

**CITY OF LAREDO  
CITY COUNCIL MEETING  
M2008-R-017  
CITY COUNCIL CHAMBERS  
1110 HOUSTON STREET  
LAREDO, TEXAS 78040  
SEPTEMBER 2, 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 Salinas led in the Pledge of Allegiance.

**III. ROLL CALL**

In attendance:

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

**IV. MINUTES**

None.

**V. COMMUNICATIONS AND RECOGNITIONS**

**Recognitions**

- a. Recognition of the Gateway Girls Softball League on winning the 2008 State and Regional Little League Tournaments.

This recognition will be presented at the next City Council meeting.

- b. Recognizing all traffic police officers and constables for their continued efforts in providing traffic safety support for our local schools.

Mayor and City Council recognized the following:

Constable 1 Rodolfo Rodriguez  
Constable 2 Ruben Reye  
Constable 3 Annette Munoz  
Sgt. Alberto Salinas  
El Protector Abraham Diaz  
Gustavo Guerra  
Wesley Paderes  
Jose Torres

- c. Presentation by LISD Police Chief Medina to Assistant Police Chief Gilbert Navarro for his support to the Laredo Independent School District.

This presentation was not discussed.

- d. Recognition by the Mayor and City Council of the employees of the quarter.

Maria Soliz, Acting Librarian, said that she was honored to present Maria Adame as employee for the quarter. She said that Maria has been working for the library for eight years. She pointed out that she is always the first to volunteer for additional programs. She seeks out opportunities to better herself and better serve the public. She explained that when the library decided to be a passport agency, she was one of the first to volunteer. She has also volunteered for four years with the volunteer income tax assistance program which entails yearly certification. She pointed out that she has worked on 900 stimulus accounts and still continues to help the public whenever they come to the Library. She emphasized that her desire to learn and her willingness to take on additional duties qualifies her to be the employee of the quarter.

## **Communiqués**

Cm. Garcia thanked the community for their support and prayers for his family. Secondly, he said that it was hard to see the destruction of a hundred year old home in the downtown area.

Cm. Narvaez mentioned that he distributed over 200 backpacks filled with school supplies to children in the District IV area. He said that he had received multiple calls about the destruction of the home in the downtown area. He suggested initiating an ordinance that would punish individuals who ignore current laws to protect the historical codes and ordinances.

Cm. Rendon mentioned that everyone needs to drive safely in school zones.

Cm. Belmares thanked the District VI residents for being patient during the recent street construction in Winfield, Alexander Estates, McPherson and United High School areas. He also congratulated the local entities and the City of Laredo for uniting to assist families that needed help during hurricane season. He encouraged parents to volunteer

at the local flag football games. He said that they need more parents to be actively involved.

Cm. Liendo-Espinosa expressed her sadness and disappointment at the destruction of the Lamar Bruni-Vergara home in District VIII. She pointed out that the home held a lot of wonderful memories for many individuals in Laredo. She advised that there will be legal ramifications for the individuals that did not follow the law. She congratulated the constables for the work they do in the community. She acknowledged that the crime rate has risen in her district and throughout Laredo. She said that she has been working closely with the Chief of Police who will be implementing a new program which will strengthen enforcement in certain hotspots in Laredo.

Mayor Flores congratulated the Martin High School Tigers.

### **Citizen comments**

Margarita Araiza, Webb County Heritage Foundation Executive Director, expressed her outrage regarding the demolition of the Lamar Bruni Vergara home. She asked the Council to punish the offenders to the fullest extent of the law.

Hank Sames spoke against the destruction of the Bruni Vergara home and asked that City Council look at the ramifications of this act which was done without a permit. He asked the city not to issue a building permit at this site.

Rebeccas Sepulveda, Chair of the Laredo Development Landmark Board, asked for support on the Bruni Lamar Vergara situation.

