

**CITY OF LAREDO
CITY COUNCIL MEETING
M2006-R-24
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
December 18, 2006
5:30 P.M.**

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

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

III. ROLL CALL

In attendance:

Raul G. Salinas,
Mike Garza,
Michael Landeck,
Johnny Amaya,
Johnny Rendon,
Gene Belmares,
Juan Chavez
Juan Ramirez,
Gustavo Guevara, Jr.,
Cynthia Collazo,
Rafael Garcia,
Horacio De Leon,
Melissa Saldana,

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

Motion to excuse Cm. Garcia.

Moved: Cm. Amaya

Second: Mayor Pro Tempore Ramirez

For: 7

Against: 0

Abstain

: 0

IV. MINUTES

Approval of the minutes of August 28, 2006, September 8, 2006 and September 28, 2006.

Motion to approve.

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

Against: 0

Abstain

: 0

V. COMMUNICATIONS AND RECOGNITIONS

Recognitions

a. Recognition of Blanca Vasquez, of the Tax Department, on her selection as December 2006 Employee of the Month.

Mayor Salinas and the City Council publicly recognized Blanca Vasquez as the December Employee of the Month and presented her with a Seven Flags Certificate of Recognition.

b. Recognition of Duncan Jalomo, of the Library Department, on his selection as the Employee of the Year.

Mayor Salinas and the City Council recognized Duncan Jalomo from the Library Department for his Customer Service dedication, courtesy, and hard work in serving the public.

Communiqués

Cm. Garza thanked Pastor Ibarra from First Christian Church. He wished Captain Cazares, firefighter Rodriguez, and firefighter Jalomo who were injured during the recent storm, a speedy recovery. He thanked all the volunteers who helped at the Christmas giveaway for the less fortunate children of District I. The goal was to provide jackets and shoes. He mentioned that one hundred children were present and five thousand dollars were raised. He also thanked Jessie and Rose Rodriguez, Jose Maria Vasquez for volunteering. He wished everyone a Merry Christmas.

Cm. Landeck pledged his support to families with missing persons. He mentioned the opening of the Carrizales Boxing Annex and also mentioned that two World Champions, Gaby and Orlando Carrizales came out of it. He also mentioned that several organizations and many people came together to help with the creation of the Boxing Annex. He said he promised to add an air conditioning unit.

Cm. Amaya reported that on Saturday, December 16, 2007, there was a very successful toy giveaway for the less fortunate children who were selected by their school counselors from; Milton, Ryan, Buenos Aires, Tarver, Sanchez Ochoa, Alma Pierce, Iglesia Metodista Libre and Comunidad Christiana. He mentioned that tomorrow, December 19, 2007, he will be at K. Tarver Recreation Center for "Christmas in the Barrio" sponsored by the City of Laredo between 6:00 p.m. and 9:00 p.m. located at Lyon and Tilden. He extended his gratitude to those that have participated. He read a message from Cm. Garcia stating that he injured his back. He mentioned that Cm. Garcia will be having a bicycle giveaway on different dates at

the following locations; D.D. Harchar Recreation Center, Andy Cuellar Elementary School and the Larga Vista Community Center. On behalf of Cm. Garcia and himself, Cm. Amaya wished the residents of Laredo a Merry Christmas and prosperous New Year.

Cm. Rendon mentioned that the previous Council meeting there was a family living in tents at Lake Casa Blanca. He stated that with the help of Cynthia Collazo, Acting City Manager, they found resources to help them for a few days. He thanked Mr. Filiberto Gutierrez and Robert Cadena for their generosity which added two more weeks for this family. He mentioned that he will be at some of the churches and schools tomorrow giving away jackets and toys for some of the needy kids. He wished everyone a Merry Christmas and a safe New Year.

Cm. Belmares wished everyone a Merry Christmas and a Happy New Year. He echoed his sentiments along with the Council on the safe return of the Piña family. He acknowledged Richard Noriega and the Food Bank for the work they have done. He thanked everyone who participated in the Second Annual Emerald Capital Mortgage Holiday Bow which is a fund raiser for the Blue Santa. He announced that they collected \$2,600.00 dollars.

Cm. Chavez mentioned that about a month ago the issue of the train standing in District VII and District VIII was discussed. He stated that recently a train car caught fire and the fire trucks could not get to the location because of the structure of the streets. He stated that it is important to start talking to Union Pacific to try to move the trains.

Mayor Pro Tempore Ramirez wished everyone a Merry Christmas and a Happy New Year. He mentioned that he was at the Portal and he noticed major problems with traffic control.

Mayor Salinas emphasized that this is a great city because of the generous people that open their hearts to all the poor people. He mentioned that he intends to market Laredo in Monterrey, Saltillo, San Luis Potosi, and Queretaro, "like never before".

Citizen Comments

Diana Montemayor, daughter of the owner of International Lottery Sales located on Convent Street, stated that because of the following problem such as; the construction of El Portal; bomb threats on the bridges; and the long lines created by processing the Mexican nationals they are losing money.

Sun Ok Koyama who has owned her business for seventeen years on Convent Ave. stated that she has had many problems with getting access to her business on account of the construction of El Portal and needs help.

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.
limit of three minutes per speaker.

There is a time

VI. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

1. A. Request by Mayor Raul G. Salinas

1. Discussion with possible action regarding the El Metro Operation Center on Scott Street.

Loyd Williams, Assistant General Manager of Operations for El Metro, stated that he has a short, mid, and long term proposal to alleviate some of the issues of fueling. He stated that for the short time solution one proposal is the changing of the fueling time for bulk fueling with an A and B plan. He stated that Plan A consists of fueling the fleet before 9:00 p.m. and after 4:00 a.m. to diminish the amount of CNG released while residents are sleeping. He also stated that Plan B consists of fueling the fleet after 10:00 p.m. and before 4:00 a.m. He reported that a mid term solution would be the moving the fleet fuel to the City fleet site where they have three CNG pumps. He added that extra pumps would have to be added and it would not be feasible. El Metro currently has 20 pumps and it takes a couple of hours to fuel up.

Mayor Pro Tempore pointed out that he had recommended a while back on the installation of an extra fuel tank to the buses and his recommendation was not followed. He suggested that Mr. Williams call the Transit Department in San Diego to see how they operate their buses.

Mayor Salinas emphasized that he wants a prompt solution.

Cynthia Collazo, Acting City Manger, recommended the change of the fueling time. She also recommend for Mr. Williams to meet with the residents to inform them of the change and at the same time to look into other ways to research Mayor Pro Tempore Ramirez's recommendation and proceed with a type of recovery system and look into a long term solution as well.

Cm. Belmares added that staff needs to work with the provider since this is not the only facility that they service.

