

**CITY OF LAREDO  
CITY COUNCIL MEETING  
M2007-R-09  
CITY COUNCIL CHAMBERS  
1110 HOUSTON STREET  
LAREDO, TEXAS 78040  
MAY 7, 2007  
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,	Mayor
Mike Garza,	Council Member, District I
Hector Garcia,	Council Member, District II
Michael Landeck,	Council Member, District III
Johnny Amaya,	Council Member, District IV
Johnny Rendon,	Council Member, District V
Gene Belmares,	Council Member, District VI
Juan Chavez,	Council Member, District VII
Juan Ramirez,	Mayor Pro Tem, District VIII
Gustavo Guevara, Jr.,	City Secretary
Carlos Villarreal,	City Manager
Cynthia Collazo,	Deputy City Manager
Horacio De Leon,	Assistant City Manager
Jesus Olivares,	Assistant City Manager

**IV. MINUTES**

Approval of the minutes of December 4, 2006, December 18, 2006 and December 28, 2006.

Moved: Cm. Garza  
Second: Cm. Amaya  
For: 8

Against: 0

Abstain: 0

**V. COMMUNICATIONS AND RECOGNITIONS**

**Recognitions**

- a. Recognition of Mr. Alfonso Cuellar, Jr., Mr. Danny Lopez, and Mr. Paul H. Young, Jr., inducted into The 2007 Laredo Business Hall of Fame.

Mayor Salinas publicly recognized Mr. Paul Young for his induction into the 2007 Laredo Business Hall of Fame. Mr. Danny Lopez and Mr. Alfonso Cuellar, Jr. were not present. Grace Ojeda accepted the recognition award for Danny Lopez.

### **Communiqués**

- a. Invitation by Margarita Araiza, Webb County Heritage Foundation, to Mayor and Council Members to attend the Founders Day Celebration on Saturday, May 12, 2007, at 12:00 p.m. at the T.A.M.I.U. Student Center Ballroom.

Ms. Araiza publicly invited the Mayor, City Council and the public to their Founders Day Celebration which will be held on May 12, 2007 at 12:00 noon at Texas A & M International University Student Center Ballroom.

Cm. Garza welcomed the new City Manager Carlos Villarreal; Jesus Olivares, Assistant City Manager; and Thomas Rodriguez, Utilities Department Director. He thanked Miguel Pescador, Parks and Recreation Director, and his staff for getting the Century City Park ready for the Earth Day Celebration held there. In addition, he thanked Lynn Nava, Keep Laredo Beautiful Director, for all the clean ups she has organized. Finally, he noted that the policeman that were recently injured are in his prayers.

Cm. Garcia mentioned the two officers that were hospitalized and mentioned that they and their families are in there prayers. He thanked Deutsch and Deutsch from Mall del Norte, for the fundraiser they held. In addition, he congratulated Paul Young for opening up a car lot in District II. He welcomed Jesus Olivares, Assistant City Manager and Thomas Rodriguez, Utilities Department Director for coming on board.

Cm. Landeck spoke on a dear friend, Dr. Steven Lundst and his wife Barbara and asked for a moment of silence. He joined his colleagues by saying that the police officers are dear to his heart.

Cm. Amaya announced a Steak Plate Sale to raise funds for scholarships. He thanked his special projects committee members and the public who contributed by purchasing tickets and all the business who donated for the cause. He also thanked Council Member Mike Garza, Council Member Hector Garcia, Council Member Johnny Rendon and Council Member Belmares who assisted in the Steak Plate Sale.

Cm. Rendon mentioned that he was proud to say that he was made a grandfather again. He commented that he was driving downtown when he turned and saw the Plaza Theatre's sign. He mentioned it brought a lot of nostalgia to him because he met his wife there. He added that police officers risk their lives daily and wished for a quick recovery for those wounded.

Cm. Belmares welcomed aboard Jesus Olivares, Assistant City Manager and Thomas Rodriguez, Utilities Department Director and hoped the best for them. He also mentioned the police officers who were injured and ask for them to be kept in our prayers. He congratulated Cm. Amaya for the scholarship fund he had.

Cm. Chavez wished all the mothers a Happy Mother's Day.

Mayor Pro Tempore Ramirez stated that on Sunday, the Cinco de Mayo Celebration was held at Calle San Bernardo Avenue. He thanked the following: Laredo Hotel and Lodging Association President, Bob Zachariah and members; Frank De Leon; BMP Radio; KGNS TV; Miller Light; Memo and Keko Treviño; the City of Laredo; Laredo Hotel and Lodging Association; AT&T; Lupita Zepeda; Coca-Cola, Javier Rodriguez; Mike Pescador of City of Laredo's Parks and Recreation Department; Avenida San Bernardo members, Mr. Vega and Sandra Rocha Taylor; Dr. Maldonado and Blas Castañeda from the Laredo Community College; Miguel Conchas from the Laredo Chamber of Commerce; Taco Palenque: Pollos Tori; Palenque Grill; Abraham Gonzalez; Blasita Lopez from the Laredo and Convention Visitor's Bureau; Cesar from T.A.M.I.U.; Adriana from Job Corps.; Monica Reyna from the Mexican Consulate; Christina Lara from the Solid Waste Department; City of Laredo Traffic Department; Border Patrol; Job Corps.; South Texas Waste System; A Clean Port-A-Co; Webb County's Precint 1 Constable Rudy Rodriguez; Laredo Police Department; Laredo Fire Department; the vendors; The Laredo Outsiders Car Club; the Motorcycle Show lead by Javier Rodriguez from Coca-Cola; and the Webb County Trail Riders Association. He also mentioned that he went to Christ Worship Center on Sunday with Sam Lopez who celebrated the Center's 23rd. anniversary.

Mayor Salinas wished a quick recovery to those suffering from the shoot out the other day. He reported that last week we had a historic event which was the opening of the Eagle Copper Trade Company. He congratulated Deputy City Manager, Cynthia Collazo, staff, and City Manager Carlos Villarreal for having everything done the way it should be. He stated that he went on a trip to Monterrey in Mexico promoting the City of Laredo. Finally, he welcomed two new employees to the City, Jesus Olivares and Thomas Rodriguez.

### **Citizen comments**

Citizens are required to fill out a witness card and identify themselves at the microphone. Comments should be relevant to City business and delivered in a professional manner. No derogatory remarks will be permitted. There is a time limit of three minutes per speaker.

Javier Aviña stated that the that the City of Laredo Bridge System employees would like to thank Cm. Landeck, Mayor Salinas and Council Members for the recent amendment to the \$10.00 Shortage/Overage Policy. He stated that this is a fair and equal policy that encourages better working conditions and improves overall morale.

Jesus Sanchez appeared before the Council to see where the City is heading with the water issue for the colofias.

Mayor Pro Tempore Ramirez asked Council to direct staff to get a report on the status of the water issue for the colofias.