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

a. Appointments by Council Member Dr. Michael Landeck of:

- \* Marcos Escamilla to the Parks and Leisure Advisory Committee
- \* Remy Salinas to the Planning and Zoning Commission

Motion to approve the appointment of Marcos Escamilla.

Moved: Cm. Landeck

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

Motion to approve the appointment of Remy Salinas to the Planning and Zoning Commission by Cm. Landeck. There was no second to his motion.

Cm. Landeck said that it does not require approval of the City Council.

The City Attorney, Raul Casso, disagreed with the Council Member and said that the appointment does need the approval of City Council. He said that City Council has to confirm the nomination put forward by any individual for a seat on the Planning and Zoning Commission and that it is state law.

Cm. Landeck said that he disagrees with the interpretation of the Council. He went on to say that the Council has a Charter which states that the Mayor and City Council should appoint one member each from among the qualified voters of the City of Laredo. It is an appointment and not a nomination. He advised that there is not a word about any confirmation procedure. He said that other committees require confirmation of the City Council, but not the Planning and Zoning Commission. He encouraged the City Attorney to not insist upon this point because it will leave his district without representation.

Raul Casso, City Attorney, advised that Section 2.11 of the Local Government Code specifies that the governing body of a home rule municipality appoints the Zoning Commission. He stated that Council needs to reconcile the Charter with state law because they cannot be conflicting. Wherever ordinances appear to say that the City Council either should or shall appoint a member to the commission really means that a Council Member should nominate. City Council is the body that does the actual appointing or confirmation of the appointment.

Cm. Landeck said that he would consult his attorneys on this issue. He said that this situation is very anti democratic. He emphasized that they should be able to appoint the person that he thinks best to represent District VI.

- b. Appointment by Mayor Pro-Tempore Jose A. Valdez, Jr. of Eleuterio Garza to the Board Adjustment.

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Rendon

For: 8

Against: 0

Abstain: 0

## **VII. PUBLIC HEARINGS**

1. Public hearing and introductory ordinance to adopt the proposed Annual Budget for Fiscal Year 2008-2009 by appropriating the proposed revenues, expenditures and balances reported therein for the year beginning October 1, 2008 and ending September 30, 2009, consistent with the financial plan described in said Annual Budget (see Exhibit A); and authorizing the City Manager to implement said Annual Budget.

Motion to open the public hearing.

Moved: Cm. Garza

Second: Cm. Narvaez

For: 8

Against: 0

Abstain:

Cm. Belmares said that he would like to amend the Third Party Funding AHAC Allied Health from \$5,000 to \$15,000.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

To amend the 2008-2009 Budget by adding one (1) FTE (Full Time Equivalent) to the City Manager's Department to work directly with the Mayor and City Council. This new position will add an Administrative Assistant II, grade 35 at a cost including benefits not to exceed \$60,000.

Average salary	\$ 42, 203
36% benefit package	\$ 15,193
Total	\$ 57,396
Rounded to	\$ 60,000

2. Area health Education Center of the Mid Rio Grande border Area of Texas is requesting an additional 10,000 in 3<sup>rd</sup> Party Funding (General Fund). They were approved for \$5,000 and if approved by Council, the new amount would be \$15,000.
3. Allocate \$65,000 to Laredo Community College to provide the City with economic development services.

Cm. Garcia instructed the City Manager to bring back a recommendation to the City Council regarding the Civic Center.

Cm. Garza instructed the City Manager to equalize the pay scale of the City Manager's Department.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

2. Second public hearing for the adoption of a tax rate of \$0.637000 per \$100 value for the Tax Year 2008. The tax rate will provide revenue for the general fund and debt service. The rate includes \$0.512737 per \$100 value for Maintenance and Operation and \$0.124263 per \$100 value for Sinking Fund of the Debt Service and is estimated to generate a tax levy of \$65,665,067.00.

