjusted for the month of June 2008, represent a decrease of \$8,148.95. These adjustments are determined by the Webb County Appraisal District and by court orders.

Motion to approve.

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

Against: 0

Abstain: 0

26. Consideration for approval of a list of 873 major thoroughfare streets city-wide of the FY 2008 Resurfacing/Repaving Program. Funding is available in the City-Wide Street Paving Project 2007 Bond Issue.

Motion to approve.

Moved: Cm. Garcia
Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

27. Consideration for approval of change order no. 1 a decrease of \$11,226.10 for the balance of quantities actually constructed in place, release of retainage and acceptance of the Texas/Piedra China Improvements Phase II - Storm Drainage and approval of final payment in the amount of \$53,926.53 to SER Construction Partners, Pasadena, Texas. Final construction contract amount is \$411,043.44. Funding is available in the Community Development 31st Action Year and 2005 Certificate of Obligation Bond Proceeds.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

28. Consideration for approval of amendment no. 1 an increase of \$135,742.00 for the construction phase services and resident project representative to the professional services contract with Carter & Burgess, Inc., Fort Worth, Texas, for the Laredo International Airport Runway 14/32 Reconstruction. Total professional services contract amount will be \$333,513.00. Funding is available in the Airport Construction Fund – FAA Proposed Rehabilitation Grant.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

29. Consideration to award annual contract FY08-096 to the following low bidders:

1. Beaver's Source, Laredo, Texas, in the amount of \$25,000.00;
2. McCoy's, Laredo, Texas, in the amount of \$25,000.00;

for the purchase of Portland cement and concrete mix sacks. These materials will be purchased on an as needed basis by the Utilities, Public Works, and Parks and Recreation Departments for construction and repairs projects. The term of this contract will be for a period of one (1) year with an option to extend for an additional twelve (12) month period. Funding is available in the respective departmental budgets.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

XII. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

30. A. Request by Mayor Raul G. Salinas

1. Presentation by Texas Migrant Council regarding the Laredo Webb County Safe Haven Program.

Mary Capello, CEO of the Texas Migrant Council, presented the following presentation:

Laredo-Webb County Safe Haven

Program initiated in 2004

Effective July 1, 2008

Advisory Board Created

Mission

- To provide a secure venue for the rebuilding of families divided by divorce or domestic violence.
- To break the cycle of physical, sexual, and emotional abuse and neglect of children through supervised settings and counseling in a child sensitive environment.
- To provide the children of our community an opportunity for healing and strengthening familial relationships.
- Assists with the safe exchange of children from custodial to noncustodial parents.
- Provides a child friendly and homely environment for supervised visitation
- Offers Supportive Services to Families:
 - Family Learning Center
 - Assistance with the Development of Job Training Skills
 - After School Education by Parents/Mentors
 - Educational and Training Opportunities

Clients include:

- Children who have been the victims of abuse and/or neglect
- Children who have been involved and/or witnessed domestic violence
- Children of parents with substance abuse and/or mental health problems
- Children who have been assigned to custody or care of the division of family services
- Visiting parent's living situation is unsuitable for meeting needs of his/her children
- Court suspects visiting parent may leave the state with the child.

Referrals Accepted

- Courts
- District Attorney
- Attorneys
- Walk-Ins
- Organizations

Hours of Service

Monday – Friday

9:30 a.m. – 8:30 p.m.

Weekends (every other weekend)

10:00 a.m. – 5:00 p.m.

1115 Chihuahua

Laredo, Texas

For Appointment Contact:

Lorena Rodriguez 956-523-0962

B. Request by Council Member Mike Garza

1. Discussion with possible action on creating an ordinance for scrap metal purchasing vendors to document where they are receiving their merchandise.

Cm. Garza said that he had consulted with the City Attorney in reference with statutory guidelines for creating an ordinance for scrap metal purchasing vendors to document where they are receiving their merchandise.

Raul Casso, City Attorney, advised that there are statutes in the penal code that address these issues.