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

- a. Appointment by Mayor Raul G. Salinas of Manuel Canales and Gerardo Madrazo to the

International Trade Blue Ribbon Committee.

Motion to approve.

Moved: Cm. Garza

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

- b. Appointment by Mayor Pro-Tempore Juan Ramirez of Rosie Reyes to the Third Party Funding Committee.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

## VII. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

### A. Request by Council Member Mike Garza

1. Discussion with possible action on eliminating Supplemental Agendas.

Cm. Garza stated setting up a workshop for the committees to discuss consolidating or eliminating them. He commented that the Council Members received information late on Friday evening and they can not call to ask any questions on the item that have been added. He stated that since the Council meetings are on Monday, he is reluctant to have issues come up so quickly.

Motion to table.

Moved: Cm. Garza

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

2. Discussion with possible action on improvements and renovations to all fire stations and/or any other City facilities. (Co-sponsored by Mayor Raul G. Salinas)

Cm. Garza stated that he would like for the City Manager to do a facilities assessment. He reported that he and the Mayor visited the fire station on Zacatecas Street and reported that the conditions are sub-par. He commented that if we do not have a good environment for our employees, morale will not be there.

Motion to instruct the City Manager to do a facilities assessment.

Moved: Cm. Garza

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

### B. Request by Council Member Dr. Michael Landeck

1. Discussion with possible action regarding the possible adoption of a modified Laredo Bridge System Shortage/Overage Policy.

Motion to table.

Moved: Cm. Landeck

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

2. Discussion with possible action regarding the abolishment of Mayor appointed committees consisting of City Council Members only; except those required by law and discussing issues that were discussed in front of these committees in open city council sessions with the possibility of adding a third city council meeting per month if necessary. (Co-sponsored by Council Member Juan Chavez)

Cm. Landeck stated that there were discussions about this issue with the consultants. He reported that the major problem is the issue of transparency and having information before decisions are made. He added that there is a large amount of committees and it takes a lot of time and effort. He noted that the dissemination of the information from the committees to Council does not work. He suggested having the committees discuss the issues at the City Council meetings and have staff come only one time. He mentioned that Council can listen to them and make decisions because there will be a quorum. Finally, he recommended having another City Council meeting added every month.

Cm. Garcia mentioned that he had put this item on the agenda two months ago and currently we are pending a workshop the first or second week in June to discuss the committees.

Motion to postpone.

Moved: Cm. Garcia

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

### C. Request by Council Member Juan Chavez

1. Discussion with possible action on the sale of surplus City owned vacant lots and residential property.

Cm. Chavez reported he brought this item up is because we are not in the Real Estate business. He stated that he noticed that there is a lot of vacant property in his District that is not being used and added that it could be used for residential homes.

Carlos Villarreal, City Manager, agreed with Cm. Chavez. He noted that businesses and individuals are taking advantage by using the property that is located between residential areas. He stated that there is a certain procedure that needs to be done to get the fair market value, but they have to be placed on the tax roll, so as to eliminate maintenance.

2. Status report on the recycling streets project, with possible action.

Motion to table.

Moved: Cm. Chavez

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

D. Request by Mayor Pro-Tempore Juan Ramirez

1. Discussion with possible action on allowing private contractors to develop in the Zacate Creek area.

Mayor Pro Tempore Ramirez presented some photos he took of his recent trip to Oklahoma City, Oklahoma and Little Rock, Arkansas. He mentioned that the developments shown on the photos could happen in Laredo. He reported that over 100,000 visitors pass by Laredo during Holy week. He suggested creating attractions to stop them here, therefore, getting more money to go into the local hotels, business and restaurants.

Cm. Garza inquired that if anyone wanted to come in on their own and developed it, the Council could allow then to do so.

Mayor Pro Tempore answered yes. He suggested to set aside land for developers and have them turn in a proposal. He added that City Council would then decide.

Motion to instruct staff to get a report to see what can be done with the Zacate Creek area.

Moved: Mayor Pro Tempore Ramirez

Second: Cm. Garcia

For: 6

Against: 0

Abstain: 2

Cm. Garza

Cm. Landeck

2. Discussion with possible action on building a water park between Sanchez Street and Coke Street along Zacate Creek.

Mayor Pro Tempore Ramirez stated that when he was elected as Council Member seven years ago, he came with this idea of having a water park on the Zacate Creek. He commented that at that time it would be used as a commercial development and it would be situated between major arteries such as Clark Boulevard, Corpus Christi and other areas. He stated that if a water park could be developed into a nice water park. He mentioned that with the splash parks we have right now, we are spending money and we are not getting anything out of them in return. He noted that if a water park was built we could collect money on the use of the water park. He added that we could have added employment for high school and college students. He asked City Council what are the possibilities of doing this.

Cm. Garza stated the feasibility study was conducted on Loop 20 around the Casa Blanca Lake and it revolved around that location. He stated that this is a different location which has different financial impacts such as revenue generation, cost and environmental issues. He commented that he has a major concern on relocating water park.

Motion to table.

Moved: Cm. Garza  
Second: Cm. Amaya  
For: 7

Against: 1  
Mayor Pro Tempore Ramirez

Abstain: 0

## VIII. PUBLIC HEARINGS

2. Public hearing and introductory ordinance authorizing the City Manager to execute a two (2) year concession agreement between the City of Laredo and the vendor(s) that provide the best value to the City for the right to sell food and non-alcoholic beverages from a cart at designated downtown areas.

Motion to open the public hearing.

Moved: Cm. Garza  
Second: Cm. Chavez  
For: 7

Against: 0

Abstain: 1  
Cm. Belmares

There was no public input.

Mike Pescador, Parks and Recreation Director, stated that four bids were submitted and La Sabrosita was awarded the Concession agreement.

Motion to table.

Moved: Cm. Chavez  
Second: Cm. Landeck  
For: 7

Against: 1  
Mayor Pro Tempore Ramirez

Abstain: 0

3. Public hearing and introductory ordinance amending the City of Laredo Fiscal Year 2007 Solid Waste Fund Budget by appropriating a drawdown of \$1,609,960.00 from opening balance and appropriating it for equipment acquisition. The project consists of a Holt Cat Excavator, John Deere Dozer and (2) two Articulated Dump Trucks. The bid price includes provisions for a five year warranty.

Motion to open the public hearing.

Moved: Cm. Landeck  
Second: Cm. Amaya  
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

3. Public hearing and introductory ordinance accepting funds in the amount of \$10,710.00 from the South Texas 9-1-1 Regional Administration Division to cost share personnel at the Laredo Police Department Public Safety Answering Point in accordance with Section 771.0751 of the Texas Health and Safety Code and Rule 251.3 Use of Revenue in Certain Counties from the Commission of State Emergency Communications; and amending Fiscal Year 2006-2007 General Fund Budget of the City of Laredo by appropriating revenues and expenditures in the amount of \$10,710.00 for salary expense for the Laredo Police Department Communications Division salaries.

