

**CITY OF LAREDO
CITY COUNCIL MEETING
M2005-R-02
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
January 24, 2005
5:30 P.M.**

I. CALL TO ORDER

With a quorum present, Mayor Elizabeth G. Flores called the meeting to order.

II. PLEDGE OF ALLEGIANCE

Mayor Elizabeth G. Flores led in the Pledge of Allegiance.

III. ROLL CALL

In attendance:

Elizabeth G. Flores, Alfredo Agredano, District I	Mayor Council Member,
Hector Garcia, District II	Council Member,
John C. Galo, District III	Council Member,
Johnny Amaya, IV	Mayor Pro Tem, District
Johnny Rendon, District V	Council Member,
Gene Belmares, District VI	Council Member,
Jose A. Valdez, Jr., District VII	Council Member,
Juan Ramirez, District VIII	Council Member,
Gustavo Guevara, Jr., Larry Dovalina, Cynthia Collazo, Jaime Flores,	City Secretary City Manager Deputy City Manager City Attorney

IV. MINUTES

None.

V. COMMUNICATIONS AND RECOGNITIONS

Announcements

Mr. Paul De La Peña came before City Council to discuss the local efforts that are taking place to raise funds for the Tsunami relief effort. He mentioned that there was a softball tournament recently that the City was involved with and there are several other activities going on the rest of this month. He stated that this Wednesday, January 26, 2005, there will be an ecumenical prayer service in Century City at the Holy Spirit Retreat Center. He added that on Friday, January 28, 2005, all the proceeds from any coffee bought throughout the day at Espumas Café will be going to the Tsunami relief efforts. On Saturday, January 29, 2005, there will be approximately 30 different organizations, including TAMIU and LCC students, the Young Democrats, and the local chapter of the American Red Cross that will partner together for a fundraiser at Super Wal-Mart on Loop 20. The entire proceeds raised from the steak plate sale will be going toward the relief efforts. He added that their goal is to raise \$10,000.00 that Saturday. On Sunday, LCC will be having a concert with local artists and the admission for that event will be \$3.00. He explained that there will be some other events during February and March teaming up with the American Red Cross.

Invitations

None.

Recognitions

- a. Recognition of Jose Luis Aun, winner of the Laredo's 250th Anniversary Celebration poster contest.

Mr. Jose Luis Aun was not present.

Communiqués

- a. Mayor Elizabeth G. Flores reports on the City of Laredo Airport Department.

Mayor Flores stated that City Council had given a directive to the Airport Director and

the City Manager to demolish substandard buildings, to attract medical-related development, and to construct additional air cargo facilities and general aviation hangar

facilities. She reported that the City has seen an enormous amount of investment growth

at the airport such as the Gateway Community Health Clinic which is looking at building

a \$10 million clinic as well. Mayor Flores mentioned that the local match is reduced beginning in FY 2004 from 10% to 5% bearing on the amount of the federal funding.

The City has also received over \$11 million to rehabilitate taxiways and install

engineering materials arresting systems at the end of the runways. All of these projects also assist the private aircraft owners and the people who invest in Laredo and who use the runways. She added that the City continues to promote our *Fly World Class* logo and thanked the air traffic control personnel for an excellent evaluation score. She stated that Federal Express will be introducing the Airbus 300 which is a wide body aircraft that will increase air cargo transportation to Laredo. She is very proud of the policies that this Council has set out and that the staff is promoting which allows for the opportunity to attract more business to Laredo.

Cm. Agredano stated that he was fortunate enough to be at the prayer vigil held last Friday at San Agustin Plaza. He stated that it was a very fitting demonstration of people praying for peace and for all our soldiers serving their country around the world. He added that the family of Lance Cpl. Rodriguez was present and the City expressed its condolences for their loss. He expressed his wishes that all the soldiers who are in harm's way will be able to return safely home.

Cm. Garcia thanked the volunteers who worked during the weekend at the kick-off event for the United Water Border Olympics. He mentioned that they have 32 teams coming in from different areas with 16 teams each of boys and girls. He expressed his appreciation to Texas A & M International University and staff for their assistance while hosting three of the games that were played on their field. He also showed his appreciation to the United Independent School District for allowing many of the games to be played at the Student Activity Complex. He also invited everyone to the Stockman's Ball at the Civic Center Ballroom on February 4, 2005, to raise money for the Border Olympics and scholarships. Also, on February 25, 2005, and February 26, 2005, the Border Olympics will be hosting a baseball, softball, golf, and tennis tournament. He mentioned that they have many teams coming in from San Antonio, Corpus Christi, and the Rio Grande Valley. He added that this year the event will be larger than in years past and an even greater success.

Cm. Galo expressed his sympathies to the family of Lance Cpl. Rodriguez and the family of Victor Saucedo, Sr. for their loss. He also thanked the crew from Parks and Recreation for the good job they did at Slaughter Farm. He also welcomed Cm. Rendon back from his leave of absence following his surgery. He stated that he is glad everything went well.

Mayor Pro Tem Amaya stated that he is very appreciative to Mr. De La Pena for the well organized prayer vigil held last Friday.