Cm. Garza instructed the City Manager to see if the City of Laredo can initiate an investigative tool that will monitor copper and other related items. He said that the City and schools have had desecration of memorials and other items because of this issue.

2. Discussion with possible action on securing funding for any related studies and costs for the proposed bridge site #3 be secured from the Mexican government, in addition to reimbursement of costs associated with submittal of presidential permit application for city site #2. (Co-sponsored by Cm. Jose A. Valdez, Jr.)

Cm. Garza said that he wanted to bring to light the fact that there was a caveat to the recommendation that came from the City-County Committee which stated that City Council should secure an agreement before a site was selected. He asked Council to agree upon a site before they commit because City Council is struggling to balance their budget and they do not have additional monies to be spending on additional studies and construction cost.

Carlos Villarreal, City Manager, said that the City of Laredo, just like anybody else that constructs a bridge, is in a very unique position because it gives you the authority to be able to sign off on a final agreement that eventually is signed by the Secretary of State or

the Secretary of Communications and Transportation. The agreement is signed between a federal agency in Mexico and the municipality of Laredo. There are many aspects as to how that can be included and made into a valid agreement. The City Council will approve each element that goes into an agreement for the bridge. Staff is hoping to create a memorandum of understanding that will be made part of the final agreement between Mexico and the United States which would have validity.

Cm. Garza asked if you had to get the final agreement to start the process of the presidential permit.

The City Manager, Carlos Villarreal, suggested the initiation of a memorandum of understanding which will outline the reimbursement process

Cm. Garza suggested a 180-day time period for the memorandum of understanding process.

Carlos Villarreal, City Manager, said that it would take approximately three months to create a memorandum of understanding between the City and Mexico. He said that one of the questions that he would be asking is, "Who is going to be signing off for determining reimbursements on the Mexican side?" He questioned if the agreement was going to be signed by the federal government, State of Tamaulipas and the City or between Nuevo Laredo and the federal government? He said that all questions need to be answered prior to signing off on any agreement.

Cm. Garza stressed the importance of having a memorandum of understanding in place before any activities are conducted. He said that the City of Laredo has spent close to three million dollars to get the process of a permit and it cannot be thrown away. It was an investment that the City has completed.

City Manager, Carlos Villarreal, said that the MOU would have to take place before they could proceed to step two.

Cm. Garza emphasized to have a time-certain agreement.

Cm. Landeck said that he has been in attendance at all of the bi-national meetings and the Interlocal Committees and he hopes that someone is keeping track of all the motions and decisions. He said that there was not a caveat but a decision to go to the third site. He went on to say that the Webb County Commissioner's Court did not initiate a caveat. He noted that Judge Danny Valdez told the Mayor of Nuevo Laredo that they would have to discuss some of the issues. He said that he did not know what issues were currently being discussed because no numbers were being distributed. He asked if they were talking about the numbers incurred which include the legal fees and development costs. He emphasized that he did not want to do Mexico a favor by selecting site three.

Motion to instruct the City Manager to initiate a time sensitive Memorandum of Understanding for 120 days.

Moved: Cm. Landeck

Second: Cm. Valdez

Cm. Rendon emphasized that he wants the City of Laredo to be reimbursed for studies and permits that were made while the City was seeking to build a bridge. He said that he is not seeking legal funds in the amount that needs to be reimbursed.

Cm. Landeck reiterated that no one mentioned a caveat at the City – County Government Issues meeting. He added that all discussion concerning the bridges need to be in proportion and the viewing public needs to be aware of what each entity is willing to do.

Carlos Villarreal, City Manager, said that he doesn't want people to think that it is going to cost \$200,000 to secure a presidential permit. He said the cost will be over one and a half million dollars. He noted that he has met with the Mayor of Nuevo Laredo regarding charges that will apply for reimbursement. He said that some charges do not apply for reimbursement.

Cm. Garcia mentioned that investments are always risky referring to the bridge investment. He encouraged staff to present the question to the Mexico side and if they are not willing to reimburse that the City should continue to move forward so they can begin recouping the funds that were spent.