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Rendon

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

3. Public hearing to consider the adoption of the 2009-2013 Capital Improvement Program of the City of Laredo.

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

Mayor Pro Tempore Valdez asked Mr. Selman, City Planner, about the realignment of Flecha Lane and Los Cruces. He questioned if he could place this item back into the CIP Program.

Keith Selman, City Planner, said that the realignment is a Metropolitan Planning Organization earmarked project because it uses federal dollars. The money was originally proposed for realignment of Las Cruces and Flecha; however, it was restructured to be a reconstruction of Flecha. He said that he could reverse the process, but it would take several steps through the MPO and through a contract that the City has with TxDOT.

Mayor Pro Tempore Valdez said that he would like to make a motion to amend the CIP.

The City Manager, Carlos Villarreal, said that the City has looked at the realignment to Las Cruces. He questioned how many trucks are going to be going across the road into Las Cruces when mostly they take a left or a right at Mines Road.

Mayor Pro Tempore Valdez said many people have to take a right turn because they have no other option. He said that it would be better to have four streets meet at an intersection instead of a tee intersection.

Carlos Villarreal, City Manager, said that the Council Member should show both sides.

Keith Selman, City Planner, said that the monies were granted by TxDOT to take the funds and use them for a reconstruction on Flecha as opposed to the realignment of Las Cruces. The reconstruction was not part of the earmark that was received.

Mayor Pro Tempore said that he would like to add the item on the Capital Improvement Plan.

Motion to instruct the City Manager to consider placing the realignment of Flecha Lane and Las Cruces in the CIP Plan and return to City Council for action.

Moved: Mayor Pro Tempore Valdez

The City Manager will return to City Council with recommendations.

Motion to close the public hearing.

Moved: Cm. Garza

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

4. Public hearing and adoption of Resolution No. 2008-R-106 adopting the City of Laredo Comprehensive Plan with amendments to the Transportation Element in accordance with Article IX, Section 9.03 of the Charter of the City of Laredo.

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Espinoza

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

5. Public hearing and introductory ordinance amending the City of Laredo's Fiscal Year 2007-2008 General Fund Annual Budget to appropriate revenues and expenditures in the amount of \$125,000.00 for attorney fees paid to De Anda Law Firm due to increased collections in delinquent property taxes. The expenditures of attorney fees will only be incurred and disbursed if the revenue is collected by Tax Department.

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Mayor Pro Tempore Valdez

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

6. Public hearing and introductory ordinance amending the City of Laredo Health

Department Fiscal Year 2007-2008 Annual Budget by appropriating revenues and expenditures in the amount of \$56,671.00, funds from the Texas Department of State Health for continuation of the Health Department Title V Family Planning Services for the term from September 1, 2008 through August 31, 2009.

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. Rendon

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

7. Public hearing and introductory amending Section 31-138 (b) (1) and (2) of the Code of Ordinances that deals with water availability charges, specifically Lot Charges, and Connection Charges for platted property to increase Lot Charges as follows whether inside or outside City limits:

<i>Lots sq/ft</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>
6,000	\$ 300	\$ 450	\$ 600
6,001-7,999	\$ 500	\$ 750	\$ 1,000
8,000-9,999	\$ 750	\$ 1,025	\$ 1,500
10,000 - +	\$ 1,000	\$ 1,500	\$ 2,000
<i>Meters 5/8" x 3/4"</i>			
6,000	\$ 300	\$ 450	\$ 600
6,001-7,999	\$ 500	\$ 750	\$ 1,000
8,000-9,999	\$ 750	\$ 1,025	\$ 1,500
10,000 - +	\$ 1,000	\$ 1,500	\$ 2,000
<i>Meters</i>			
<i>Residential</i>			
1"	\$ 1,000	\$ 1,500	\$ 2,000
<i>Non-Residential</i>			
5/8" x 3/4"	\$ 500	\$ 1050	\$ 1,600
1"	\$ 1,000	\$ 1,060	\$ 3,120
1 1/2"	\$ 2,000	\$ 2,125	\$ 6,250
2"	\$ 4,000	\$ 8,250	\$ 12,500
3"	\$ 8,000	\$ 16,500	\$ 25,000
4"	\$ 16,000	\$ 33,000	\$ 50,000



6"	\$ 40,000	\$ 42,500	\$ 125,000
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The increase will be divided in two (2) phases as follows: the first phase (50%) will be in November 2008, the second phase (100%) will be in October 2009; providing for publication and an effective date.