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 Ramirez

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

5. Public hearing and introductory ordinance authorizing the City Manager to accept and execute the Local Projects Grant Program in the amount of \$10,000.00 from the Texas Department of State Health Services and to amend the Fiscal Year 2006-2007 Special Fire Grant budget to appropriate the said grant award. The funds will be used to purchase one (1) Life Pak 12 EKG which will replace the current aging EKG equipment.

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. Chavez

For: 8

Against: 0

Abstain: 0

There was no public input.



Motion to close the public hearing and introduce.

Moved: Cm. Garza

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

## **IX. INTRODUCTORY ORDINANCES**

6. Authorizing the City Manager to exercise the first five year renewal option for the lease agreement by and between the City of Laredo, (acting as the Mass Transit Board), and Greyhound Lines, Inc./ Valley Transit Company joint venture for a certain premise of 5,000 square feet of commercial area together with a bus parking area containing approximately 18,000 square feet at the Laredo Intermodal Transit Center and described as all of Block Number 49, located in the Western Division, City of Laredo, Webb County, Texas. The term of the lease shall commence on July 1, 2007 and end on June 30, 2012, for the monthly rent of \$9,572.61 per month.

Ordinance Introduction: City Council as amended.

7. An ordinance deleting Section 24.1.7 [Tree Board] of the Land Development Code to abolish the Tree Board; and amending Section 23-18 [Duties] of Article II [Parks and Recreation Board] of Chapter 23 [Parks and Recreation] of the Code of Ordinances, to add to the duties of that board, the duties formerly carried out by the Tree Board; and amending Section 23-16 [Established] to provide for ex-officio members for the Parks and Recreation Board. The Planning and Zoning Commission recommended approval of this item.

Ordinance Introduction: City Council

## **X. FINAL READING OF ORDINANCES**

Motion to waive the final reading of Ordinances

Moved: Cm. Belmares

Second: Cm. Chavez

For: 8

Against: 0

Abstain: 0

2007-O-064 Amending the City of Laredo Fiscal Year 2006-2007 Sports and Community Venue Fund budget by appropriating \$125,000.00 for the Arena's Renewal and Replacement Account. Each party has to make a yearly contribution of \$125,000.00 for facility maintenance. All expenses are paid through the Renewal and Replacement Account on a 50/50 basis. Funding is available in the Sports and Community Venue Fund opening balance.

Motion to adopt Ordinance 2007-O-064.

Moved: Cm. Belmares

Second: Cm. Chavez

For: 8

Against: 0

Abstain: 0

- 2007-O-065 Providing for the adoption of a split program option pursuant to Section 31.03 (a) of the Texas Property Tax Code; which allows a person who pays one-half of the current year property taxes before December 1st may pay the remaining one-half of the taxes without penalty or interest if paid before July 1st of the following year.

Motion to adopt Ordinance 2007-O-065.

Moved: Cm. Belmares

Second: Cm. Chavez

For: 8

Against: 0

Abstain: 0

- 2007-O-066 Amending the City of Laredo FY 2007-2008 annual budget by appropriating revenues and expenditures in the following amounts from the South Texas Development Council for three City of Laredo Health Department HIV Programs and the approved full-time equivalent positions involved: (1) HIV/Ryan White an increase of \$26,654 for a total amount award of \$332,717.00, term from April 1, 2007 through March 31, 2008. (2) HIV/Health & Social Services for a total amount of \$51,063.00, for a five (5) month period from April 1, 2007 through August 31, 2007, and (3) Housing Opportunities for Persons with AIDS Project (HOPWA) for a total amount award of \$78,674, for a nine (9) month period from April 1, 2007 through January 31, 2008. (As amended)

Motion to adopt Ordinance 2007-O-066.

Moved: Cm. Belmares

Second: Cm. Chavez

For: 8

Against: 0

Abstain: 0

- 2007-O-067 Accepting a supplemental grant awarded and amending the City of Laredo Fiscal Year 2006-2007 Financial Task Force grant budget by increasing revenues and expenditures in the amount of \$6,000.00 for operational expenses awarded by the Office of the National Drug Control Policy (ONDCP) High Intensity Drug Trafficking Area (HIDTA). Funds will be used to pay fuel expenses for the Laredo Financial Narcotics Enforcement Team agents from January 1, 2006 through December 31, 2007.

Motion to adopt Ordinance 2007-O-067.

Moved: Cm. Belmares

Second: Cm. Chavez

For: 8

Against: 0

Abstain: 0

- 2007-O-068 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 1.27 acres, as further described by metes and bounds in attached Exhibit "A", located east of Highway 359 and west of Fiesta Subdivision, from R-

1A (Single Family Reduced Area District) to B-3 (Community Business District); providing an effective date and publication.

Motion to adopt Ordinance 2007-O-068.

Moved: Cm. Belmares

Second: Cm. Chavez

For: 8

Against: 0

Abstain: 0

2007-O-069 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 46.9 acres, as further described by metes and bounds in attached Exhibit "A," located at 3220 Bob Bullock – Loop 20, from R-1 (Single Family Residential District) to B-3 (Community Business District); providing for an effective date an publication.

Motion to adopt Ordinance 2007-O-069.

Moved: Cm. Belmares

Second: Cm. Chavez

For: 8

Against: 0

Abstain: 0

2007-O-070 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 12.82 acres, as further described by metes and bounds in attached Exhibit "A," located at 3221 Bob Bullock – Loop 20, from R-1 (Single Family Residential District) to B-3 (Community Business District); providing for an effective date and publication.

Motion to adopt Ordinance 2007-O-070.

Moved: Cm. Belmares

Second: Cm. Chavez

For: 8

Against: 0

Abstain: 0

2007-O-071 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 6, Block 13, San Isidro- Las Buganvillas Subdivision and .22 acres, as further described by metes and bounds in attached Exhibit "A", located at 10550 Sanderiana Court, from R-1A (Single Family Reduced Area District) to B-1 (Limited Commercial District); providing for an effective date and publication.

Motion to adopt Ordinance 2007-O-071.

Moved: Cm. Belmares

Second: Cm. Chavez

For: 8

Against: 0

Abstain: 0

2007-O-074 Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for an upholstery shop on Lot 9, Block 303, Eastern Division, located at 616 Clark Boulevard; providing for an effective date and publication.

Motion to adopt Ordinance 2007-O-074.

Moved: Cm. Belmares

Second: Cm. Chavez

For: 8

Against: 0

Abstain: 0

2007-O-075 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 7 and 8, Block 80, Eastern Division, located at 417 and 419 Garfield Street, from R-3 (Mixed Residential District) to B-1 (Limited Commercial District); providing for an effective date and publication.

Motion to adopt Ordinance 2007-O-075.