Cm. Rendon stated that he was unable to attend the funeral of a very good friend, Horacio De Leon, Sr. He expressed his condolences to Horacio De Leon, Jr., Parks and Recreation Director, and his family.

Cm. Belmares mentioned the softball tournament organized by the Parks and Recreation Department for the Tsunami relief effort was a great success. He stated that it is always great to see the camaraderie shared by all the department directors and employees.

Cm. J. Valdez, Jr. congratulated the Parks and Recreation staff for the success of the softball tournament. He added that his thoughts and prayers are with everyone who has lost a loved one this year.

Cm. Ramirez congratulated all the sponsors of the Laredo Heat 10K Marathon race held yesterday at the Civic Center. He mentioned that the top two runners were two Kenyans. He congratulated the Laredo Heat organization and Nick Reyna, Convention and Visitors Bureau Director, for a successful event.

Mayor Flores stated that the inaugural ceremony for the 250th Anniversary Celebration was tremendous. She stated that the orchestra and the mariachi groups, and the school children were outstanding. She stated that on Friday, January 28, 2005, the City host the Sister Cities Festival and invites everyone to join the City as well. The event begins on Friday, January 28th at 10:00 a.m. and continues through Sunday, January 30th until 6:00

p.m. She also mentioned that she has just returned from Washington, D.C. attending the U. S. Conference of Mayors. She pointed out the differences on both sides of the aisle being that all the Mayors are very passionate about their views. She stated that her co-chair, Detroit Mayor Kirkpatrick, reported on some necessary cutbacks in his city. She pointed out that the City of Laredo has been very careful about how policy is set in order to avoid any such layoffs of our employees. She mentioned how Mayor Kirkpatrick had to lay off 700 of his employees due to their mounting deficit. She further stated that there were discussions on economic development as well on how cities work with private companies for investment.

VI. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

- a. Appointment by Mayor Elizabeth G. Flores of Elia Solis to the Telecommunications Commission.

Motion to approve the appointment by Mayor Elizabeth G. Flores of Elia Solis to the Telecommunications Commission.

Moved: Cm. Valdez

Second: Cm. Ramirez

For: 8
0

Against: 0

Abstain:

VII. PUBLIC HEARINGS

1. Public hearing and introductory ordinance amending the City of Laredo's Land Development Code Handbook, Article IV, Section 24.63, entitled Permitted Uses and Appendix A, by establishing and defining the retail sale of imported crafts in specified zoning districts; providing for publication and effective date. The Planning and Zoning Commission has recommended approval of the proposed ordinance amendment.

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Mayor Pro Tempore Amaya

For: 8
0

Against: 0

Abstain:

Cm. J. Valdez, Jr. inquired whether the existing businesses on San Bernardo which are zoned as B-3 would be affected negatively.

Keith Selman, City Planner, stated that any activity currently operating would enjoy legal, non-conforming status. He stated that the department would like to better define this designation under the ordinance and most of the businesses are currently in a B-3 zoning designation.

Larry Dovalina, City Manager, stated there is a high concentration of these imported crafts businesses in a particular area and the City is working with them to do certain things. He added that this ordinance is being put together in order to make it better.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 8

Against: 0

Abstain:

Introduction Ordinance: Cm. Belmares

2. Public hearing and introductory ordinance amending the Street Name Map of the City of

Laredo by renaming FM 255 to SH 255; providing for publication and effective date.

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Agredano

For: 8

Against: 0

Abstain:

0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Valdez

For: 8

Against: 0

Abstain:

Introduction Ordinance: Cm. Belmares

3. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the

City of Laredo by rezoning 3.17 acres, as further described by metes and bounds in attached Exhibit A, located approximately south of Masterson Road and east of Santa Fe Subdivision, from AG (Agricultural District) to R-1MH (Single Family Manufactured Housing District); providing for publication and effective date. The Planning and Zoning Commission has recommended denial of the proposed zone change.

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Agredano

For: 8
0

Against: 0

Abstain:

Ron Whitehawk, representing the applicant, stated that the way in which the agenda item is published is obsolete. He mentioned that they have submitted to the Planning and Zoning Department a request to change a portion to a B-3 designation. He stated that there are two separate metes and bounds descriptions: one for the R1-MH and one for the B-3 designation. He requests that the City Council act on the request for the R1-MH designation in order to allow the property owner to move ahead with his plans for land development.

Motion to close the public hearing and introduce and override the Planning & Zoning Commission's recommendation and approve the application for the 2.4 295 acres to be rezoned R1-MH and then let the application bring back the other portion to provide the proper buffer.

Moved: Cm. Galo

Second: Mayor Pro Tempore Amaya

For: 8
0

Against: 0

Abstain:

Introduction Ordinance: Cm. Galo

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

City of Laredo by rezoning Lot 17, Block 1, Belmont Plaza, located at 312 Maguey Drive, from R-1 (Single-Family Residential District) to R-2 (Multi-Family Residential District); providing for publication and effective date. The Planning and Zoning Commission has recommended denial of the proposed zone change.