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

Arthur Zuniga, a member of the committee of the Laredo Building Association, noted that they have been addressing this issue. The staff has been forthcoming with the information that the committee has asked for because they have asked for specific customer data in terms of lot and meter sizes. He said that the committee was working to justify the type of increases that were being considered. He said that the increase caught the association by surprise. He mentioned that the committee has been able to analyze and conclude that some increases in some categories were in order; however, they did not agree with the doubling/tripling of the rate.

Motion to close the public hearing and send it back to the Committee.

Moved: Cm. Belmares

Second: Cm. Rendon

For: 8

Against: 0

Abstain: 0

8. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for a minor repair garage on the north 1/3 of Lots 1 and 2, Block 972, Eastern Division, located at 1805 Plum Street. The Planning and Zoning Commission has recommended approval of the Conditional Use Permit. The proposed use is minor repair garage. District IV

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Rendon

For: 8

Against: 0

Abstain: 0

Cm. Narvaez amended the motion to read that he can operate the business from eight to one on Saturdays.

Motion to close the public hearing and introduce as amended.

Moved: Cm. Garza

Second: Cm. Rendon

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Narvaez

9. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 12, Block 124, Eastern Division, located at 3602 Springfield Avenue, from B-1 (Limited Commercial District) to B-3 (Community Business District). The Planning and Zoning Commission has recommended approval of the zone change. The proposed use is commercial. District IV

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Narvaez

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Narvaez

10. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 5.07 acres, as further described by metes and bounds in attached Exhibit "A," located at the southeast corner of Veracruz Drive and International Boulevard, from R-2 (Multi-Family Residential District) to B-1 (Limited Commercial District). The Planning and Zoning Commission has recommended approval of the zone change. The proposed use is commercial. District VI

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Rendon

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Belmares

11. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 5.21 acres, as further described by metes and bounds in attached Exhibit "A," located at the southwest corner of Bob Bullock Loop and International Boulevard, from AG (Agricultural District) to B-3 (Community Business

District). The Planning and Zoning Commission has recommended approval of the zone change. The proposed use is commercial. District VI

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Rendon

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Belmares

12. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 8.05 acres, as further described by metes and bounds in attached Exhibit "A," located at the southeast corner of Bob Bullock Loop and Monarch Drive, from AG (Agricultural District) to B-3 (Community Business District). The Planning and Zoning Commission has recommended approval of the zone change. The proposed use is commercial. District VI

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: Cm. Belmares

Second: Cm. Rendon

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Belmares

13. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 147.58 acres, as further described by metes and bounds in attached Exhibit "A," located approximately 1,143 feet from FM 1472 and 1,400 feet from Bob Bullock Loop, from M-1 (Light Manufacturing District) to R-1 (Single Family Residential District). The Planning and Zoning Commission has recommended approval of the zone change. The proposed use is residential. District VII

Motion to open the public hearing.

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

Against: 0

Abstain: 0

Arthur Zuniga was present to answer any questions.

Motion to close the public hearing and introduce.

Moved: Mayor Pro Tempore Valdez  
Second: Cm. Rendon  
For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Mayor Pro Tem Valdez

14. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 55.53 acres, as further described by metes and bounds in attached Exhibit "A," located approximately 216 feet from FM 1472 and 1,386 feet from Bob Bullock Loop, from M-1 (Light Manufacturing District) to R-2 (Multi-Family Residential District). The Planning and Zoning Commission has recommended approval of the zone change. The proposed use is multi-family. District VII

Motion to open the public hearing.