Moved: Cm. Belmares

Second: Cm. Chavez

For: 8

Against: 0

Abstain: 0

2007-O-076 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 5.31 acres, as further described by metes and bounds in attached Exhibit "A", located on the South side of Lomas del Sur Boulevard east of Louisiana Avenue, from AG (Agricultural District) to B-1 (Limited Commercial District). The Planning & Zoning Commission recommended approval of the zone change.

Motion to adopt Ordinance 2007-O-076.

Moved: Cm. Belmares

Second: Cm. Chavez

For: 8

Against: 0

Abstain: 0

2007-O-077 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning all of Blocks 734, 734-A, 733, 733-A, 732, 732-A and 737, Western Division, located between Anna Avenue, San Ygnacio Avenue, Poggenpohl Street and Shea Street, from M-1 (Light Manufacturing District) to R-2 (Multi-Family Residential District); providing for an effective date and publication.

Motion to adopt Ordinance 2007-O-077.

Moved: Cm. Belmares

Second: Cm. Chavez

For: 8

Against: 0

Abstain: 0

2007-O-078 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 11.4 acres, as further described by metes and bounds in attached Exhibit "A", and located south of State Highway 359 and east of Las Misiones Boulevard, from R-1 (Single Family Residential District) to R-1A (Single Family Reduced Area District); providing for an effective date and publication.

Motion to adopt Ordinance 2007-O-078.

Moved: Cm. Belmares

Second: Cm. Chavez

For: 8

Against: 0

Abstain: 0

2007-O-079 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 24.21 acres, as further described by metes and bounds in attached Exhibit "A" and located south of State Highway 359 and east of Las Misiones Boulevard, from R-2 (Multi-Family Residential District) to R-1A (Single-Family Reduced Area District); providing for an effective date and publication.

Motion to adopt Ordinance 2007-O-079.

Moved: Cm. Belmares

Second: Cm. Chavez

For: 8

Against: 0

Abstain: 0

2007-O-080 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 26.77 acres, as further described by metes and bounds in attached Exhibit "A", and located south of Soria Drive and east of U.S. Highway 83, from R-1MH (Single Family Manufactured Housing District) to R-1A (Single Family Reduced Area District); providing for an effective date and publication.

Motion to adopt Ordinance 2007-O-080.

Moved: Cm. Belmares

Second: Cm. Chavez

For: 8

Against: 0

Abstain: 0

2007-O-081 Temporarily reducing the maximum speed limits on Loop 20, approaching U.S. 59, within the city limits of Laredo, Webb County, Texas, from 55 miles per hour to 45 miles per hour and from 50 miles per hour to 40 miles per hour, as defined in the Texas Department of Transportation Control section map 0086-14, to be in effect during the construction time period, providing for the installation of appropriate signs to indicate new speed changes in the designated areas and providing for publication and effective date.

Motion to adopt Ordinance 2007-O-081.

Moved: Cm. Belmares

Second: Cm. Chavez

For: 8

Against: 0

Abstain: 0

2007-O-082 Authorizing the City Manager to execute a lease with UETA of Texas, Inc. for the lease of the tract of approximately 73,698.73 square feet tract of

land located premises located south of Ventura Street and east of Santa Cleotilde Avenue, a copy of which is attached as Exhibit 1. Lease shall commence on August 7, 2007 and be for a term of twenty (20) years, with an option to renew for an additional ten (10) years. The initial annual rent shall be \$52,000.00 payable in monthly installments of \$4,333.33.

Motion to adopt Ordinance 2007-O-082.

Moved: Cm. Belmares

Second: Cm. Chavez

For: 8

Against: 0

Abstain: 0

- 2007-O-083 Authorizing the City Manager to execute all necessary documents to convey to AFW Investments, Ltd., a Texas Limited Partnership, a 0.46 acres, more or less, tract of land being out of Frees street right-of-way from U. S. Highway 83 to 31.13 feet west of Mendiola Avenue, a 0.26 acres, more or less, tract of land being out of Meadow Avenue right-of-way from the south line of the original City of Laredo city limits north 205.25 feet, and a 0.61 acres, more or less, tract of land being out of Mendiola Avenue right-of-way from the south line of the original City of Laredo city limits to Frees Street, as said tracts are recorded in the original plat of the City of Laredo, Volume 7, Page 15, Webb County map records, and described in attached Exhibits a, b and c, respectively; in exchange for a greater size and greater value 3.3 acres, more or less, tract of land than the three lesser aggregate size and lesser aggregate value tracts being conveyed by the City of Laredo. Said 3.33 acres, more or less, being out of a tract of land containing 42.98 acres, more or less, in Webb County, Texas, out of Porcion 35, Jose Miguel Diaz, original grantee, abstract 546, Webb County, Texas, conveyed to AFW Investments, Ltd., A Texas Limited Partnership, as recorded in Volume 2155, Pages 471-477, Webb County deed records, and described in attached Exhibit D; and providing for an effective date.

Motion to adopt Ordinance 2007-O-083.

Moved: Cm. Belmares

Second: Cm. Chavez

For: 8

Against: 0

Abstain: 0

## **XI. RESOLUTIONS**

9. 2007-R-031 Authorizing the City Manager the use of surplus proceeds from the City of Laredo-Public Property Finance Contractual Obligations (PPFCO), Series 2006, in the amount of \$24,000.00 for the purchase of four replacement vibratory rollers (compactors) for the Public Works Department's pot hole patching crews.

Motion to approve Resolution 2007-R-031.

Moved: Cm. Belmares

Second: Cm. Chavez

For: 8

Against: 0

Abstain: 0

10. 2007-R-035 Authorizing the City Manager the use of surplus proceeds from the City of Laredo Public Property Finance Contractual Obligation (PPFCO), Series 2006 bond for the purchase of the following items for the Fire Department: two vehicles from Philpott Motors, Port Neches, Texas in the amount of \$35,474.00; computer equipment from Dell, Round Rock, Texas, in the amount of \$23,476.54; and the software implementation services from SunGuard H.T.E. OSSI, in the amount of \$2,700.00.

Motion to approve Resolution 2007-R-035.

Moved: Cm. Belmares

Second: Cm. Chavez

For: 8

Against: 0

Abstain: 0

## **XII. MOTIONS**

11. Consideration to reimburse Laredo Development Foundation the amount of \$28,390.45 for the Laredo Day legislative trip expenses to Austin, Texas and Washington, D.C. held in January and March 2007, respectively. A total of \$48,440.45 was expensed for both events, and \$20,050.00 was committed in donations. Funding is available in General Fund.

Motion to approve.

Moved: Cm. Landeck

Second: Cm. Chavez

For: 8

Against: 0

Abstain: 0

12. Amending the 2004 and 2005 Consolidated Year One-Year Action Plans by reprogramming 30th Action Year (AY) Community Development Block Grant (CDBG) funds of \$200,000.00 and 31st AY CDBG funds of \$300,000.00 by eliminating the funding for the East Side Sports Complex Project and allocating these funds for the East Laredo Drainage Acquisition Project.