B. Request by Council Member Mike Garza

1. Discussion with possible action on City Council Advisory Committees and the Texas Open Meetings Act.

Cm. Garza stated that he has had discussions with his appointees and they felt that they were being placed in a position where they would be in violation of the Open Meetings Act if they discussed items pertinent to the items discussed in meetings. He noted that they are volunteers and they should not have to adhere to those regulations. He agreed to continue to post the items for public input, but

they should not have to follow the regulations of the Texas Open Meetings Act because it is not their obligation.

Motion to allow only the committees that the Council appoints to have to follow the Texas Open Meetings Act are the Planning and Zoning Advisory Committee, Historic District Landmark Board, Board of Adjustments and Civil Service.

Moved: Cm. Garza

Second: Cm. Landeck

For: 5

Against: 2

Abstain

: 0

Cm. Belmares

Cm. Ramirez

Cm. Belmares commented that his concern is that they have advocated in the past for transparency with government. He stated that the committees appointed have a tremendous amount of weight on Council and discussion about city business should be transparent under ethical obligations and remain as transparent as the Council. He commented that they are not held to that standard and should not be threatened with jail time and it should not apply to them. He stressed that the committee should adhere to the Open Meetings Act as much as possible knowing that in the future there will be an ethics committee and it will pertain to them.

Cm. Garza amended his motion. He commented that those appointed can not legally be arrested. He stressed that if there are any issues where they are being threatened that it will be addressed immediately with the City Manager and she in turn will address it with the Directors involved.

Motion withdrawn. No action taken.

2. Discussion with possible action on the City's e-mail and internet electronic communications usage policy.

Cm. Garza stated that there is a policy in place but he is concerned with the penalty portion. He stated that there should be a clear definition of consequences for certain actions. He asked staff to come back with recommendations.

Beto Ramirez, Information and Technology Services Director, reported that the policy was established and implemented in 1999 and no changes have been made since then. He stated that he has asked the cities of Corpus Christi, Austin, McAllen and El Paso to provide their policies, so that some of that language can be incorporated. He commented that the language that exists now is very general and he is planning for the policy to be more restricted and provide the consequences for actions taken.

Cm. Garza pointed out that prevention and having a filter system is important.

Mr. Ramirez, informed Council that the City currently uses two filtering applications which are GFI and Lightspeed. He commented that they were purchased five to six year ago and current applications are more restrictive.

3. Discussion with possible action to evaluate the pay of the Acting City Manager and to discuss goals and objectives. (Reference: Executive Session #58)

The item was discussed in executive session and a motion made after executive session.

C. Request by Council Member Dr. Michael Landeck

1. Discussion with possible action regarding the City Manager position recruitment bulletin specifically the ICMA credentialing requirement and salary.

Cm. Landeck stated that since the requirement for International City Manager Association credentialing was included on the recruitment bulletin there have been a number of issues. One issue he mentioned was that an applicant with a Bachelor's in Administration degree would need a minimum of five years, while an applicant with an International City Manager Association certification would require nine years. He mentioned that this difference with the ICMA contradicts time requirements that have been set. He noted that the second issue raised is that individuals who are experienced City Managers or Assistant City Managers several of which he has discussed this with, do not have an ICMA credentials.

Motion to remove the wording to preferred but not required.

Moved: Cm. Landeck

Second: Cm. Garza

For: 7

Against: 0

Abstain

: 0

Cm. Landeck advised Dan Migura to add the word "negotiable" to the salary. He also commented on adding the size of the city, the budget and the number of people working in the City.

D. Request by Council Member Johnny Amaya

1. Discussion with possible action regarding G.E.D. training for employees using the services of the Holding Institute.

Cm. Amaya reported that the City has more than 200 hundred employees that do not have a high school diploma or GED and the only way for them to advance is for them to have either one.

Dan Migura, Director of Human Resources Department, reported that staff has been aggressively addressing this item. He mentioned that staff has

reviewed the feasibility of working with Holding Institute and has visited with them. He mentioned that they have had meetings with those employees identified as lacking a high school education or GED. He reported that one hundred thirty four employees were interested in pursuing their education. He also reported that there are currently no funds identified for this project and there is no surplus fund from the Tuition Reimbursement Fund. He mentioned that if Council wanted to go to with Holding Institute they are looking at \$50,000 to \$75,000 to help 15 employees and have a pilot program.

Cm. Landeck directed staff to find someone within city management to try and identify grants from the Department of Education or other organizations, so the city itself could apply. He noted that the City could then provide these classes.

Motion to encourage the City Management to go after a grant and to find other ways to start a pilot program for the GED within the City of Laredo and in the meantime for those employees interested to go through the Tuition Reimbursement Program that is currently in place.

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

Against: 0

Abstain

: 0

E. Request by Mayor Pro-Tempore Juan Ramirez

1. Discussion with possible action regarding vehicles being towed away by local wrecker companies and the disposition process of unclaimed vehicles.

Agustin Dovalina, Police Chief, reported that there is an ordinance in place that allows a towing company or service record to take possession of vehicles towed away upon direction of a police officer and to hold them for a period of time. He also mentioned that a registered letter must be sent to the registered owner of the vehicle and advise them that they are in possession of the vehicle and include any storage fees owed along with the towing fees. He pointed out that if the registered owner does not respond within a given period of time, then the wrecker company may petition the State to take ownership of the vehicle and the proceeds from the vehicle is the towing companies option. He pointed out that this is according to the Ordinance and the Transportation Code. He mentioned that may be found in the Transportation Code section 683.003 and in Chapter 32 of our Code of Ordinances.

Mayor Pro-Tempore Juan Ramirez stated that he is concerned that the City does not receive any money from auctions. He stated that he is also concerned on how the wreckers are being called to pick up the vehicles.

Chief Dovalina pointed out that the ordinance establishes the rotation list and that there is one rotation list for regular tow services and one for heavy duty tow services.

Cm. Garza suggested increasing the \$100.00 fee paid to the City by the towing companies or adding a "per tow" fee and having a percentage of the storage. He commented that the City should look into an impound lot.

Cm. Belmares commented that the City should create an impound lot and continue to work with the towing companies or create one for the City.

Ms. Collazo agreed to do a survey. She commented that it was previously looked at but it was not economically feasible.

Motion to create an ordinance to have all vehicles picked up by police to be sold in public auction and be advised.

Moved: Mayor Pro-Tempore Ramirez
Second: No second was made.

Jerry Cain, Assistant City Attorney, explained that under the State statute a private wrecker company has the statutory right to take action. He mentioned that it would be in conflict with the state law if an ordinance was created.

Motion to ask staff to look into a feasibility study and to look into the issue again to see if it is feasible for the City to go ahead with all of the issues mentioned such as having an impound lot.

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

Against: 0

Abstain

: 0

VII. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

a. Appointment by Mayor Raul G. Salinas of Tranquilino Alvarez, Jr. to the Electrical Examining Advisory Board.

Motion to approve.