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. Valdez

For: 8
0

Against: 0

Abstain:

Maria Alicia Martinez, property owner, stated that the area is flooded with R-2 designations. She stated that she cannot understand how her home is zoned as an R-1 when the properties surrounding her home have mostly R-2 zoning designations. She would like to request that the City Council approve the request in order for her to be able to make the necessary changes to her home, such as adding another meter, parking space, etc.

Motion to close the public hearing and deny the zone change request.

Moved: Cm. Rendon

Second: Cm. Belmares

For: 8
0

Against: 0

Abstain:

5. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the

City of Laredo by rezoning 2.95 acres, as further described by metes and bounds in attached Exhibit "A", located east of Hwy 83 and north of Southgate Boulevard, from AG (Agricultural District) to B-4 (Highway Commercial District); providing for publication and effective date. The Planning and Zoning Commission has recommended approval of the proposed zone change.

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Agredano

For: 8
0

Against: 0

Abstain:

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Agredano

Second: Mayor Pro Tempore Amaya

For: 8
0

Against: 0

Abstain:

Introduction Ordinance: Cm. Agredano

6. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the

City of Laredo by rezoning 35 acres, as further described by metes and bounds in attached Exhibit "A", located at 9998 S. Hwy 83, from R-1 (Single-Family Residential District) to B-3 (Community Business District); providing for publication and effective date. The Planning and Zoning Commission has recommended approval of the proposed zone change.

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Agredano

For: 8
0

Against: 0

Abstain:

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain:

Introduction Ordinance: Cm. Galo

7. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the

City of Laredo by rezoning Lots 5 and 6, Block 2, Eastern Division, located at 3420 Guerrero Street, from R-1 (Single-Family Residential District) to R-2 (Multi-Family Residential District); providing for publication and effective date. The Planning and Zoning Commission has recommended approval of the proposed zone change.

Motion to open the public hearing.

Moved: Cm. Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain:

0

Ron Whitehawk, representing the property owner, stated that the zoning change will allow an existing quadraplex which was recently built to be occupied.

Motion to close the public hearing and introduce.

Moved: Cm. Garcia

Second: Cm. Agredano

For: 8

Against: 0

Abstain:

0

Introduction Ordinance: Cm. Garcia

8. Public hearing and introductory ordinance amending three sections of Article 1, Chapter

24 of the Code of Ordinances & Land Development Code, Namely, Section 24.1.2.1: Historic District / Landmark Board created, composition, appointment, and terms of office of members; Section 24.1.2.2: Historic District / Landmark Board, power and duties; and Section 24.1.3.2: Responsibilities of Zoning Board of adjustment, providing for publication and effective date.

Motion to open the public hearing.

Moved: Cm. Belmares
Second: Mayor Pro Tempore Amaya
For: 8 Against: 0 Abstain:
0

Keith Selman, City Planner, stated that they have contacted staff at the state office on how to proceed with this process. He explained that many of the communities in Texas are leaning toward having the Board of Adjustments be the appellate decision maker for the Landmark Board.

Cm. Galo suggested deleting sections 24.1.3.2 and 24.1.3.3 and allowing the responsibility to remain with the City Council.

Motion to close the public hearing and introduce as amended.

Moved: Cm. Belmares
Second: Cm. Valdez
For: 6 Against: 2 Abstain:
0
Cm. Galo
Cm. Ramirez

Introduction Ordinance: City Council

9. Public hearing and introductory ordinance authorizing the City Manager to amend the

City of Laredo Bridge System Fiscal Year 2004 – 2005 Annual Budget by appropriating \$378,728.00 from the Bridge System Construction fund balance to the Machinery & Equipment and Engineer Fees accounts. Funding will be used for expenses related to the Toll Equipment Upgrade and Engineer Fees for “EI Portal Project”.

Motion to open the public hearing.

Moved: Cm. Belmares
Second: Cm. Valdez
For: 8 Against: 0 Abstain:
0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares
Second: Mayor Pro Tempore Amaya
For: 8 Against: 0 Abstain:
0

Introduction Ordinance: City Council

VIII. INTRODUCTORY ORDINANCES

10. Authorizing the City Manager to execute a lease with the Washington's Birthday Celebration Association, Inc., (W.B.C.A.) for approximately fifteen (15) acres of concrete ramp located on the southwest cargo ramp of the Air Operations Area to include City owned vacant non-aeronautical use land located at the Laredo International Airport for event parking use. Lease term is for two (2) days commencing February 12, 2005 and ending on February 13, 2005. City Council finds and declares that a valid public purpose would be served in setting the daily rental fee at \$1.00; providing for an effective date.

Ordinance Introduction: City Council

11. Authorizing the City Manager to execute Lessor's Consent of an Assignment of the Ground Lease dated August 19, 2002 and all amendments of modifications thereto between the City of Laredo, as Landlord, and Prime Sites, LLC, as Tenant, for approximately 12,713 square feet of land located at 1820 Pappas Street for the purpose of locating an antenna tower at the Laredo International Airport. Prime Sites, LLC, assigns its rights and interest under the Ground Lease to SBA Properties, Inc. All terms and conditions of the original lease agreement remain the same and in effect; providing for an effective date.