Moved: Cm. Garcia  
Second: Mayor Pro Tempore Valdez  
For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Mayor Pro Tempore Valdez  
Second: Cm. Garza  
For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Mayor Pro Tempore Valdez

15. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 16.46 acres, as further described by metes and bounds in attached Exhibit "A," located at the southeast corner of Bob Bullock Loop and FM 1472, from M-1 (Light Manufacturing District) to B-3 (Highway Commercial District). The Planning and Zoning Commission has recommended approval of the zone change. The proposed use is commercial. District VII

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 Valdez

Second: Cm. Narvaez

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Mayor Pro Tempore Valdez

16. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 99.33 acres, as further described by metes and bounds in attached Exhibit "A," located at the southeast corner of Bob Bullock Loop and FM 1472, from M-1 (Light Manufacturing District) to B-4 (Highway Commercial District). The Planning and Zoning Commission has recommended approval of the zone change. The proposed use is commercial. District VII

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Mayor Pro Tempore Valdez

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Mayor Pro Tempore Valdez

17. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by issuing a Conditional Use Permit for a mini grocery store on the north 46.27 feet of Lots 5 and 6, Block 910, Western Division, located at 1901 Baltimore Street. The Planning and Zoning Commission has recommended approval of the Conditional Use Permit. The proposed use is mini grocery store. District VII

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

Gloria Esparza stated that she was sent to represent the owners and they concur with all the conditions set by the Planning and Zoning Commission.

Motion to close the public hearing and introduce.

Moved: Mayor Pro Tempore Valdez

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Mayor Pro Tempore Valdez

### VIII. FINAL READING OF ORDINANCES

Motion to waive the final readings of Ordinance # 2008-O-173, # 2008-O-174, # 2008-O-175, # 2008-O-176, # 2008-O-177, # 2008-O-178, # 2008-O-179, # 2008-O-180 and # 2008-O-181.

Moved: Cm. Garza

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

18. 2008-O-173 Authorizing the issuance of City of Laredo, Texas Subordinate Waterworks and Sewer Revenue Bonds, Series 2008, in the principal amount of \$915,000.00 for the purpose of:
- 1.) Improving and extending the City's combined Waterworks System and Water System;
  - 2.) Making provisions for the security thereof;
  - 3.) Authorizing amendment to the City's budget to appropriate such proceeds for purposes authorized herein;
  - 4.) Ordaining other matters relating to the subject.

Motion to adopt Ordinance # 2008-O-173.

Moved: Cm. Garcia

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

- 2008-O-174 Authorizing the City Manager to accept the Universal Service Program grant (E-rate) from the Schools & Libraries Division/Universal Services Administrative Company/FCC (Round 10) in the amount of \$141,449.00, which includes \$17,406.00 in matching funds from the Friends of the Library Fund for communication and technology infrastructure \ enhancement discounts and to amend Fiscal Year 2007-2008 Friends of the Library Fund Budget by appropriating said funds.

Motion to adopt Ordinance # 2008-O-174.

Moved: Cm. Garcia

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

- 2008-O-175 Authorizing the City Manager to transfer \$24,518.00 from the City of Laredo - Public Library Fiscal Year 2007-2008 budget to the Friends of the Library account and amending the Fiscal Year 2007-2008 Friends of

the Library budget by appropriating said funds. The \$24,518.00 includes \$17,419.93 (the required City of Laredo's match of 11% - 13% of the \$134,000.00 Universal Service Grant applied for with the Schools Libraries Division/Universal Services Company/ Federal Communications Commission) plus \$7,098.00 (for ineligible or non-funded needed items). This 11th Round (year) of this multi-year grant is currently in the initial review stage and official funding confirmation is still pending.

Motion to adopt Ordinance # 2008-O-175.