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

13. Authorizing the City Manager to amend Fiscal Year 2006-2007 third party funding contract terms with the Laredo Center for the Arts in order to facilitate their operation cash flow by amending Section 4 (Consideration) and Section 5 (Method of Payment) of said contract by revising the funding reimbursements from quarterly payments of \$37,500.00 to monthly payments of \$3,478.88 to be paid directly to the Center and \$9,021.12 to be paid in rental fees to the "El Mercado" account on behalf of the Center.

The total Fiscal Year 2006-2007 award paid to or on behalf of the Center totals \$150,000.00. Funding is available in the Hotel-Motel Occupancy Tax Fund.

Motion to approve.

Moved: Cm. Garza

Second: Cm. Belmares

For: 5

Against: 2

Abstain: 0

Cm. Garza

Cm. Landeck

Cm. Chavez

14. Consideration to authorize the City Manager to enter into a contract in the estimated amount of \$61,404.00 with the sole source vendor, Sungard H.T.E. (Harward Technical Enterprises), Inc. for providing Building Permits, Click2gov Building Permits and Click2gov Wireless Building Permits software applications.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

15. Consideration for approval of Change Order No. 1 a decrease of \$1,460.00 for the balance of quantities actually constructed and in place, acceptance of the improvements to the Immunization Clinic at the Laredo Health Department and approval of final payment in the amount of \$13,440.01 to Prada Construction Company, Laredo, Texas. Final construction contract amount is \$296,540.00. Funding is available in the 2005 C.O. Bond.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

16. Refund of property tax in the amount of \$534.24 payable to William E. Heitkamp due to an overpayment from account #985-60007-400.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

17. Consider a recommendation to accept a qualified bid submitted by sole bidder UETA of Texas, Inc., for a duty free/gift shop retail concession located at the Laredo International Airport passenger terminal, at 5210 Bob Bullock Loop and to bring back an Ordinance for introduction.



Motion to approve.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

18. Consideration for approval of amendment no. 1 an increase of \$107,117.55 to the architectural/engineering contract with Architects Plus, Inc., Laredo, Texas, for the Eleden Recreational Facility Project for additional professional services. Funding is available in the Community Development Construction Projects Fund – Eleden Recreation Center and the 2006 C.O. Bond.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

19. Authorizing the City Manager to approve payment from the City’s Arena Renewal and Replacement Account for the purchase of a motor for a paint mixer, poles for rink glass, gas powered edger, replacement and parts for doors, hammer drill and tool set, cleaning apparatus, golf cart to patrol building, cash registers, file cabinets and computers in a total amount not to exceed \$66,000.00. Funding is available in the Sports and Community Venue Account.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

20. Consideration to award contract FY07-107 to the low bidder, Trinity Products, Inc., D. Fallon, MO, in the total amount of \$25,866.40 for the purchase of steel pipe casings and casing spacers for the Utilities Department. These are required for ongoing TXDOT construction projects: Highway 59, Loop 20, and Highway 359. Funding is available in the Sewer Fund, 2006 Revenue Fund.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

21. Consideration to exercise the renewal option for one additional year for contract number FY06-083 to vendor, MO-VAC Environmental, McAllen, Texas, in the estimated amount of \$180,000.00 for furnishing vacuum truck services to transport domestic sewage, sewage sludge, and/or sludge for the Utilities Department. This service supplements the department’s equipment capabilities and helps control sewage overflows during emergencies. The frequency and number of hours vary depending on the City’s need. The bid price is based on a flat hourly rate of \$89.00 and a truck

washout charge of \$100.00. Funding is available in the Utilities Department Wastewater Fund.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

22. Consideration to exercise the renewal option for one additional year for contract number FY06-081 awarded to United Rentals, Laredo, Texas, in the estimated annual amount of \$25,000.00 for an equipment rental contract for backhoe/loaders. A daily rental rate of \$71.14 has been established so that backhoe/loaders may be secured on an as needed basis by the Utilities Department for construction and repairs to projects. Funding is available in the Waterworks Fund.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

23. Consideration to award annual supply contract FY07-080 to Clark Hardware in the estimated amount of \$100,000.00 and Lowe's in the estimated annual amount of \$32,000.00 for the purchase of plumbing supplies for city maintenance and repair projects. This is an annual contract and items will be purchased on an as needed basis throughout the year and various city departments. Funding is available in the Parks and Recreation, Airport, Public Works, Civic Center, Health, Municipal Housing and Utilities Departments Budgets.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

24. Consideration to award contract FY07-081 to Naztec Inc., Sugarland, Texas in the total amount of \$100,960.00 for the purchase of six (6) traffic signal cabinets required for traffic signal upgrades for the following locations: Del Mar Boulevard at McPherson Avenue, Cedar at Clark Boulevard, Clark at Meadow Avenue, Clark at Seymour Avenue, and Loop 20 at Laredo Town Center. Funding is available in the Traffic and Airport Department, and the 2006 Certificate of Obligation bond proceeds.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

25. Consideration to authorize the installation of speed humps along Buenavista Avenue

between East San Jose Street and East Ash Street in accordance with the speed hump installation policy under the special provision for installation; project costs are estimated at \$7,200.00. Funding is available in the Capital Improvement Fund-City Council District IV.

Motion to approve.

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

Against: 0

Abstain: 0

26. Authorizing the City Manager to enter into the second year term of the Council approved (May 23, 2006) contract with Martinez Pharmacy in the amount not to exceed \$73,697.00 to provide pharmaceutical services to clients of the HIV/AIDS Programs of the City of Laredo Health Department for the period beginning April 1, 2007, through March 31, 2008. Funding is available in the State grants HIV/Ryan White and the HIV/Health and Social Services accounts.

Motion to approve.

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

Against: 0

Abstain: 0

27. Ratifying the action taken by the City Manager to authorize emergency construction services in the amount of \$155,000.00 to Ellis and Ellis Construction for the emergency repair of a failing sewer collection junction box at the headwork of the South Laredo Wastewater Treatment Plant. Funding is available in the Waterworks 2006 Bond, Manhole Rehab and Replacement Account.

Motion to approve.

Moved: Cm. Garza  
Second: Cm. Amaya  
For: 8

Against: 0

Abstain: 0

28. Consideration to award contract FY07-098 to the low bidder, J.R. Landscaping Enterprises, Laredo, TX, in the estimated amount of \$75,000.00 for lawn and landscaping repairs caused by utility repairs. This contract is based on fixed hourly rates for a two man crew and when in need of a licensed irrigator plus, any needed landscaping materials. Funding is available in the Waterworks and Sewer Funds.

Motion to approve.