Ordinance Introduction: City Council

12. Authorizing the City Manager to execute a Lease Agreement with the County of Webb, on behalf of the Webb County Head Start Program Child Development Center, for the properties locally described as Lots 5 & 6, Block 113, Eastern Division, located at 2802 McDonnell Avenue in the City of Laredo, Webb County, Texas; and providing for an effective date.

Ordinance Introduction: City Council except Mayor Pro Tempore Johnny Amaya

13. Authorizing the City Manager to execute all necessary documents to effectively convey four (4) drainage easements to the State of Texas, at their market value, for the U. S. Highway 83 @ State Highway 359 Interchange Project. Said four parcels being: Parcel 25(E) – a 0.456 of an acre, more or less, parcel of land out of Lots 3, 4, 5 & 6 in Block 1783, Eastern Division, Parcel 26(E) – a 0.475 of an acre, more or less, parcel of land, being part of Canada Avenue and Chacon Street, Eastern Division, Parcel 28(E) – a 0.076 of an acre, more or less, parcel of land being part of Lots 1, 2, & 3, Block 1869, Eastern Division and Parcel 41- a 0.392 of an acre, more or less, parcel of land, being part of Lots 1 & 2, Block 1784, Eastern Division. All four parcels being situated in the Eastern Division, City of Laredo, Webb County, Texas; more particularly described by metes and bounds on attached Exhibits A, B, C & D, and providing for an effective date.

Ordinance Introduction: City Council

14. Authorizing the City Manager to execute all necessary documents to effectively convey a 20 x 100 foot right of way and utility easement to Medina Electric Cooperative, in order to construct a secondary distribution line to serve the new water system in the Las Blancas Subdivision. Said proposed right of way and utility easement being situated in Porcion 32, Abstract 296, Webb County Texas; more particularly described by metes and bounds on attached Exhibit A, and providing for an effective date.

Ordinance Introduction: City Council

15. Authorizing the City Manager to grant a Right-of-Entry Permit to the United States of America in the area encompassed by City-owned Blocks 708 and 708B, Western Division, City of Laredo, which are delineated on attached Exhibit A. Said Right-of-Entry Permit, which is described on attached Exhibit B, will be used to access the Rio Grande River in order to remove pylons from the river; and providing for an effective date.

Ordinance Introduction: City Council

IX. FINAL READING OF ORDINANCES

Motion to waive the final readings of Ordinance # 2005-O-013; # 2005-O-014; # 2005-O-015; # 2005-O-016; # 2005-O-017; # 2005-O-017; # 2005-O-018; # 2005-O-019; # 2005-O-020; # 2005-O-021; # 2005-O-022; and # 2005-O-023.

Moved: Mayor Pro Tempore Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain:

0

16. 2005-O-013 Amending the Zoning Ordinance Map of the City of Laredo by authorizing a Conditional Use Permit for a fire station on Lot 2, Block 3, Cielito Lindo Commercial Plat, located at 309 Cielito Lindo Boulevard; providing for publication and effective date.

Motion to adopt Ordinance # 2005-O-013.

Moved: Cm. Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

2005-O-014 Amending the City of Laredo's Fiscal Year 2004 – 2005 Annual Budget to

reflect an appropriation in Federal Planning Grant (PL112) Funds. The appropriation of \$84,815.00 comes from 2003 – 2004 Unified Planning Work Program (UPWP) unexpended funds.

Motion to adopt Ordinance # 2005-O-014.

Moved: Cm. Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

2005-O-015 Amending the City of Laredo Fiscal Year 2004 – 2005 Annual

Budget by

appropriating revenues and expenditures in the amount of \$50,000.00 in additional funds from the Texas Department of State Health Services for a total budget amount of \$463,077.00 for the Public Health Preparedness and Epidemiology Program of the City of Laredo Health Department for the period beginning September 1, 2004 through August 31, 2005.

Motion to adopt Ordinance # 2005-O-015.

Moved: Cm. Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

2005-O-016 Amending the City of Laredo Fiscal Year 2004-2005 Annual Budget

by

increasing revenues and expenditures in the amount of \$85,767.00 in additional funds, totaling \$257,450.00 from the Texas Department of State Health Services for the Immunization Action Program of the City of Laredo Health Department and extending the grant period from January 1, 2004 through December 31, 2004 to January 1, 2004 through August 31, 2005.

Motion to adopt Ordinance # 2005-O-016.

Moved: Cm. Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

2005-O-017 Authorizing the City Manager to accept a \$1,000.00 donation from

Wal-

Mart Foundation and to amend the City of Laredo Fiscal Year 2004-2005 General Fund Annual Budget by appropriating revenues in the amount of \$1,000.00 in the form of a donation of \$1,000.00 for the purchase by the Nonprofit Management & Volunteer Center of promotional material for the Annual Volunteer Awards Reception.

Motion to adopt Ordinance # 2005-O-017.

Moved: Cm. Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

2005-O-018 Authorizing the City Manager to accept a \$500.00 donation from the International Bank of Commerce, Banquito at Plantation and to amend the City of Laredo Fiscal Year 2004 – 2005 General Fund Annual Budget by appropriating revenues and expenditures in the amount of \$500.00 in the form of a donation for the purchase of items for the Jingle Bell 5K Fun Run.