Moved: Cm. Garcia

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

- 2008-O-176 Amending the City of Laredo FY 2007-2008 annual budget by appropriating revenues from the Social and Health Research Center-University of Texas Health Science Center at San Antonio (SAHRC-UTHSCSA) and expenditures in the amount of \$250,000.00 for Proyecto Bienestar-Laredo to conduct the 3rd year of this three (3) year early school Health Based Diabetes Reduction Project (226-6400).

Motion to adopt Ordinance # 2008-O-176.

Moved: Cm. Garcia

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

- 2008-O-177 Amending the City of Laredo Health Department FY 2007-2008 annual budget by appropriating revenues and expenditures in the amount of \$134,342.00 in funds from the Texas Department of State Health Services, and an estimated \$20,803.00 from Program Income for the continuation of the Health Department-La Familia Health Care Program for term period from September 1, 2008, through August 31, 2009; and authorizing the City Manager to execute the contract.

Motion to adopt Ordinance # 2008-O-177.

Moved: Cm. Garcia

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

- 2008-O-178 Amending the City of Laredo Health Department Fiscal Year 2007-2008 Annual Budget by appropriating revenues and expenditures in the amount of \$129,993.00 funds from the Texas Department of State Health Services-Office of Border Health for continuation of the Health Department's Public Health Emergency Preparedness Early Warning Infectious Disease Surveillance, for early detection and rapid response for term period from August 1, 2008 through July 31, 2009 and authorizing the City Manager to execute the contract.

Motion to adopt Ordinance # 2008-O-178.

Moved: Cm. Garcia

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

2008-O-179 Amending the City of Laredo Health Department FY 2007-2008 annual budget by appropriating revenues and expenditures in the amount of \$129,595.00 in funds from the Texas Department of State Health Services, and an estimated \$17,176.00 from Program Income for continuation of the Health Department-Tuberculosis Elimination Program for the term period from September 1, 2008, through August 31, 2009; and authorizing the City Manager to execute the contract.

Motion to adopt Ordinance # 2008-O-179.

Moved: Cm. Garcia

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

2008-O-180 Amending Section 1 of Ordinance 2008-O-038 of the City of Laredo and authorization to implement an increase in the bridge toll rate schedule for southbound pedestrian traffic from fifty (50) cents to seventy-five (75) cents as further described in Exhibit "A" and hereby repealing all conflicting sections in all ordinances currently in effect. (As Amended)

Motion to adopt Ordinance # 2008-O-180.

Moved: Cm. Garcia

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

2008-O-181 Amending the City of Laredo Code of Ordinances chapter 18, Sections 18-2.1 and 18-2.2, Games and Amusement Devices, by expanding the definition of amusement redemption machine; authorizing the Building Developmental Services Department to issue the permits; and increasing annual permit fee from \$25.00 to \$150.00 per machine per year; increasing the sealing fee from \$20.00 to \$150.00; repealing all ordinances in conflict; providing for severability, publication and an effective date.

Motion to adopt Ordinance # 2008-O-181.

Moved: Cm. Garcia

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

## IX. RESOLUTIONS



19. 2008-R-096 Authorizing the City Manager to submit a grant application to the Governor's Division of Emergency Management under the Border Security Equipment and Technology Grant Program in the estimated amount of \$2,500,000.00. The purpose of this grant is for law enforcement enhancement and to deter crime along the Texas-Mexico border and the improvement of border security for the safety of the citizens of Texas. The grant period is from May 1, 2008 through August 31, 2009.

Motion to approve Resolution # 2008-R-096.

Moved: Cm. Belmares

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

20. 2008-R-107 Accepting the donation by warranty deed from Deer Creek Village, Ltd. To the City of Laredo of Lot 1, block 10, Pan American Subdivision, Phase I, P.U.D., dated July 1, 2008, and recorded in Volume 2969, pp. 129-131, Official Property Records, Webb County, Texas, copy of which is attached as Exhibit A; and dedicating the same as public park of the City.