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

Against: 0

Abstain

: 0

b. Appointment by Mayor and Council Members of a representative to serve on the Impact Fee Advisory Committee.

Motion to table.

Moved: Cm. Amaya

Second: Cm. Chavez
For: 7

Against: 0

Abstain

: 0

VIII. PUBLIC HEARINGS

2. Public hearing and Resolution 2006-R-121 amending the Long Range Thoroughfare element of the Comprehensive Plan of the City of Laredo.

Motion to open the public hearing.

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

Against: 0

Abstain

: 0

There was no public input.

Motion to close the public hearing and to adopt.

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

Against: 0

Abstain

: 0

3. Public hearing and introductory ordinance amending the Zoning Ordinance (Map of the City of Laredo by rezoning Lots 1 and 2, Block 1-A, Dellwood Commercial Subdivision, located at 1001 Bristol Road, from B-1 (Limited Commercial District) to B-3 (Community Business District). The Planning & Zoning Commission recommended approval of the zone change. (District VII)

Motion to open the public hearing.

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

Against: 0

Abstain

: 0

Danny Gunn, resident of Dellwood Subdivision, spoke on changing the zone from a B1 to a B3. He objected to the type of business going in there which is a nationalization of vehicles business. He stated that they should be regulated by the city.

Motion to close the public hearing and introduce.

Moved: Cm. Chavez
Second: Mayor Pro Tempore Ramirez

For: 7

Against: 0

Abstain

: 0

Ordinance Introduction: Cm. Chavez

- 4. Public hearing and introductory ordinance amending the Zoning Ordinance (Map)

of the

City of Laredo by rezoning 8.75 acres, as further described by metes and bounds

in

attached Exhibit "A", located on the northwest corner of F.M. 1472 and Mueller Memorial Boulevard, from B-3 (Community Business District) to M-1 (Light Manufacturing District). The Planning and Zoning Commission recommended

approval

of the zone change. (District VII)

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. Amaya

For: 7

Against: 0

Abstain

: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Chavez

Second: Mayor Pro Tempore Ramirez

For: 7

Against: 0

Abstain

: 0

Ordinance Introduction: Cm. Chavez

- 5. Public hearing and introductory ordinance amending Division 3 (RATES AND CHARGES) of Chapter 31 (UTILITIES) of the City of Laredo Code of

Ordinances,

specifically section 31-138 which provides for connection fees for fire hydrant

meters,

by changing the use only for construction and creating connection fees for

temporary

meters for residential construction by only charging the service of residential

water rates

according to section 31-138, and no other services until a certificate of

occupancy is

issued; providing for publication and an effective date.

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. Amaya

: 0	For: 7	Against: 0	Abstain
	There was no public input.		
	Motion to close the public hearing and introduce.		
	Moved: Cm. Belmares		
	Second: Cm. Amaya		
: 0	For: 7	Against: 0	Abstain
	Ordinance Introduction: City Council		
donation purpose to Division Centers.	6. Public hearing and introductory ordinance amending the FY 2006-2007 Annual Operating Budget in the Fire Prevention and Arson Fund Budget by accepting a donation of \$2,500.00 from Wal-Mart Stores and appropriating said funds for the purpose to purchase Fire Safety Educational Promotional Materials for the Fire Prevention and purchase materials and supplies for the Parks Department Recreation Centers.		
	Motion to open the public hearing.		
	Moved: Cm. Belmares		
	Second: Cm. Amaya		
: 0	For: 7	Against: 0	Abstain
	There was no public input.		
\$2,250.00	Motion to close the public hearing and introduce with a correction of \$2,250.00 donation.		
	Moved: Cm. Garza		
	Second: Cm. Amaya		
: 0	For: 7	Against: 0	Abstain
	Ordinance Introduction: City Council		
Year amount of financing	7. Public hearing and introductory ordinance amending the City of Laredo Fiscal 2006-2007 Annual Budget by appropriating revenues and expenditures in the amount of \$1,701,183.00. The revenues are from lease purchase proceeds related to the financing of fifty-four (54) marked police patrol units for the Laredo Police Department.		

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. Amaya

For: 7

Against: 0

Abstain

: 0

There was no public input.

Motion to close the public hearing and introduce with a correction in the amount of \$1,701,830.00.

Moved: Cm. Garza

Second: Cm. Amaya

For: 7

Against: 0

Abstain

: 0

Ordinance Introduction: City Council

Year

8. Public hearing and introductory ordinance amending the City of Laredo Fiscal

balance

2006-2007 Capital Improvement Project Fund budget by drawing down opening

and appropriating revenues and expenditures in the amount of \$1,300,000.00 for purchase of land plus incidental expenses in the Central Business District.

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. Amaya

For: 7

Against: 0

Abstain

: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Garza

Second: Cm. Amaya

For: 7

Against: 0

Abstain

: 0

Ordinance Introduction: City Council

9. Public hearing to accept the FAR Part 150 Airport Noise Compatibility Study Update by URS Corporation and authorizing the City Manager to submit the study to the Federal

Aviation Administration for approval.

Motion to open the public hearing.

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

Against: 0

Abstain

: 0

There was no public input.

Motion to close the public hearing.

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

Against: 0

Abstain

: 0

10. Public hearing and introductory ordinance amending Chapter 28
(Streets, Sidewalks
and Public Places) of the Code of Ordinances by amending Article V,
(Commercial
Use of Streets, Sidewalks and other Public Places), Section 28-105 (b) and (c)
by
adding three additional designated areas where goods may be sold; and
providing for an
effective date and publication.

Motion to open the public hearing.

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

Against: 0

Abstain

: 0

There was no public input.

Motion to close the public hearing and introduce.

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

Against: 0

Abstain

: 0

Ordinance Introduction: City Council

Year
Airport
11. Public hearing and introductory ordinance amending the City of Laredo Fiscal
2006-2007 Airport Operating Fund by transferring out \$250,000.00 to the
Construction Fund to contract for professional services to prepare plans and

Manager specifications to bid the rehabilitation of Runway 14/32, authorizing the City to implement said budget amendment, and providing for an effective date.

Motion to open the public hearing.

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

Against: 0

Abstain

: 0

There was no public input.

Motion to close the public hearing and introduce.

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

Against: 0

Abstain

: 0

Ordinance Introduction: City Council

and 12. Public hearing and introductory ordinance amending Chapter 19, Motor Vehicle

transported

Traffic, Article VI Operation, of the Code of Ordinances of the City of Laredo by creating Division 5, Heavy Equipment/Construction Type Vehicles, and adding Sections 19-267 through 19-269, which prohibits the use of heavy equipment/construction type vehicles on public streets, unless vehicle is

on a trailer designed for that purpose; providing for definitions, severability, publication, and effective date.

Motion to open the public hearing.