Motion to adopt Ordinance # 2005-O-018.

Moved: Cm. Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

2005-O-019 Authorizing the City Manager to execute a Lessor's Consent to an assignment of the lease agreement approved by Ordinance No. 95-O-177 dated August 7, 1995, between the City of Laredo and Gerardo Javier Ramos and assigned to Ruperto Villarreal and Santos Ramos authorized by Ordinance No. 96-O-184 dated October 28, 1996 and as amended by Ordinance No. 98-O-284 dated November 2, 1998 for approximately 16,291.44 square feet of land located on Lot No. 2 of Block No. 15 of the Subdivision Plat of the Laredo International Airport, and authorizing the City Manager to execute a Subordination, Non-Disturbance and Attornment Agreement between the City of Laredo, as Landlord, Miguel A. Rojas, as Tenant, and International Bank of Commerce, as Mortgagee. Said lease is assigned to Miguel A. Rojas. All other terms and conditions remain the same and in effect; providing for an effective date.

Motion to adopt Ordinance # 2005-O-019.

Moved: Cm. Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

between 2005-O-020 Authorizing the City Manager to execute an Assignment of Lease

The Hearst Corporation, as Assignor, and the City of Laredo, as Assignee,

for an approximate 59,836.72 square foot tract of land including the improvements located thereon at the Laredo International Airport authorized by Ordinance No. 87-O-106 dated July 21, 1987, as amended

by Ordinance No. 94-O-005 dated January 3, 1994 and authorizing the

City Manager to pay One Hundred Sixty-Seven Thousand Five Hundred

Dollars (\$167,500.00) to purchase the leasehold interest from The Hearst

Corporation; providing for an effective date.

Motion to adopt Ordinance # 2005-O-020.

Moved: Cm. Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

II, 2005-O-021 Amending the City of Laredo Code of Ordinance Chapter 28, Article

Division 2, Permit – Streets, Sidewalk and Public Places, Excavations,

general conditions for specifications by specifically creating Section 28-

40, to establish and adopt the City of Laredo Utility Planning and Coordination Guide, thereby requiring that all construction projects that

will have an impact on the public right-of-way shall follow the Utility Coordination Process in accordance to the Utility Planning and Coordination Guide prior to securing a permit for construction,

providing

for publication and effective date.

Motion to adopt Ordinance # 2005-O-021.

Moved: Cm. Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

Streets, 2005-O-022 Amending the City of Laredo Code of Ordinances Chapter 28,

Sidewalks, and Public Places Article II, Excavations, Division 2,
Permit –

Section 28-31, Requirements; Exceptions of the Code of Ordinance of
the

City of Laredo; thereby requiring that all construction projects
impacting

the public right-of-way shall follow the Utility Coordination Process in
accordance to the Utility Planning and Coordination Guide prior to
securing a permit for construction, providing for publication and
effective
date.

Motion to adopt Ordinance # 2005-O-022.

Moved: Cm. Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

2005-O-023 Amending Chapter 19, Motor Vehicle and Traffic, Article XIV,
Residential Permit Parking Program, Section 19-624, (C) Penalty, of
the
Code of Ordinances, City of Laredo, to specify the towing of vehicles
for

violation of the Ordinance providing for publication and effective date.

Motion to adopt Ordinance # 2005-O-023.

Moved: Cm. Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

X. RESOLUTIONS

17. 2005-R-005 Declaring a public necessity to utilize the area under IH-35, between
Park

Street and Sanchez Street, as a parking staging area on January 29,
2005 for the Jamboozie Festival, February 17, 2005 for the annual
Youth Parade and on February 19, 2005 for the Washington's
Birthday Parade and authorizing the City Manager to enter into an
agreement with the Texas Department of Transportation for the use of
said property.

Motion to approve Resolution # 2005-R-005.

Moved: Cm. Galo
Second: Cm. Agredano
For: 8

Against: 0

Abstain: 0

18. 2005-R-006 Accepting the donation of two (2) utility easements from Marco Antonio

Landa for the extension of utility service lines to the San Carlos Subdivision, Phase II. These being:

1. A strip of land 15 (fifteen) feet in width, containing 2,771.50 square feet or 0.064 acres, more or less, and being situated in Porcion 31, Abstract 3116, as described by metes and bounds and survey attached as Exhibits A and B; and
2. A strip of land of 15 (fifteen) feet in width, containing 2,958.18 square feet of 0.068 acres, more or less, and being situated in Porcion 31, Abstract 3116, as described by metes and bounds and survey attached as Exhibits C and D.

Motion to approve Resolution # 2005-R-006.

Moved: Cm. Galo
Second: Cm. Agredano
For: 8

Against: 0

Abstain: 0

19. 2005-R-008 Supporting the development of a Class 2 Racetrack Facility that would

facilitate thoroughbred and quarter horse racing, pari-mutuel betting and simulcast race wagering as a means to further promote local tourism and spur economic development.

Motion to approve Resolution # 2005-R-008.