Moved: Cm. Belmares  
Second: Cm. Amaya  
For: 6

Against: 2  
Cm. Garza  
Cm. Chavez

Abstain: 0

29. Consideration to rescind the award of contract on April 2, 2007 to Coban Research and Technologies, Inc., Stafford, Texas for the purchase of fifty four (54) mobile data terminals in the total amount of \$581,439.00; and authorize an award of contract to Motorola, Schaumburg, IL., for the purchase of these fifty four (54) mobile data terminals in the total amount of \$578,420.00, through the Houston Galveston Area Council of Governments cooperative purchasing program. The contract pricing submitted by Coban Research included a one year warranty on the hardware, did not include a GPS system, and did not include installation. The Motorola contract pricing includes a three year hardware warranty, the GPS module, and installation of this equipment on fifty four vehicles. Funding is available in the 2006 Public Property Finance Contractual Obligation bond proceeds and Police Trust Fund.

Motion to approve.

Moved: Cm. Garza

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

30. Consideration to award contract number FY07-089 to the low bidder, Ron Grant Equipment, Laredo, Texas, in the total amount of \$29,200.00 for the purchase of four (4) equipment trailers. The Parks and Recreation Department will use the trailers to transport backhoes and other equipment to the job sites. Funding is available in the 2006 Contractual Obligation bond proceeds and the Veterans Field budget.

Motion to approve.

Moved: Cm. Garza

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

31. Consideration to ratify the emergency purchase order issued to Turbonetics Engineering & Services, Inc., Corpus Christi, Texas in the total amount of \$26,934.00. The City Manager has authorized emergency rehab repairs to one of the high service pumps at the Sierra Vista pump station. These repairs were authorized to prevent disruption of pumping capacity in the Sierra Vista service area. Funding is available in Utilities Department-Water Treatment Division budget.

Motion to approve.

Moved: Cm. Garza

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

32. Consideration to award a contract to Seven Trent Laboratories, Corpus Christi, Texas in the estimated annual amount of \$100,000.00 for providing laboratory analytical services for water and wastewater samples in accordance to Environmental Protection Agency (EPA) approved standard methods. The testing laboratory will be responsible for sample handling, analysis and reporting for a wide range of environmental parameters in soil, water and sludge samples for both water and wastewater

applications. Funding is available in the Utilities Department budget, Water Pollution Control Division.

Motion to approve.

Moved: Cm. Garza  
Second: Cm. Amaya  
For: 8

Against: 0

Abstain: 0

33. Consideration to award contract FY07-096 to the low bidders, Double R Construction, Laredo, Texas, for asphalt repairs in the estimated amount of \$275,000.00; and ALC Construction, Laredo, Texas, for concrete repairs in the estimated amount of \$296,500.00. All work will be performed on an as needed basis for repairs required due to utility repairs. Funding is available in the Water and Sewer funds.

Motion to approve.

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

Against: 0

Abstain: 0

34. Consideration to award contract FY07-076 to the low bidder, Traffic Parts, Inc., Spring, Texas in the amount of \$88,398.00 for the purchase of traffic signal assemblies and related materials required for traffic signal upgrades of the following locations: Clark at Seymour Avenue, Clark at Meadow Avenue, Clark at Cedar Avenue, and Del Mar Boulevard at McPherson Avenue. Funding is available in the 2006 Contractual Obligation bond proceeds.

Motion to approve.

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

Against: 0

Abstain: 0

35. Consideration to award contract FY07-090 to the low bidder, Eggemeyer Land Clearing, LLC, Yoakum, Texas, in the estimated annual amount of \$124,500.00 for the grinding of wood waste material (brush, branches, pallets, etc) at the Solid Waste facility. Approximately 90,000 cubic yards of material will be processed as mulch on an annual basis. Funding is available in the Solid Waste Fund.

Motion to approve.

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

Against: 0

Abstain: 0

36. Consideration to award contract FY07-085 to the low bidder SOS Liquid Waste Haulers, LTD., Company, San Antonio, Texas, in the estimated amount of \$47,250.00 to analyze, profile, transport and dispose of sludge and contaminated water collected at the Solid Waste Department's wash rack and environmental systems. This contract

requires the vendor to remove these materials five times during the contract term. The term of this contract will be for a one year period with one option to extend this contract for two, one year terms. Funding is available in the Solid Waste Department budget.

Motion to approve.

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

Against: 0

Abstain: 0

37. Consideration to exercise the renewal option for contract number FY06-130 awarded to HD Supply Waterworks, San Antonio, Texas, in the estimated amount of \$207,828.94; Ferguson Waterworks, Inc., McAllen, Texas, in the estimated amount of \$125,633.98; and Titan Pipe and Supply, Pharr, Texas in the estimated amount of \$113,033.50 for the purchase of mechanical joint fittings, valve boxes and pipe tubing for the Utilities Department. These materials are purchased on an as needed basis by the Utilities Department Water Operations for construction and repair of projects. Funding is available in the Waterworks Fund.

Motion to approve.

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

Against: 0

Abstain: 0

38. Consideration to amend contract FY05-083 awarded to the low bidders, Laroche Industries, Inc., Atlanta, Georgia, AOC Welding Supplies, Laredo, Texas, FSTI, Manor, Texas, Kemiron Companies, Inc., Lawrence, Kansas, DPC, Industries, Inc., Corpus Christi, Texas, Altivia Corporation, Houston, Texas, Bay Chemical Company, Odem, Texas, Pennco, Inc., San Felipe, Texas, Polydyne, Inc., Richboro, Georgia, Nalco Company, Naperville, Illinois, and Univar USA, Corpus Christi, Texas, for providing water and wastewater treatment chemicals for the Utilities Department by increasing the estimated contract total by \$312,000.00. The proposed amendment would increase the current contract to \$1,562,500.00 in order to provide additional funding for the remainder of the current contract term. A new contract will be awarded June 4, 2007. Funding is available in the Utilities Department.

Motion to approve.

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

Against: 0

Abstain: 0

39. Consideration to ratify the emergency purchase order issued to Turbonetics Engineering & Services Inc., Corpus Christi, Texas in the total amount of \$39,620.00. The City Manager has authorized emergency rehab repairs to one of the seven raw water intake pumps at the Jefferson water treatment plant. Repairs to this pump were authorized in order to have all seven intake pumps available for the summer demand. Funding is available in the Utilities Department – Water Treatment Division budget.

Motion to approve.

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

Against: 0

Abstain: 0

40. Consideration to authorize the purchase of three (3) service trucks in total amount of \$96,882.00 from Philpott Motors, Port Neches, Texas through the BuyBoard cooperative purchasing program's contract pricing. Two trucks will be assigned to the Parks and Recreation Department for Veteran's field operations and one truck will be assigned to the Utilities Department for field operations. Funding is available in the Veteran's Field and the Utilities Department funds.

Motion to approve.