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

Against: 0

Abstain

: 0

There was no public input.

but to Cm. Rendon stated that there was a recommendation not to prohibit the vehicle, have it escorted.

that his reported that if a heavy equipment vehicle was working in a neighborhood they could move it to another neighborhood if it was escorted, but if they

were to move from one side of the City
vehicle would have to go on a trailer.

to the other the heavy equipment

Roberto Murillo reported that the ordinance was presented to the
Transportation Committee on November 16, 2006 with the exception of the
change on the sixth month grace period. He stated that the committee asked
for more information and they wanted to see an ordinance that does not require
them to be hauled on a trailer but instead to provide an escort similar to what
the City's policy requires.

Cm. Chavez commented that the escort is in the back and none in the front.

as Motion to close the public hearing and introduce with a 5 month grace period
amended.

Moved: Cm. Chavez
Second: Cm. Landeck
For: 7 Against: 0 Abstain
: 0

Ordinance Introduction: City Council

13. Public hearing and introductory ordinance authorizing the City Manager to
amend the Fiscal Year 2006-2007 Recreation Fund and General Fund by drawing down
\$83,000.00 from the Recreation Fund balance and transferring said funds to
General Fund for the purpose of updating the City of Laredo Parks and Open Space
Master Plan. The proposed update to this master plan is needed in order to evaluate
the present and future open space and recreational needs of our community according to
Texas Parks and Wildlife and National Recreation and Parks Association standards.

Motion to open the public hearing.

Moved: Cm. Belmares
Second: Cm. Amaya
For: 7 Against: 0 Abstain
: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Garza
Second: Cm. Amaya

For: 7

Against: 0

Abstain

: 0

Ordinance Introduction: City Council

14. Public hearing and introductory ordinance amending the City of Laredo Fiscal Year 2006-2007 annual budget by appropriating revenues and expenditures in the amount of \$94,537.00 in additional funds from the Texas Department of State Health Services for a total amount in funds of \$223,188.00 and an estimated program income \$59,888.00 for the Immunization Action Plan (IAP) Program of the City of Laredo Health Department for the period beginning September 1, 2006 through August 31, 2007 and amending the Fiscal Year 2006-2007 full time equivalent positions.

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. Amaya

For: 7

Against: 0

Abstain

: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Amaya

For: 7

Against: 0

Abstain

: 0

Ordinance Introduction: City Council

15. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 3, Block 1, Cancer Patient Plat, located at 3517 Pine Street, from R-1 (Single Family Residential District) to R-2 (Multi-Family Residential District). The Planning & Zoning Commission recommended denial of the zone change. (District I)

Motion to open the public hearing.

Moved: Cm. Garza

Second: Cm. Belmares

	For: 7	Against: 0	Abstain
: 0			
multi-	Eduardo Vasquez requested approval of the zone change for a proposed family residence.		
	Motion to close the public hearing and deny as per Planning and Zoning.		
	Moved: Cm. Garza		
	Second: Cm. Landeck		
: 0	For: 6	Against: 1	Abstain
	Mayor Pro Tempore Ramirez		
(Map) of	16. Public hearing and introductory ordinance amending the Zoning Ordinance		
616 Clark	the City of Laredo by rezoning Lot 9, Block 303, Eastern Division, located at		
zone	Boulevard, from B-1 (Limited Commercial District) to B-3 (Community Business District). The Planning and Zoning Commission recommended denial of the		
	change. (District IV)		
	Motion to open the public hearing.		
	Moved: Cm. Belmares		
	Second: Cm. Chavez		
: 0	For: 7	Against: 0	Abstain
	Jose Brizuela requested approval for a proposed upholstery shop.		
for a	Motion to close the public hearing and send it back to the Planning and Zoning Conditional Use Permit.		
	Moved: Cm. Amaya		
	Second: Cm. Landeck		
: 0	For: 7	Against: 0	Abstain
(Map) of	17. Public hearing and introductory ordinance amending the Zoning Ordinance		
2501	the City of Laredo by rezoning Lot 10, Block 319, Eastern Division, located at		
of the	Springfield Avenue, from B-1 (Limited Commercial District) to B-3 (Community Business District). The Planning and Zoning Commission recommended denial		
	zone change. (District IV)		

Motion to open the public hearing.

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

Against: 0

Abstain

: 0

There was no public input.

Motion to close the public hearing and deny.

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

Against: 0

Abstain

: 0

18. Public hearing and introductory ordinance amending the Zoning Ordinance
(Map) of the City of Laredo by authorizing a Conditional Use Permit for a child daycare
center on Lot 687, Block 41, Del Mar Hills, Section 3, Area "A" Subdivision, located at
804 Eden Lane. The Planning & Zoning Commission recommended denial of the
zone change. (District VI)

Motion to postpone.

Moved: Mayor Pro Tempore Ramirez
Second: Cm. Amaya
For: 7

Against: 0

Abstain

: 0

19. Public hearing and introductory ordinance amending the Zoning Ordinance
(Map) of the City of Laredo by authorizing a Conditional Use Permit for a home
occupation daycare on Lot 1139, Block 71, Del Mar Hills, Unit I Subdivision, located at 813
the zone Surrey Road. The Planning and Zoning Commission recommended denial of
change. (District VI)

Motion to open the public hearing.

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

Against: 0

Abstain

: 0

Cheryl Deutschman, spoke against this item.

Arthur and Cindy Thomas, stated that they are against the granting of a conditional use permit for this location.

Daniel and Elma Juarez, 820 Surrey Road, spoke against the rezoning.

Monica Arizola, 810 Surrey Road, spoke against the zone change.

Arch Deutshman, 812 Surry Road, spoke against the zone change

Motion to close the public hearing and accept Planning and Zonings recommendations.

Moved: Cm. Belmares

Second: Cm. Garza

For: 7

Against:

0

Abstain: 0

20. Public hearing allowing interested persons to comment on the proposed amendment to the 2005 Consolidated One-Year Action Plan by canceling the Central Laredo Senior Citizen Center Project totaling \$45,000.00 in the 31st Action Year (AY) 2005 funds, and reprogramming the \$45,000.00 for the construction of sidewalks in District IV.

Motion to open the public hearing.

Moved: Cm. Garza

Second: Cm. Belmares

For: 7

Against: 0

Abstain

: 0

There was no public input.

Motion to close the public hearing.

Moved: Cm. Belmares

Second: Cm. Amaya

For: 7

Against: 0

Abstain

: 0

Ordinance Introduction: City Council

IX. INTRODUCTORY ORDINANCES

21. Closing as a public easement that section of the 2200 Block of Hidalgo Street between

College
Texas
the west right-of-way line of Eagle Pass Avenue and the Laredo Community Property line situated in the Western Division, City of Laredo, County of Webb, and providing for an effective date.