Moved: Cm. Galo
Second: Cm. Agredano
For: 8

Against: 0

Abstain: 0

XI. MOTIONS

20. Authorizing the City Manager to execute a contract with Texas A & M International

University, Texas Center for Border Economic and Enterprise Development, in the amount of \$24,943.80, to conduct a drive-by, windshield survey of a random sample of approximately 7,000 residential single family and mobile home units in Laredo. The survey will identify the condition of housing in Laredo. This contract shall commence on January 31, 2005 and shall terminate on April 15, 2005, unless otherwise specifically provided by the terms of this contract. Funding is available in the 27th Action Year Community Development Block Grant (CDBG), Survey Fees.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Garcia

For: 8

Against: 0

Abstain:

0

21. Consideration for approval to award a construction contract to the lowest bidder, Brothers Paving, Inc., Laredo, Texas for the Ejido Avenue Extension (Pita Mangana Boulevard- Chacota Street) in the amount of \$1,294,298.25. Funding is available in the Community Development Block Grant Fund: CD Project/Ejido Street Extension Project – 27th and 30th Action Year -2001 and 2004 Grants.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Garcia

For: 8

Against: 0

Abstain:

0

22. Consideration for approval of the selection of consultant Puig Engineering, LLC., Laredo, Texas, for the West Laredo Corridor Phase II – Las Cruces/Flecha Lane and authorization to negotiate a professional services contract.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Garcia

For: 8

Against: 0

Abstain:

0

23. Consideration for approval of the selection of consultant Arcadis, Laredo, Texas, for the West Laredo Corridor Phase II – Calton Road Railroad Grade Separation and authorization to negotiate a professional services contract.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Garcia

For: 8

Against: 0

Abstain:

0

24. Consideration for approval of the selection of consultant SplashSpot, LLC., Waco, Texas, for the Seven Flags Park Water Splash Project (Design Build) and authorization to negotiate a professional services contract.

Motion to approve.

Moved: Cm. Galo
Second: Cm. Garcia
For: 8
0

Against: 0

Abstain:

25. Consideration for approval of Change Order No. 1, a decrease of \$5,000.00, for a credit

of a contingency allowance that was not used; acceptance of the Chain Link Fencing Project for Babe Ruth Baseball Field at Father McNaboe Park and approval of final payment in the amount of \$55,942.00 to Laredo Fence Materials Maverick Fence Company, Laredo, Texas. Final contract amount is \$55,942.00. Funding is available in the Capital Improvement Fund – Father McNaboe Park Improvements.

Motion to approve.

Moved: Cm. Galo
Second: Cm. Garcia
For: 8
0

Against: 0

Abstain:

26. Consideration for approval of Change Order No. 1 a decrease of \$2,463.80 for items

constructed by the City of Laredo Parks and Recreation Department, acceptance of the Father McNaboe Irrigation Project and approval of final payment in the amount of \$7,535.20 to Quality Water Products Irrigation Division, San Antonio, Texas. Funding is available in the Capital Improvement Fund – Retainage.

Motion to approve.

Moved: Cm. Galo
Second: Cm. Garcia
For: 8
0

Against: 0

Abstain:

27. Ratification of the approval of Change Order No. 1 an increase of \$85,607.97 to the

construction contract with Leyendecker Construction, Laredo, Texas, for the City of Laredo Bridge of Americas Modification Project (El Portal) for water and sanitary sewer improvements not included in the original contract. Funding is available in the Bridge System Revenue Bond Series 2002 – Improvements Other Than Buildings.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Garcia

For: 8
0

Against: 0

Abstain:

28. Consideration to award contract FY05-032 for the following annual contracts for repair

parts and service for the heavy equipment fleet: Holt Co. of Texas, Laredo, Texas, in the estimated amount of \$200,000.00 and RDO Equipment Co., Laredo, Texas, in the estimated amount of \$20,000.00. All parts and services will be purchased on an as needed basis. Funding is available in the Fleet Maintenance Budget.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Garcia

For: 8
0

Against: 0

Abstain:

29. Consideration to amend motion approved by City Council on January 10, 2005 to reflect new rates negotiated by CSEC (Commission on State Emergency Communications) for Cingular Wireless and execute service agreements with Cingular Wireless in the estimated amount of \$30,000.00 and Verizon Wireless in the estimated amount of \$30,800.00 for providing Wireless Phase I services for the Four County Regional 9-1-1 System for a period of one year. These agreements may automatically renew for up to four (4) successive terms of one year each (subject to appropriations and availability of funds). The new contract represents a decrease (savings) of approximately 26%. Funding is available in the 9-1-1 Regional Fund. The City of Laredo is the 9-1-1 Regional Administrator for the Four County Region of Webb, Zapata, Starr, and Jim Hogg Counties.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Garcia

For: 8
0

Against: 0

Abstain:

30. Consideration to award Sections II and III of contract FY05-020 to the low bidder, Gray's Wholesale Tire, Fort Worth, Texas, in the estimated amount of \$33,314.00, for the purchase of tractor, heavy equipment, and landfill tires; and further consideration to reject all bids received for Section I of contract FY05-020 and to authorize the solicitation of new bids. All tires are purchased on an as needed basis. Funding is available in the Fleet Fund.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tempore Amaya