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

Against: 0

Abstain: 0

### **XIII. STAFF REPORTS**

41. A. Discussion with possible action on setting priorities for the Fiscal Year 2007-2008 Budget Process.

Carlos Villarreal suggested having this item be part of the workshop that they will be having with City Council. He stated that the reason being is that at the end of the budget process there may be new expenditures for major movements such as additional fire fighters or police officers. He noted that if there are changes, we Council would have to come back and make cuts. He commented that he would like to know the major priorities of the Council to be able to incorporate them. He added that he would like to have a discussion about this item with the Council when they discuss the CIP and the funding of Bond Series 2007. Finally he mentioned that they will also discuss the item relating to the committees and to the extra City Council meeting.

Cm. Landeck expressed his view that a list of priorities will not help at all because everything is a priority. He stated that operational priorities are needed. He suggested that during the Budget process, the Board should be present when the Director's make their presentation. He emphasized that he feels strongly that the budget is a policy making tool and it is not an administrative tool. He stated that we have to find a way to incorporate the Council into the process to avoid new expenditures at the end of the process. He noted that there will be a series of workshops at the beginning and during the budget process where the directors will come before City Council with all the figures before them. He stated that with all the information they receive they will then decide where and if there will be any cuts.

Motion to send to a workshop to set up priorities.

Moved: Cm. Garcia

Second: Cm. Chavez

For: 6

Against: 0

Abstain: 0

Cm. Garza

Mayor Pro Tempore was chairing the meeting.

- B. Budget Presentation by Mario Maldonado, Bridge Director, regarding the Shortage and Overage Policy, with possible action.

Tabled at the request of the City Manager.

- C. Staff report (1) Concerning the issue of reimbursement of expenses to Mayor and Council Members in view of the recent attorney general opinion; and (2) seeking direction as to whether council wish staff to prepare an ordinance delimiting the expenses that may be reimbursable on the subject; and if so, (3) directing what they wish to have specified in such an ordinance, with possible action.

Motion to instruct staff to come back during the workshop with a recommendation for an ordinance based on other cities.

Moved: Cm. Garza

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

#### **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.

42. Request for Executive Session pursuant to Texas Government Section 551.071 (1) (A) to consult with attorney on the pending the eminent domain case of City of Laredo v. Luis Montañó, et al Cause No. 2006CVQ002207C3, in County Court at Law No. 2, Webb County, Texas; and return to open session for possible action.

Motion to go into Executive Session pursuant to Texas Government Section 551.071 (1) (A) to consult with attorney on the pending the eminent domain case of City of Laredo v. Luis Montañó, et al Cause No. 2006CVQ002207C3, in County Court at Law No. 2, Webb County, Texas; and return to open session for possible action.

Moved: Cm. Garza

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

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

43. Request for Executive Session pursuant to Texas Government Code Section 551.071



(1) (A) & (B) for consultation with the City Attorney regarding settlement offer of pending litigation, being Joe Botello v. City of Laredo, Cause No. 2006CVQ002051-D2, in the District Court 111th Judicial District Webb County, Texas; and return to open session for possible action.

Motion to go into Executive Session Pursuant to Texas Government Code Section 551.071 (1) (A) & (B) for consultation with the City Attorney regarding settlement offer of pending litigation, being Joe Botello v. City of Laredo, Cause No. 2006CVQ002051-D2, in the District Court 111th Judicial District Webb County, Texas; and return to open session for possible action.

Moved: Cm. Garza  
Second: Cm. Amaya  
For: 8

Against:

Abstain:

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

Motion to accept settlement offered by Joe Botello.

Moved: Cm. Landeck  
Second: Cm. Belmares  
For: 3

Against: 5

Abstain: 0

Cm. Garza

Cm. Garcia

Cm. Amaya

Cm. Rendon

Mayor Pro Tempore Ramirez

Motion failed.

## **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: Cm. Garza  
Second: Cm. Amaya  
For: 8

Against: 0

Abstain: 0

44. Consideration to exercise the first year renewal option for contract FY 04-047 for bus exterior and interior advertising service contract between the City of Laredo and bus ads (Contractor). Contractor shall be entitled to maintain, and place advertisements outside and inside El Metro Buses for the renewal option term of one (1) one year commencing on June 1, 2007 to May 31, 2008 for the greater of the minimum annual guaranteed revenue or fifty percent of net billings as described in the contract.

Motion to approve.

Moved: Cm. Chavez

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

45. Consideration to authorize the renewal option for one additional year for contract FY06-071 awarded to the low bidder Safety Kleen Systems, Inc., McAllen, Texas, in the estimated amount of \$25,000.00 to analyze, profile, transport and dispose of grit trap waste from a total of four pits at the El Metro facilities. The term of the contract was for a one year period with an option to extend the contract for two additional years. This will be the first contract extension. Funding is available in the Laredo Transit Management budget.

Motion to approve.

Moved: Cm. Chavez

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

46. Consideration to award annual supply contracts (FY 07-060) for bus and van fleet parts in estimated amounts to the following vendors:

Prevost Parts, Elgin, Ill.,	\$138,533.89
CC Battery, Corpus Christi, TX. -	\$ 56,375.46
Stewart & Stevenson, San Antonio, TX	\$125,244.32
Capital Bus Sales, Leander, TX.	\$ 39,560.00
MCI Service Parts, Schaumburg, Ill.	\$121,235.79
New Flyer, Winnipeg, Canada	\$ 47,476.43
Muncie Transit Supply, Muncie, IN.,	\$122,345.36
Gillig Corporation, Hayward, CA.	\$ 33,419.26
National Bus Sales, Marietta, GA.,	\$ 32,909.76
Thermo King, Laredo, TX.,	\$ 28,457.16
RDO Equipment Co., Laredo, TX	\$ 28,382.62
Gonzalez Auto Parts, Laredo, TX.	\$ 9,068.18

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

Motion to approve.

Moved: Cm. Chavez

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

47. Presentation by Rick Dunning, Senior Vice President, First Transit, Inc., on the recommendation of Mr. Feliciano Garcia as the General Manager, for the Laredo Transit Management Company, Inc., with possible action.

Cm. Garza - my motion is to accept the recommendations..we will have discussion but my motion is to accept the recommendations of number 47.

Cm. Amaya – second

Mayor – All in favor?

Council – AYE

Cm. Ramirez – Discussion

Mayor – okay

Cm. Ramirez – I would like to ask whoever is here Mr. Rick Dunning, when was this person hired and why wasn't the City advised as per contract states that the City Manager should be advised before anybody is hired as a manager of the Metro. If that one of the clauses in the contract?

Cm. Landeck – I have just a question if you don't mind? Well it is a procedural question so I think that it comes before all of these things – Mr. Attorney? I don't know to whom else to address my question because we do not have a parliamentarian in the City – maybe we should discuss this question one day and resolve that so I will address you. Is there such a thing as a discussion after a vote.

Cm. Ramirez – There was no vote taken.

Cm. Landeck – The vote was taken already.

Mr. McGettrick – I don't understand the question.