Ordinance Introduction: City Council

22. Authorizing the City Manager to grant a license to access Comm Corporation, a Corporation, for the use of 1,598 linear feet of City of Laredo right of way on San Eduardo Avenue, as more fully described in Exhibit "A" of license agreement, Laredo, Webb County, Texas. License term is five (5) years commencing on January 3, 2007 and ending January 2, 2012, with one (5) year renewal option. Annual rent shall start at \$5,000.00 per year plus a \$6.00 fee per linear foot with a five percent (5%) increase each anniversary date for the use of the right of way; providing for an effective date.

Ordinance Introduction: City Council

23. Authorizing the City Manager to execute a one hundred day placement agreement with Youghioghny Communications, LLC, Delaware, DBA Pocket Communications, LLD, Texas, for ground space at 1120 E. Calton Road, Laredo, Webb County, Texas and being more fully described in Exhibit "A", of the agreement to place a self-contained cellular-on-wheels trailer, more fully described in Exhibit "B" of the agreement for the purpose of providing cellular services and related equipment building for use in connection with its communications business. Term of this agreement shall be for 180 days commencing on January 3, 2007 through July 2, 2007. The monthly rent shall be \$1,309.00 each month during the term of the agreement due on the 3rd day of each month.

Ordinance Introduction: City Council

X. FINAL READING OF ORDINANCES

Motion to waive the final readings of Ordinances # 2006-O-323, # 2006-O-324, # 2006-O-325, # 2006-O-326, # 2006-O-327, # 2006-O-328, # 2006-O-329, # 2006-O-330, # 2006-O-331, # 2006-O-332, # 2006-O-333, and # 006-O-334.

Moved: Cm. Belmares

Second: Cm. Amaya

For: 7

Against: 0

Abstain

: 0

24. 2006-O-323 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning attached west of family District). The zone of 20.29 acres, as further described by metes and bounds in Exhibit "A", located on the north side of future Riverbank Drive, Atlanta Drive, from AG (Agricultural District) and R-1A (Single-Family Residential District) to R-2 (Multi-Family Residential District). The Planning and Zoning Commission recommended approval of the change. (District VII)

Motion to adopt Ordinance # 2006-O-323.

Moved: Cm. Belmares

Second: Cm. Amaya

For: 7

Against: 0

Abstain

: 0

2006-O-324 Amending the City of Laredo FY 2006-2007 Annual Budget by appropriating revenues and expenditures in the amount of \$2,000,000.00 related to Police financing of a new information management system for the Laredo and Fire Departments.

Motion to adopt Ordinance # 2006-O-324.

Moved: Cm. Belmares

Second: Cm. Amaya

For: 7

Against: 0

Abstain

: 0

2006-O-325 Approving an agreement with the Bureau of Alcohol, Tobacco, Firearms

the FY and Explosives (ATF) in the amount of \$28,500.00 and amending
benefits 2006-2007 City of Laredo Annual Budget by \$28,500.00. The
to the agreement's purpose is to reimburse cost for overtime and fringe
force. incurred by the Laredo Police Department in providing resources
September Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) task
The term of this agreement is from October 1, 2006 through
30, 2007.

Motion to adopt Ordinance # 2006-O-325.

Moved: Cm. Belmares

Second: Cm. Amaya

For: 7

Against: 0

Abstain

: 0

2006-O-326 Amending the City of Laredo FY 2006-2007 annual budget by
\$32,400.00 from appropriating revenues and expenditures in the amount
public the City of Laredo Utilities Department for Texas Commission on
October 1, drinking water supply to be done by the City of Laredo Health
Department, Laboratory Services, for the period beginning
2006 through September 30, 2007.

Motion to adopt Ordinance # 2006-O-326.

Moved: Cm. Belmares

Second: Cm. Amaya

For: 7

Against: 0

Abstain

: 0

2006-O-327 Amending the City of Laredo FY 2006-2007 annual budget by
\$25,000.00 from appropriating revenues and expenditures in the amount
the the University of Texas Health Science Center at San Antonio for
Laredo South Texas Family AIDS Network grant award to the City of
beginning Health Department, to include a .27 full-time equivalent position
transferred from Account 226-6403 to this grant for the period
August 1, 2006 through July 31, 2007.

Motion to adopt Ordinance # 2006-O-327.

Moved: Cm. Belmares

Second: Cm. Amaya

For: 7

Against: 0

Abstain

: 0

2006-O-328 Amending the City of Laredo Fiscal Year 2006-2007 Annual Budget actual County of Webb to included to fiscal Webb

approved for \$250,000.00 by reducing \$43,000.00 to reflect the amount base year award of \$200,000.00 agreed between the Webb and the City of Laredo, for the period from October 1, 2005 September 30, 2009. This fiscal year \$7,000.00 funds will be cover the Cost of Living Adjustment (COLA) as specified on the Interlocal Agreement for the period from October 1, 2006 through September 30, 2007, for a total amount award of \$207,000.00 this year for locally supported public health services to residents of County, including approved full time equivalent positions.

Motion to adopt Ordinance # 2006-O-328.

Moved: Cm. Belmares

Second: Cm. Amaya

For: 7

Against: 0

Abstain

: 0

2006-O-329 Accepting a grant in the amount of \$25,000.00 from the Texas Department of Transportation for enforcement of Impaired Driver Mobilization and amending the City of Laredo's' FY 2006-2007 Annual salaries, Department of

Budget in the amount of \$25,000.00. This grant is for overtime including fringe benefits, and is funded 100% by the Texas Transportation for a full year.

Motion to adopt Ordinance # 2006-O-329.

Moved: Cm. Belmares

Second: Cm. Amaya

For: 7

Against: 0

Abstain

: 0

2006-O-330 Authorizing and allowing, under the Act of Governing the Texas Municipal Retirement System, "Updated Service Credits" in said system for service performed by qualifying members of such system who presently are in the employment of the City of Laredo; providing for increased prior and current service annuities for retirees and beneficiaries of deceased retirees of the City; and establishing an effective date for such actions.

Motion to adopt Ordinance # 2006-O-330.

Moved: Cm. Belmares

Second: Cm. Amaya

For: 7

Against: 0

Abstain

: 0

2006-O-331 Authorizing the City Manager to execute a lease with Khaledi Bridge of the Americas Ltd, for the lease of premises located at the corner of Convent and Water Street of approximately 22,779 square feet of unfinished retail space of the Bridge of the Americas Project, copy of which is attached as Exhibit A. Lease shall be for a term of twenty (20) years from date of beneficial occupancy. Annual Rent shall consist of three separate categories of rent payments: (a) Minimum Annual Rent, (b) Percentage Rent and (c) Non-Retail Space Rent.

Motion to adopt Ordinance # 2006-O-331.