Motion to approve Resolution # 2008-R-107.

Moved: Cm. Belmares

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

## X. MOTIONS

21. Adopting the 2008-2009 State Legislative Agenda.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

22. Consideration to approve, and direct the City Manager to execute, a contract with SMG, for management services for the operations of the Laredo Entertainment Center (LEC), salient terms of which are, inter alia:

1. An initial three (3) year term with a renewal for an additional three (3) year term;
2. A fixed annual management fee of \$120,000.00;
3. 4% of the food and beverage gross revenues; and,
4. Incentive fee of 30% of the Net Operating Profits.

Cm. Landeck asked if the City has included an issue regarding contracts that they will make with third party. He noted that it would be very helpful to the City of Laredo to have a veto right within the contract.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Narvaez

For: 8

Against: 0

Abstain: 0

23. Consideration for approval to rescind the contract awarded to Shade Concepts, LLC., Houston, Texas, on May 5, 2008, for the Lamar Bruni Vergara Shade Structure (Design/Build Project of 19 Shade Structures throughout various park areas in Laredo) since the contractor has advised the City that they are unable to provide the surety bonds as required by contract documents. Staff is also requesting approval to re-submit a new Request for Qualification for the project, which will be divided into phases. Funding is available in the Capital Improvement Fund - Lamar Bruni Vergara Shade Structure Project.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Espinoza

For: 8

Against: 0

Abstain: 0

24. Consideration to approve amendments No. 2 to Crane Engineering & Sherfey Engineering for an amount not to exceed \$257,150.00 for the professional services to include the development of construction plans, specifications, for additional pond and channel excavation from the Zacate Creek Pond inlet to the Gale Street Bridge, revise the hydrologic/hydraulic model, prepare the bidding document for the concrete channel construction behind the Storemore property. The total contract amount will be \$981,550.00 with these amendments. Funding is available in the 2007 Contractual Obligation Bond Proceeds.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Espinoza

For: 8

Against: 0

Abstain: 0

25. Authorizing the City Manager to execute an extension to the Maintenance Service Agreement contract between the City of Laredo and Transcore for the hardware and software maintenance between of the Bridge System Toll Equipment. This maintenance agreement extension will be for one (1) year effective October 1, 2008 and will not exceed \$320,000.00. This will be the last extension to the original contract approved by City Council on September 27, 2004. Funding will be available in Fiscal Year 2008-2009 Bridge Fund.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Espinoza

For: 8

Against: 0

Abstain: 0

26. Directing staff to prepare a service plan for the voluntary annexation of three (3) tracts of land totaling 263.29 acres, more or less, as shown on attachment "A", in accordance with Section 43.052 of the Texas Government Code.

Keith Selman, City Planner, said that this item will direct staff to prepare a service plan for voluntary annexation of three tracts.

Motion to approve.

Moved: Cm. Garza

Second: Cm. Rendon

For: 8

Against: 0

Abstain: 0

27. Authorizing the City Manager to opt out of the Federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) effective October 1, 2008 through September 30, 2009, as a result of the City currently meeting and exceeding minimum HIPAA benefit provisions.

Cm. Garza made a motion to not opt out.

Dan Migura stated that the HIPAA Title II is not the issue. He said that he is addressing HIPAA Title I. He stated that he does not have the authority to opt out of Title II but he can opt out of Title I. He advised that Title I gives you the ability to define your plan and it will allow the City to maintain a distinction as a self funded plan without resembling the fully insured plan. He said that he also has the ability to elect to be excluded from some parts of I and III.

Motion to not opt out.

Moved: Cm. Garza

Second: Cm. Garcia

Motion was withdrawn by Cm. Garza.

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

28. Consideration to authorize the donation of one (1), salvaged ambulance - unit # 101 and one surplus rescue boat and motor - unit 139 to our sister city of Nuevo Laredo, Mexico.