For: 8
0

Against: 0

Abstain:

31. Consideration to award contract number FY05-037 to low bidder, Infolab, Inc., Round

Rock, Texas, in the amount of \$39,591.00, for the purchase of nine, hemoglobin measurement systems and the necessary cuvettes used in the testing process. Funding is available in the Health's Department WIC Budget.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tempore Amaya

For: 8
0

Against: 0

Abstain:

32. Consideration to ratify and approve the action taken by the City Manager to submit a

grant proposal to the U.S. Agency for International Development (USAID) in the amount of \$99,781.00 for the "USAID Tuberculosis Elimination Project" of the City of Laredo Health Department.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tempore Amaya

For: 8
0

Against: 0

Abstain:

33. Consideration to ratify and approve the action taken by the City Manager to submit a

grant proposal to the Department of Health and Human Services in the amount of \$2,300,000.00 for an Obesity and the Built Environment NutriFit Laredo Program for the City of Laredo Health Department.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tempore Amaya

For: 8
0

Against: 0

Abstain:

34. Consideration to ratify and approve the action taken by the City Manager to submit a

grant proposal to the U.S. Environmental Protection Agency (EPA), Office of Children's Health Protection, in the amount of \$150,000.00 over a 24-month period for a "Health Provider Children's Environmental Health Skills Building

of Providers for Accessible Health Care Response and Management along the US-Mexico-Canadian Borders” by the City of Laredo Health Department.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tempore Amaya

For: 8
0

Against: 0

Abstain:

35. Consideration to ratify and approve the action taken by the City Manager to submit a

grant proposal to the Texas Department of State Health Services in the amount of \$15,000.00 for continuation of the “Epidemiology Childhood Lead Poisoning Prevention Program” of the City of Laredo Health Department for the period beginning July 1, 2005 through June 30, 2006.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tempore Amaya

For: 8
0

Against: 0

Abstain:

36. Consideration to authorize the purchase of a forty (40) foot steel frame octagonal pavilion shelter from Hunter-Knepshild of Texas, Inc., Dallas, Texas, through the Texas Local Government Purchasing Cooperative (Buy Board) contract pricing in the total amount of \$25,773.00. Utilizing the Buy Board contract pricing, this pavilion shelter will be installed by city crews at the Eastwoods Park. Funding is available in the Capital Improvement Project (CIP) Fund.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tempore Amaya

For: 8
0

Against: 0

Abstain:

37. Consideration to award contract number FY04-081, to the low bidder, Gall’s Inc., Lexington, KY, for the purchase of leather gear, raincoats, flashlights, and other accessories used by the Police Department. This contract will establish contract pricing for a six month period. These items will be purchased on an as-needed basis. Funding is available in the Police Department Budget.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tempore Amaya

For: 8
0

Against: 0

Abstain:

38. Consideration to award an exclusive contract to Cindy's Catering Service, Laredo,

Texas, for the food and beverage concessions at the Laredo Civic Center; and to authorize the City Manager to sign all contract documents. The term of this contract will be for one year with options to renew for two - one year periods. Revenues from this contract will be realized in the Civic Center Fund Concession Commission Account.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tempore Amaya

For: 8
0

Against: 0

Abstain:

39. Refund of property tax in the amount of \$18,747.14 to the following taxpayers and companies:

1. A refund in the amount of \$500.28 payable to First American Real Estate Tax

Service due to an overpayment. Account # 968-00009-111.

2. A refund in the amount of \$559.16 payable to Wells Fargo Home Mortgage due

to a double payment. Account # 968-10006-040.

3. A refund in the amount of \$773.83 payable to Wells Fargo Home Mortgage due

to a double payment. Account # 989-00007-120.

4. A refund in the amount of \$1,041.24 payable to Wells Fargo Home Mortgage

due to a double payment. Account # 991-00001-220.

5. A refund in the amount of \$727.39 payable to Wells Fargo Home Mortgage due

to a double payment. Account # 992-00009-090.

6. A refund in the amount of \$538.77 payable to Wells Fargo Home Mortgage due

to a double payment. Account # 984-10001-230.

7. A refund in the amount of \$628.40 payable to Wells Fargo Home Mortgage due

to a double payment. Account # 928-00005-040.

8. A refund in the amount of \$861.48 payable to Wells Fargo Home Mortgage due

to a double payment. Account # 970-60013-030.

9. A refund in the amount of \$1,098.36 payable to Wells Fargo Home Mortgage

due to a double payment. Account # 987-20003-130.