Moved: Cm. Belmares

Second: Cm. Amaya

For: 7

Against: 0

Abstain

: 0

2006-O-332 Authorizing the City Manager to execute a lease with Webb County for approximately 1,000 square feet constituting Building No. S-3 located at 1703 Sandman Street at the Laredo International Airport. Lease term is for one (1) year commencing on May 1, 2006 and ending on April 30, 2007 and may be extended for two (2) terms of one (1) year each ending

parties
ninety (90)
rent
changes in the

on April 30, 2008 and April 30, 2009. However, it is agreed by the
that the lease may be terminated by either party upon giving a
day written notice from the party terminating to the other. Monthly
shall be \$500.00 and will be adjusted annually according to
Consumer Price Index; providing for an effective date.

Motion to adopt Ordinance # 2006-O-332.

Moved: Cm. Belmares

Second: Cm. Amaya

For: 7

Against: 0

Abstain

: 0

2006-O-333
Washington's

fifteen
ramp of the
use
use.
and
a valid
\$1.00;

Authorizing the City Manager to execute a lease with the
Birthday Celebration Association, Inc., (WBCA) for approximately
(15.0) acres of concrete ramp located on the southwest cargo
Air Operations Area to include City owned vacant non-aeronautical
land located at the Laredo International Airport for event parking
Lease term is for two (2) days commencing on February 10, 2007
ending on February 11, 2007. City Council finds and declares that
public purpose would be served in setting the daily rental fee at
providing for an effective date.

Motion to adopt Ordinance # 2006-O-333.

Moved: Cm. Belmares

Second: Cm. Amaya

For: 7

Against: 0

Abstain

: 0

2006-O-334
Patrol
Funding is

Amending the City of Laredo FY 2006-2007 approved Full Time
Equivalent positions (FTE's) for General Fund by creating nine (9)
Officer Cadets to staff the Police substation at Cielito Lindo.
available in General Fund. (As Amended)

Motion to adopt Ordinance # 2006-O-334.

Moved: Cm. Belmares

Second: Cm. Amaya

For: 7

Against: 0

Abstain

: 0

XI. RESOLUTIONS

25. 2006-R-099 Accepting Lot 1, Block 1 of the Cielito Lindo Park Plat as per plat recorded in volume 26, page 35 of the Map Records of Webb County,

Lindo,

the total

that
Letter of Credit.

Texas. This 3.35 acre tract of land is being provided by Cielito

Ltd. for the purpose of developing a City Park. Additionally, Cielito Lindo Ltd. has agreed to provide improvements for said park in

amount of \$108,150.00 as per the attached agreement.

Motion to approve Resolution # 2006-R-099 with the condition Cielito Lindo, LTD, submit to City Council an approved

Moved: Cm. Belmares

Second: Cm. Amaya

For: 7

Against: 0

Abstain

: 0

26. 2006-R-119 Accepting the donation of one Utility Easement from Rogelio Molina, Jr.

sewer

Utility

situated in

Being

Volume 4,

and Bounds

and Maria De Los Angeles Molina, for the extension of water and services to San Carlos Subdivision, Phase II. This being a 15-foot

Easement containing 2,967 square feet of land, more or less,

Porcion 32, Antonio Trevino, Abstract 296, Webb County, Texas.

out of Lot 19, Block 3, San Carlos Subdivision II, recorded in

Page 34, Webb County Plat Records; and described by Metes

and Survey attached as Exhibits A and B.

Motion to approve Resolution # 2006-R-119.

Moved: Cm. Belmares

Second: Cm. Amaya

: 0 For: 7 Against: 0 Abstain

27. 2006-R-120 Accepting the donation of one Utility Easement from Viviana Molina, for the extension of water and sewer services to San Carlos Subdivision, Phase II. This being a 15-foot Utility Easement containing 2,962 square feet of land, more or less, situated in Porcion 32, Antonio Trevino, Abstract 296, Webb County, Texas. Being out of Lot 11, Block 3, San Carlos Subdivision II, recorded in Volume 4, Page 34, Webb County Plat Records; and described by Metes and Bounds and Survey attached as Exhibits A and B.

Motion to approve Resolution # 2006-R-120.

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

Against: 0 Abstain

: 0

XII. MOTIONS

28. Authorizing the City Manager to grant two (2) public fireworks display permits for the Laredo Entertainment Center and the Laredo Country Club for December 31, 2006 at 11:59 p.m. technicians for the displays will be Pyrotecnico of Louisiana, LLC, and Atlas Enterprises, Incorporated, respectively.

Motion to approve.

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

Against: 0 Abstain

: 0

29. Authorizing the City Manager to select and award a contract to NRS of Harlingen, Texas, for the amount of \$242,000.00 to design the Sierra Vista 1.5 million gallon elevated storage tank with construction plans and specifications. Funding is available in the 2006 Water Bond Issuance.

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Amaya

For: 7

Against: 0

Abstain

: 0

30. Authorizing the City Manager to award a professional engineering contract to LNV Engineering of Corpus Christi, Texas, in the amount of \$46,900.00. This contract will provide design for the Jefferson Upper Plant High Service Pump Station valve replacement and discharge pipe improvements. Also, provide design for the Jefferson Lower Plant discharge header valve, piping and flow meters. Funding is available under the waterworks construction budget.

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Amaya

For: 7

Against: 0

Abstain

: 0

31. Authorizing the City Manager to enter into contract and award 2006 HOME Investment Partnership Program, Community Housing Development Organization (CHDO) funds made available by the U.S. Department of Housing and Urban Development in the amount of \$194,982.00 to Habitat for Humanity of Laredo, Inc. for the construction of 10 homes including soft costs. The single-family housing units will be made available to low income first-time home buyers who earn between 25%-60% of the Housing Area Median Family Income (HAMFI).

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Amaya

For: 7

Against: 0

Abstain

: 0

32. Consideration to authorize the installation of a speed hump along Arriaga Drive between Ramirez Drive at Fairfield Drive in accordance with the speed hump

Projects-

installation policy under the special provision for installation; project costs are estimated at \$1,800.00. Funding is available from the Capital Improvement

City Council District II.

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Amaya

For: 7

Against: 0

Abstain

: 0

33. Authorizing the City Manager to execute an extension to the consulting contract between the City of Laredo and B.W. Zimmerman & Associates to assist with analysis, research and reporting associated with the interoperable reader system project, provide professional technical consulting assistance associated with the toll collection system needs of the Laredo Bridge System, review and respond to proposals to renew and/or extend the toll collection system maintenance service agreement and provide on-call professional consulting assistance on the operation and warranty of the new turnstile system in an amount not to exceed \$64,000.00. Funding is available in the Laredo Bridge System.

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Amaya

For: 7

Against: 0

Abstain

: 0

34. Consideration for approval to award a construction contract to the lowest bidder, Amberland Development, Ltd., Laredo, Texas, in the amount of \$609,997.00 for the Drainage Bartlett Avenue Extension Straightening, Widening, Paving, Utilities and Improvements from Hillside to Sandman. Funding is available in the Transit 2004 CO.