Cm. Espinoza said that she was confused as to what the City is asking Nuevo Laredo to reimburse. She said that it would not be fair for the City to ask them to pay for all of the costs incurred on the first original site and ask them to pay again for the costs of site three.

Carlos Villarreal, City Manager, said that Nuevo Laredo would pay for funds that apply to securing the presidential permit.

Mayor Salinas said that the City of Laredo should act in good faith.

Carlos Villarreal, City Manager, said that the City of Laredo needs to be fair.

Mayor Salinas said that the City of Laredo has a responsibility to the tax payers.

Cm. Garza reiterated that the reimbursement costs are associated with the presidential permit process. He suggested having Mexico to pay for all of the studies for the new site. He noted that no legal fees would be associated with that. The City of Laredo has a detailed list of what all the costs are. He asked to amend the motion to run parallel with Webb County.

Motion to instruct the City Manager to initiate a Memorandum of Understanding before any expenditure and make it time-certain for at least a hundred and twenty days. The MOU should run parallel with discussion with Webb County.

Moved: Cm. Garza

Second: Cm. Valdez

For: 7

Against: 1

Abstain: 0

C. Request by Council Member Dr. Michael Landeck

1. Discussion and possible action in providing the City Council with opportunities to discuss with and interview the 4 finalists' for the position of Laredo Fire Chief as the council did recently in the hiring process of the Police Chief.

Cm. Landeck emphasized the importance of having City Council meet the four finalist for the position of the Laredo Fire Chief.

City Manager, Carlos Villarreal, said that staff polled City Council on this issue and the consensus indicated that they would not would not prefer a meet and greet with the potential candidates. He said that he would adhere to Councils' decisions.

Cm. Garcia said that City Council should allow the Council Member to make his motion.

Motion to instruct the City Manager to postpone his recommendation until he can arrange a meet and greet for the candidates.

Moved: Cm. Landeck

Second: There was no second

Motion dies.

D. Request by Council Member Juan Narvaez

1. Presentation by Mr. Andres "Andy" Ramos regarding property valuations.

Andy Ramos stated that the City has taken the lead for placing important items on agendas. He mentioned that he has sent letters to the City Council and Mayor and other entities regarding the property valuations; however, other entities have not replied. He also thanked Cm. Garza for an article that was published in the Mexican newspapers. Finally, he thanked the Mayor for taking the lead in assisting the disabled and people that are sixty-five and older. He requested for City Council to introduce a resolution to the governor of the State of Texas and legislature to restructure the present method of appraising to arrive at equitable property valuations. Right now, commercial entities have no cap and residential have a 10% cap. He expressed his concerns for the escalating property values. He noted that the Appraisal District, by law, is mandated to appropriate full market value so their hands are tied and the relief that is offered from the District is little at best because of the law. There are 58,168 people that fall below the poverty level in Laredo. The average weekly wage in the second quarter of 2006 was \$530.48 but after the deduction it is \$424.00 a week. In Webb County there is a total of 71% or 43,785 that drive their car to work as of November 2006. He noted that the citizens are faced with higher electricity, gas, groceries, and other items. While salaried employees, in the business sector, remain with the same pay check, businesses in Laredo are hurting and they are starting to lay people off. He added that constituents are suffering. He proposed that City Council introduce a resolution to the Webb County

Appraisal District to appraise properties every three years instead of every year or divide the County into three sections and appraise each section every three years. In addition, he asked every taxpayer that was present or listening to sign a petition on the November ballot as to whether they should be done every three years instead of yearly. Finally, he recommended for City Council to lower their tax rate to provide relief to the constituents.

E. Request by Mayor Pro-Tempore Belmares

1. Discussion with possible action on installing speed humps on Burke Drive by using Capital Improvement Discretionary Funds.

Motion to approve.

Moved: Cm. Rendon

Second: Mayor Pro Tempore Belmares

For: 8

Against: 0

Abstain: 0

2. Discussion with possible action on resurfacing Kimberly and Melinda Drive and adding speed humps in conjunction with the closing of Chris Lane.