Cm. Landeck – according to Robert's Rules of Order

McGettrick – they have moved the item forward – there is no problem there.

Cm. Landeck – no sir – you were not listening maybe. – We had an item that was brought up and there was a motion and a second and a vote and the Council Members now wants to discuss a vote that has already taken place – and I think that this is contrary to Robert's Rules of Orders.

Cm. Ramirez – this is typical of railroading - that is what is happening here. Now if we start talking about that what a coincidence that Cm. Mike Garza who sits on the committee as a on the Committee of the first Transit Committee – Mr. Feliciano Garcia works for United School District – that is where he used to work and isn't that kind of suspicious of what is going on? What are we having here? This is a typical rail roading – If that is not railroading I don't know what is. That is what used to be here in Laredo and that is what used to be the old Patron system.

Mayor – let's get the question answered here – procedural

City Manager – Apparently you can't discuss is that correct – would you let the Council know – answer the question.

McGettrick – yes you can discuss this is a more information item - a presentation

City Manager – Mr. Mayor then let me discuss the item because I think – and in response to the Council Member and to you Mayor and the entire City Council – we have had a discussion with Mr. Dunning and we know that there is and we know that it should have been handled differently ah...the contract indicated that the position should have been brought to the City Manager’s attention and ultimately brought to Council for a formal vote because basically what the contract indicates is that you have to have approval from the client. I understand that the client can be the City Council and not the City Manager – we have discussed this with Mr. Dunning and he understand the Council’s concerns and he understand that we need to handle the situation a lot better and that this situation will not occur again. I am ready to make a presentation where we can give Mr. Garcia the opportunity to be able to serve as manager and if for some reason it does not work out then I will come back to Council with a recommendation. But you know that we afford him an opportunity that they work with him to develop the skills and to be able to work with Mr. Garcia – again it could have been handled better and it should have been handled better – I think that the first transit realizes this – but we would like to – at this point – give Mr. Garcia at least the opportunity and if it doesn’t work out then we will come back with another recommendation to Council.

Cm. Garcia – Are we putting him as manager or Interim for six months?

City Manager – I think that it is up to... Mr. Dunning will you address this – you are indicating that you would like to put him as Interim or as Manager and I think that we discussed this but we didn’t finalize where is it where you from First Transit would like to proceed and in what direction.

Mr. Dunning – My name is Rick Dunning and I am Senior Vice President for First Transit and in our meeting with you today – I am of the opinion that we should ...Mr. Garcia is serving on an Interim basis now and I would ask that City Council approve him as our manager; however, that we would have a six month period of evaluation with the City Manager because quiet frankly weather it is an interim or a permanent manager they serve at your pleasure or at the City Manager’s pleasure.

Cm. Garza – and the motion that I made was to strictly to name that position but the City Manager at any time – A month from now or a year from now can come back with a different recommendation and we can vote on that.

Cm. Garcia – We call the vote so we can see it by hand.

Cm. Ramirez – I asked for the floor – Mayor this item here is a violation of the contract Mayor. Now Mr. Villarreal you were hired to do and follow a contract and this is a contract that is dated here and signed – now if you want to give him a chance and give everybody a break – I don’t think that is why – I don’t like that what is going on in here. Now this give a bad impression to the residents of Laredo – what is going on? This company here First Transit was hired about three years ago and the people in the neighborhood always complain about gas and noise and gas and they never did anything until last year – you know they were supposed to have meetings with the people in the residents and they never took care of the residents and yet we paid them over a \$1,200,000 for three years service and they never did anything on it – now the fleet the preventive maintenance was not a good record and we still have busses that are

falling apart. Is that the type of company that we want to run our fleet? I am against that and I won't spend a cent on that company anymore.

Carlos Villarreal – Mr. Mayor – I think that I can respond I think that first of all when this action took place I was not the City Manager – I'm not shying away from either from that responsibility either – but I have worked with this company every since they were ATE - I consider this company to be one of the best – you know transit management in the United States if not you know some other place. This company has been so successful to the point they are in the process of acquiring (laid Law) and they will eventually be buying – this company is going to be owning the Grey Hound Bus System. That is what gives you an indication of where this company is headed. So I think if there are items that need to be worked on – I think that we are ready to proceed with Mr. Dunning to be able to get those accomplished but I think that If there is something that needs to be done to handle the process a lot better but at least give us an opportunity to be able to work with the individual – to work with the company – and if we have any concerns we will bring it back to you for another vote – we are just requesting that this company – just like everybody else – we all make mistakes – I was not here when the mistake was created but I think that I have enough confidence in the company that think that we should afford them an opportunity. Just with the recent events – maybe I am being selfish Mr. Mayor and City Council but when I see that the acquisition that they will be having under the umbrella of their company – I think that it is going to be something plus for the company and eventually the city of Laredo. I remember when I left the City the first time – and we left it in the hands of individuals that I tell you one thing – they were on the brink of destroying that bus system and I think that we have never had any problems when there were formally ATE and I know that if afforded the opportunity we won't have any problems with First Transit.

Cm. Garza – Mayor just a point of emphasis here – I believe that the previous general manager was appointed only by the City Manager – It was never brought to Council for approval so if we are going to have a precedence that is going to be sat the records that I have seen don't show to show that you guys approved it. It was under you'all's watch so I mean even Cm. Ramirez – that was the previous situation – All I am saying is that we are doing it right – the City Manager is brining a recommendation we have already voted on it

Cm. Garcia – I would like to ask for a vote of hands.

Cm. Rendon – What is the question that you are asking.

Cm. Garcia – by a show of hands

Mayor – we can do that

City Secretary – call for a division in other words.

Cm. Garcia - as a Manager not an interim

Cm. Garza - I think that it was clarified – it doesn't matter what the title is – the City Manager brings back a recommendation

Cm. Garcia – It didn't make a recommendation

Cm. Garza – yes it did

Cm. Garcia – No it didn't – when the vote took place.

Cm. Rendon – Councilmember would you like to make another motion?

Cm. Garza – we have already voted – it's four four

Cm. Belmares – the Mayor has to break the tie

Mayor – okay – in favor -

Motion to approve.

Moved: Cm. Garza  
Second: Cm. Amaya

For: 4

Against: 4

Abstain: 0

Cm. Garcia

Cm. Rendon

Cm. Belmares

Mayor Pro Tempore Ramirez

Mayor voted in favor. Motion passes.

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

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

Moved: Cm. Garza  
Second: Cm. Chavez

For: 8

Against: 0

Abstain: 0

Motion to adjourn.

Time: 8:53


Moved: Cm. Garza  
Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

I, Gustavo Guevara, Jr., City Secretary, do hereby certify that the above and foregoing is a true and correct copy of the minutes contained in pages 01 to 30 and they are true, complete, and correct proceedings of the City Council meeting held on May 7, 2007.

  
Gustavo Guevara, Jr.  
City Secretary