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Amaya

: 0 For: 7 Against: 0 Abstain

35. Consideration for approval to award a construction contract to the lowest bidder, ALC Construction, LLC., Laredo, Texas, in the bid amount of \$525,000.00 for the Cigarroa Recreation Center Boxing Gym. Funding is available in the CDBG 30th Action Year and CDBG 31st Action Year.

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Amaya

: 0 For: 7 Against: 0 Abstain

36. Consideration for approval of amendment no. 2 an increase of \$36,442.00 to the professional services contract with Arcadis, Laredo, Texas, for the Laredo Street Drainage Improvements Phase II to update plans and specifications, construction cost estimates, and for utility coordination and surveying. Funding is available in the 2003 CO Issue Laredo Street Drainage Account.

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Amaya

: 0 For: 7 Against: 0 Abstain

37. Consideration for approval to award a professional Services Contract to Carter and Burgess, Inc., Fort Worth, Texas, for an amount not to exceed \$375,000.00 for design and preparation of plans and specifications for the Laredo International Airport Runways 17L/35R and 17L/35R Extension – Feasibility Study, Environmental Assessment and Benefit-Cost Analysis. Funding is available in the Airport Construction Fund – Grant No. 48 – Project Engineer Fees.

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Amaya

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

Against: 0

Abstain

: 0

41. Consideration to award annual supply contract number FY06-105, to the low bidder, East Jordan Iron Work, Inc., San Antonio, Texas, in the estimated amount of \$85,750.00, for the purchase of fire hydrants for the Utilities Department. This is an annual supply contract that allows for the purchase of fire hydrants on an as need basis. Funding is available in the Utilities Department Fund.

Motion to approve.

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

Against: 0

Abstain

: 0

42. Consideration to authorize the purchase of traffic signal poles and arms required for the traffic signal upgrades of the following locations: Clark at Meadow, Clark at Seymour, and Clark at Cedar, from Pelco Structural LLC, Claymore, OK, in the total amount of \$37,686.00. These items are being purchased through the State of Texas Cooperative purchasing program. Funding is available from 2006 Certificates of Obligation bond proceeds.

Motion to approve.

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

Against: 0

Abstain

: 0

43. Consideration to award annual service contract number FY07-035 to the sole bidder, Rafter P. Transport Inc., New Braunfels, TX to load and haul dry sludge from the Jefferson Water Treatment Plant to the City of Laredo landfill. This contract is based on a base bid of \$6.00 per cubic yard of material. The frequency and number of loads vary depending on the City's need but the contract is based on an estimate of 10,000

cubic yards of sludge. Funding is available in the Utilities Department – Water Treatment Division budget.

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Amaya

For: 7

Against: 0

Abstain

: 0

total

44. Consideration to authorize the purchase of one truck mounted excavator, in the

2006

amount of \$298,700.00 from Waukesha Pearce Inc., through the Buy Board cooperative purchasing program's contract pricing. Funding is available in the

Public Property Finance Contractual Obligation bond proceeds.

Waste

Motion to approve with the correction that funding is available in the Solid Fund.

Moved: Cm. Garza

Second: Cm. Chavez

For: 7

Against: 0

Abstain

: 0

amount

45. Consideration to authorize the purchase of two (2) street sweepers in the total

Area

of \$283,743.25 from TYMCO International Inc., through the Houston Galveston

pricing.

Council of Governments (H-GAC) cooperative purchasing program's contract

bond

Funding is available in the 2006 Public Property Finance Contractual Obligation

proceeds.

Motion to approve.

Moved: Cm. Garza

Second: Cm. Chavez

For: 7

Against: 0

Abstain

: 0

the

46. Approving monthly adjustments to the tax roll. The amounts to be adjusted for

adjustments are

month of November 2006, represents a decrease of \$54,757.73. These

determined by Webb County Appraisal District and by court orders.

Motion to approve.

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

Against: 0

Abstain

: 0

47. Authorizing the City Manager to continue current policy with Monumental Life Insurance Company for the retiree Medicare Supplemental Health Insurance for another year, ending December 31, 2007. The rates will remain the same as last year.

Motion to approve.

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

Against: 0

Abstain

: 0

48. Awarding a construction contract to the low bidder, Jimmy Closner and Sons Construction Company, Inc., Mercedes, Texas, in the amount of \$4,697,756.20 for the

construction of the SH359 Work Order #3 Water Distribution and Wastewater Collection Systems to the Colonias Old Milwaukee, Los Altos, D-5 Acres, San

Carlos

I, San Carlos II, Tanquecitos II, Ranchitos 359 East & Laredo Ranchetes subject to the

approval of the Texas Water Development Board (TWDB). The construction time is

540 calendar days. Funding is available in the Colonias Project Fund.

Motion to postpone.

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

Against: 0

Abstain

: 0

49. Consideration to award a construction contract to the lowest bidder, QRO MEX Construction, Granite Shoals, Texas, in the amount of \$1,487,828.25 for the construction of the Colonias Work Order NADB – 1, 18" Water Main Line

Extension

Project, subject to the approval of the North American Development Bank. The

work

order #1 consists of 18" water transmission line extension (19.500 L.F.) from

the

existing South Laredo Elevated Storage Tank to the existing booster station

along and

within State Hwy 359 to provide potable water to Colonias within SH 359

Planning

Colonias Areas. The construction time is 150 calendar days. Funding is available in the Fund Construction Fees.

Motion to approve.

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

Against: 0

Abstain

: 0

three 50. Ratifying the action taken by the City Manager to authorize the installation of valves under system pressure by ADS Environmental Services in the amount of \$45,400.00 for the emergency control of failing valves and prevention of system flooding at the Jefferson Lower Plant. Funding is available under the Waterworks Construction Budget.

Motion to approve.

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

Against: 0

Abstain

: 0

and 51. Authorize the City Manager to approve Change Order No. 1 for the purchase installation of a new electrical control system for the Jefferson Street Water Plant from System Controls & Instrumentation, Ltd, in the amount of \$69,532.00. This work and change order is recommended by staff for emergency authorization on the basis of eminent failure indicators provided by equipment and the essential need for operational control of water production. Funding is available in the Water Plant Improvements Construction Fund.

Motion to approve.

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

Against: 0

Abstain

: 0

between 52. Consideration to authorize the installation of speed humps along Canal Street

Marcella and Gallagher Avenues in accordance with the speed hump installation policy under the special provision for installation; project costs are estimated at \$3,000.00.

Council

Funding will be made available from capital improvement projects – City District 5.

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Chavez

For: 7

Against: 0

Abstain

: 0

53. Consideration to authorize a lease purchase contract with Sungard HTE Inc., in the total amount of \$1,999,265.64 for the acquisition of a fully integrated digital information management system for the Laredo Police and Fire Departments. Funding for the lease purchase payments is available in the Police Trust Fund budget.