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

29. Consideration for approval to award construction to the lowest bidder Troy Construction, LLC, Houston, Texas, for an amount of \$1,266,858.00 for the River Road Drainage Pipe Replacement Project. Contract time is one hundred twenty (120) working days. Funding is available in the 2007 Contractual Obligation Bond Proceeds.

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

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

### **30. A. Request by Mayor Raul G. Salinas**

1. Discussion with possible action on instructing the City Manager to provide an analysis of hot spots throughout the city for the possibility of implementing cameras for the prevention of crime activity.

Mayor emphasized that this item is not “big brother watching” but his concern is to make sure that the City of Laredo uses every tool possible to protect the citizens of Laredo. He said that the City needs to augment and support the police department by providing the best innovative equipment to the officers.

Police Chief Carlos Maldonado stated that implementing cameras for prevention is something for the City of Laredo to consider and explore. He asked Council to keep in mind that hot spots change. He said that he is looking at versatility within the program so that if there is a possibility of implementing a portable type of system, so they can use it around different parts of the city.

Carlos Villarreal advised that staff will be bringing back recommendations to City Council.

### **B. Request by Council Member Juan Narvaez**

1. Status report regarding the Buenos Aires Recreation Center by Webb County Commissioner Jerry Garza and Ed Quiroga, with possible action.

Cm. Narvaez requested to postpone this item.

### **C. Request by Mayor Pro-Tempore Jose A. Valdez, Jr.**

1. Discussion with possible action regarding El Lift Program.

Motion to postpone for next meeting.

Moved: Mayor Pro Tempore Valdez

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

2. Discussion with possible action on implementing a Drug & Alcohol Commission to address community concerns.

Mayor Pro Tempore Valdez stated that the major purpose of this committee is to assist local agencies. He said it is important to remember that the City will not provide the service, but to encourage and help local organizations. He said that the committee would be able to seek funding and guidance. The task of the commission would be to support local agencies.

Motion to create the Drug and Alcohol Commission.

Moved: Mayor Pro Tempore Valdez

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

## **XII. 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.

## **XIII. RECESS AS THE LAREDO CITY COUNCIL AND CONVENE AS THE LAREDO MASS TRANSIT BOARD**

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

Moved: Cm. Belmares

Second: Cm. Narvaez

For: 8

Against: 0

Abstain: 0

31. Consideration to renew the annual miscellaneous auto parts contract number (FY07-113) awarded by City Council on July 9, 2007 to the following multiple bidders,

Andy's Auto & Bus Air, Laredo, TX \$9,000.00  
C & C Battery, Co., Inc., Corpus Christi, TX \$9,000.00.  
D & D Automotive Paints, Laredo TX, \$9,000.00  
Full Service Auto parts, Laredo, TX, \$9,000.00  
Gonzalez Auto Parts, Inc., Laredo, TX, \$9,000.00  
Laredo Wholesale, Laredo, TX, \$9,000.00  
Muncie Reclamation & Supply, Muncie, IN, \$9,000.00  
New Flyer Industries, Winnipeg, MB, Canada \$9,000.00  
O'Reilly Auto Parts, Inc., Laredo, TX, \$9,000.00  
Paul Young Chevrolet, Laredo, TX, \$9,000.00  
Rush Truck Centers of Texas-La., Laredo, TX, \$9,000.00  
Sames Motor Co., Laredo, TX, \$9,000.00  
Texas Fleet Supply, Laredo, TX, \$9,000.00

for the purchase of miscellaneous auto parts for El Metro. This contract establishes discount percentage pricing for those miscellaneous auto parts not covered in the Automotive Parts contracts FY07-019. These vendors have offered percentage discount pricing from their general catalogues. All items will be purchased on an as needed basis and funding will be secured from El Metro budget.

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

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

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

Moved: Cm. Belmares

Time: 8:00 p.m.

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0