Motion to approve the resurfacing on Kimbery and Melinda Drive and adding speed humps in conjunction with the closing of Chris Lane.

Moved: Cm. Garcia

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

3. Discussion with possible action on creating a No Parking Tow Away Zone on Sonterra Drive between McPherson Road and Serene Drive.

Motion to approve a No Parking Tow Away Zone on both sides of Sonterra Drive.

Moved: Mayor Pro Tempore Belmares

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

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

1. Discussion with possible action on appropriating funds for the Veteran's Museum in conjunction with Webb County.

Cm. Valdez said that he placed the item on the agenda to ask for Council support in appropriating funds for the Veteran's museum in conjunction with Webb County. He stated that it is just an understanding at this point and they are waiting on final figures.

Carlos Villarreal, City Manager, said that he would like to meet with Webb County and see where they are as far as expenditures for the museum. He noted that he would return to City Council with recommendations.

G. Request by Council Member Cynthia Liendo Espinoza

1. Discussion with possible action on adding street lights in District VIII.

Motion to set aside \$30,000 for adding additional street lights in District VIII.

Moved: Cm. Liendo Espinoza

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

2. Discussion with possible action to reconsider the renaming of Matamoros Street to M. Matamoros.

Cm. Liendo Espinoza said that the request for renaming of Matamoros Street was done with good intentions; however, based on the concerns brought forward by the community she requested that they stop the proceeding.

Motion to stop the renaming of Matamoros Street.

Moved: Cm. Liendo Espinoza

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

XIII. STAFF REPORTS

31. Discussion with possible action on the Draft Legislative Agenda for the forthcoming State of Texas Legislative Session.

Cm. Garza said that decisions made by City Council affects other taxing entities. He said that there needs to be clarification on how the appraisal district appraises properties. He said that he has been seeking funding so the City of Laredo can hire individuals with mental limitations. He questioned whether the state has a program where the City can tap into an internship. Lastly, he expressed an interest in serving the needs of people with special needs.

City Manager, Carlos Villarreal, said that the City of Laredo needs to have sessions regarding appraisal with the State Representatives including Richard Raymond and Ryan Gillian.

Cm. Landeck expressed his concerns regarding the gambling devices. Secondly, he said that the City should support Corridor Projects.

XIV. EXECUTIVE SESSION

The City Council hereby reserves the right to go into executive session at any time during this public meeting, if such is requested by the City Attorney or other legal counsel for the City, pursuant to his or her duty under Section 551.071(2) of the Government Code, to consult privately with his or her client on an item on the agenda, or on a matter arising out of such item.

32. Request for Executive Session pursuant to the Texas Government Code, Section 551.074 to deliberate the appointment, employment and duties of the Chief of the Fire Department; and return to open session for possible action thereon.

Motion to go into Executive Session pursuant to the Texas Government Code, Section 551.074 to deliberate the appointment, employment and duties of the Chief of the Fire Department; and return to open session for possible action thereon.

Moved: Cm. Garcia

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

After Executive Session, Mayor Salinas announced that no formal action was taken.

Motion to approve City Manager's nomination of Steve Landin as Fire Chief.

Moved: Cm. Garcia

Second: Mayor Pro-Tempore Belmares

For: 8

Against: 0

Abstain: 0

XV. 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-Tempore Belmares

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

33. Consideration to award annual supply contract number FY08-100, to the low bidder, Arguindegui Oil Co., LTD., Laredo, Texas in the estimated amount of \$1,800,000.00 for the purchase of unleaded and low sulfur diesel fuel, for the Transit System's fleet. Funding is available in the Transit Fund.

Motion to approve.

Moved: Mayor Pro-Tempore Belmares

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

34. 2008-RT-005 Authorizing the City Manager to apply for State Public Transportation Funds for FY08-09 in the amount of \$667,509.00 with the Texas Department of Transportation which is authorized to distribute funds for the Transit Capital and Operating Assistance in urbanized areas under 200,000 in population.

Motion to approve 2008-RT-005.

Moved: Mayor Pro-Tempore Belmares

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

XVI. RECESS 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 Belmares

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0