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Chavez

For: 7

Against: 0

Abstain

: 0

54. Consideration to award contract FY07-007 to Verizon Wireless, Laurel, MD, for providing wireless mobile phone service for City of Laredo public safety and public service departments for a term of two years. Approximately 307 wireless phones are assigned to these departments. All services will be on an as needed basis. Funding is available in the respective departmental budgets.

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Chavez

For: 7

Against: 0

Abstain

: 0

XIII. STAFF REPORTS

55. A. Update report by Keith Kindle, Turner, Collie and Braden on the status on the Colonias Project.

Mr. Kindle was not able to attend.

B. Presentation and recommendation regarding proceeding with negotiations of an agreement of a Secondary Groundwater Project.

Bill Norris from NRS Consulting Engineers made the following report.

Exhibit "A"

Executive Summary

The City of Laredo received two proposals for a secondary source of water on December 8, 2006 out of four known providers. These were Grass Valley Water, LP and Dimmit Utility Water Supply Corporation. The proposals were reviewed primarily on qualifications and financial backing to complete the project and the ability to deliver a long term water supply to the City of Laredo.

The proposal review committee was comprised of Adrian Montemayor, Assistant Utility Director; Joseph (Bill) Norris, P.E., NRS Consulting Engineers; Bruce Wasinger, Bickerstaff, Heath, Pollan & Caroom, LLP; Ridge Kaiser, P.E., R.W. Hardin & Associates; and Jeff Snowden, Economists.com.

After a thorough review of the proposals and subsequent interviews, the committee ranked the respondents with respect to the following weighted criteria:

Criteria	Weight
Experience	15%
Financial Capabilities	20%
Level of Development of Source Water	10%
Knowledge of Process Involved (Project Understanding)	5%
Confirmed Supply	15%
Exclusive Use	5%
Permitting	5%
Groundwater Control District Approvals	5%
Environmental Considerations	5%
Guarantees	15%

The overall ranking put Dimmit Utility Water Supply Corporation first and Grass Valley Water second. Each one has their own share of risks with varying degrees with permitting and source water development. It is the committee's opinion, based on these criteria, Dimmit UWSC has the greatest degree of confidence in developing the water source for the City of Laredo.

The next step was to review the price proposal received from each respondent. Based on the proposal on the base bids, Jeff Snowden, Economists.com, completed an in depth analysis of the proposals and conducted several conversations with the respect to financial representatives to reach the conclusions.

The net present value of each proposal is depicted in the table below.

Years in Planning Period	NPV Rate	DUWSC	GVW	Variance
20	4%	\$289,732,670	\$372,462,105	-\$82,729,434
30	4%	\$384,115,670	\$582,552,270	-\$198,436,600
40	4%	\$469,806,160	\$714,375,541	-\$244,569,380
50	4%	\$547,604,707	\$834,058,119	-\$286,453,412

Finally, the project team offers the following ending notes, many of which may warrant further study:

1. GVW's proposes that Laredo pay electricity costs, pump fees, water transport and pass-through fees. These fees need to be quantified over the planning period.
2. The GVW proposal also reserves the right to modify their costs depending upon the increase in construction costs meaning no contingencies are include at the risk of the City. The DUWSC include contingencies for the completion of the project and is willing to negotiate lower costs if City takes some of those risks.
3. Both proposals assume tax exempt financing will be available. Laredo may wish to request an alternative pricing structure that ssumes the issuer will not obtain tax exempt financing.
4. The DUWSC proposal offers the transfer of the pipeline on or around 2029, while both proposals offer the transfer of storage capacity in the early years of the agreement. The City may wish to request current values and depreciation schedules for each transferable asset in order to asses the value of these assts at the time they become the property of Laredo.
5. DUWSC offers to evaluate overall cost saving measures that could include energy recovery and/or standpipe to utilize existing pipeline pressures.

Conclusions and Recommendations

While each proposal has a degree of risk from a water availability standpoint, mainly on the provider, clearly, the Dimmit Utility Water Supply Corporation has the greatest degree of certainty of providing the City of Laredo a long term water supply for the most economical cost with the greatest amount of financial backing. It is the recommendation of this committee to begin negotiations with Dimmit UWSC to develop an agreement for consideration by the City of Laredo.

Due to the nature of this important project, the committee also recommends that the agreement deadline be considered for January 31, 2007 to allow for adequate review and negotiations. The initial review period remains in place for the week of December 18, 2006

with a projected draft memorandum of understanding by the end of the year. In our opinion this schedule would not jeopardize the City's efforts in the legislature related to this project.

Utility Motion to authorize the City Manager to begin negotiations with Dimmit Water Supply Corporation.

Moved: Cm. Belmares
Second: Cm. Amaya
For: 7 Against: 0 Abstain

: 0

Martin C. Staff report regarding third party funding from the Hotel/Motel Fund by Aleman, Budget Director.

Motion to postpone.

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

56. Request for Executive Session pursuant to Section 551.071 (1) (A) of the Government Code (Contemplated litigation) to consult with the City Attorney regarding construction contract with Lassen, Inc., Austin, Texas, for the construction contract project known as the Zacate Creek Wastewater Treatment Plat Re-aeration Tanks Lining Project and return to open session for possible action.

Motion to go into Executive Session pursuant to Section 551.071 (1) (A) of the Government Code (Contemplated litigation) to consult with the City Attorney regarding construction contract with Lassen, Inc., Austin, Texas, for the construction contract project known as the Zacate Creek Wastewater Treatment Plat Re-aeration Tanks Lining Project and return to open session for possible action.

Moved: Cm. Belmares
Second: Cm. Rendon
For: 5

Against: 0

Abstain

: 0

Cm. Garcia, Cm. Amaya and Mayor Salinas were not present.

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

Motion to motion to terminate the contract and to file a claim against the performance bond and then place the tank back into service.

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

Against: 0

Abstain

: 0

57. Request for Executive Session pursuant to Texas Government Code Section 551.071 (1) (B) to consult with attorney on settlement offer regarding Laredo Equities, L.L.C., and return to open session for possible action.

Motion to go into Executive Session pursuant to Texas Government Code Section 551.071 (1) (B) to consult with attorney on settlement offer regarding Laredo Equities, L.L.C., and return to open session for possible action.

Moved: Cm. Belmares
Second: Cm. Rendon
For: 5

Against: 0

Abstain

: 0

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

Motion to accept the \$42, 971 as payment in full due as of October 31, 2006 to the City of Laredo from Laredo Equities, L.C.C. under the 2006 -2007 Veteran's Field lease agreement and continue said lease agreement.

Moved: Cm. Belmares
Second: Mayor Pro Tempore Ramirez
For: 7

Against: 0

Abstain

: 0

58. Request for Executive Session pursuant to Texas Government Code, section 551.074 (1) to evaluate the pay of the Acting City Manager and to discuss goals and objectives; and return to open session for possible action.