10. A refund in the amount of \$512.91 payable to Wells Fargo Home Mortgage due

- to a double payment. Account # 217-00834-160.
11. A refund in the amount of \$2,441.49 payable to Wells Fargo Home Mortgage due to a double payment. Account # 927-0008-447.
12. A refund in the amount of \$756.83 payable to Wells Fargo Home Mortgage due to a double payment. Account # 969-30008-300.
13. A refund in the amount of \$653.26 payable to Wells Fargo Home Mortgage due to a double payment. Account # 985-83003-040.
14. A refund in the amount of \$635.92 payable to Wells Fargo Home Mortgage due to a double payment. Account # 965-30001-001.
15. A refund in the amount of \$837.53 payable to Wells Fargo Home Mortgage due to a double payment. Account # 989-00009-110.
16. A refund in the amount of \$547.12 payable to Wells Fargo Home Mortgage due to a double payment. Account # 938-20006-330.
17. A refund in the amount of \$547.95 payable to Wells Fargo Home Mortgage due to a double payment. Account # 937-00020-426.
18. A refund in the amount of \$541.26 payable to Wells Fargo Home Mortgage due to a double payment. Account # 989-30002-601.
19. A refund in the amount of \$587.25 payable to Wells Fargo Home Mortgage due to a double payment. Account # 968-20010-070.
20. A refund in the amount of \$528.46 payable to Wells Fargo Home Mortgage due to a double payment. Account # 968-81001-015.
21. A refund in the amount of \$725.42 payable to International Bank of Commerce due to a double payment. Account # 909-00018-280.
22. A refund in the amount of \$917.13 payable to James and Evangelina Leal due to an overpayment. Account # 991-00008-050.
23. A refund in the amount of \$558.97 payable to Jose Luis Chapa and Mayra G. Chapa due to a double payment. Account # 968-60001-090.
24. A refund in the amount of \$1,226.73 payable to Franklin Bank due to a double payment. Account # 973-60017-200.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tempore Amaya

For: 8
0

Against: 0

Abstain:

40. Approving monthly adjustments to the tax roll. The amount to be adjusted for the month of December 2004 represents a decrease of \$19,409.08. These adjustments are determined by Webb County Appraisal District and by court orders.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tempore Amaya

For: 8
0

Against: 0

Abstain:

41. Approving Change Order No. 3 to the construction contract with Lambda Construction

I, Ltd., for an additional 60 days with no cost increase to the Construction of State Highway 359 Planning Area - Work Order No. 5. This change order is required to extend the time for the installation of permanent power supply to the booster station. The contract amount is \$611,925.75, and the total number of days is 300 days. Funding is available in the Colonias Project Fund.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tempore Amaya

For: 8
0

Against: 0

Abstain:

42. Authorizing the funding of one additional year to the contract with Southwest Texas

Rain Enhancement Association in the amount of \$77,397.53 to cover the cost of the 2005 program. The program will run through December 2005, and will provide coverage of the entire surface of Webb County. The City will guarantee the full payment of the program and will collect donations and other commitments from County residents to defray the cost. Funds for this project are available in the Water Availability Fund.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tempore Amaya

For: 8
0

Against: 0

Abstain:

XII. STAFF REPORTS

43. A. Discussion with possible action to consider Police Officer Jose L. Ramos' fourth

request for an extension of injury leave with pay in accordance with 143.073 (b) of the Texas Local Government Code.

Dan Migura, Administrative Services Director, stated that he would like City Council to review the request by this employee. He mentioned that the last action taken by City Council with respect to Mr. Ramos's leave request was at the November 15, 2004, meeting. At that time his injury leave with pay was extended for 30 days which expired December 30, 2004. Mr. Migura reported that Mr. Ramos is presently using his accrued leave. He added that the last report received by his physician on January 12, 2005, states that he will not be able to return to work as a police officer.

Mr. Ramos read a letter to the City Council:

"I am a 30-year veteran of the Laredo Police Department. I came to Council on November 15, 2004 to request an extension of 80 days of injury leave with pay to undergo a surgical procedure on my right arm. The surgery went well although I am still receiving light therapy. On that day, City Council granted an extension of 30 days of injury leave with pay with the option of coming before Council again to request additional time at future meetings. The 30 days that were granted began on November 15, 2004, following the City Council meeting. Up to this date, 21 working days have been taken off my accumulated sick leave and annual leave for a total of 60 working days. I am still receiving workers compensation checks which I have turned over to the City and in return I get paid through my accumulated sick leave and annual leave. On January 17, 2005, I consulted with Dr. Xavier Cantu and stated to him that light therapy was helping some and should continue. He recommended four more weeks of therapy up until February 14, 2005, and this would bring me to a total of 75 working days accumulated by that date. I hope that by that time, my maximum medical impairment will be determined and after that has been accomplished I will proceed with the retirement process with the City of Laredo."

Larry Dovalina, City Manager, stated that the City empathizes with the employee and understands that he was injured on the job. He mentioned that he is probably at the maximum of the pension plan that the City offers with the 30 years of service. He stated that the employee could collect Social Security benefits if he would explore the issue of retirement instead of doing a continual extension of injury pay.

Cm. Galo inquired whether City Council could allow him to use his 29 days of accrued sick leave, at his own risk, and if returns to the job, could the City reinstate the employee's sick leave.

Larry Dovalina, City Manager, stated that the physician's letter clearly states that the employee is not ever going to recover from his injury. He added that the City is not recommending an injury extension. He explained that the

reasoning behind requesting an extension from any employee is just not there. The City is not preventing the employee from using the 29 days of accrued sick leave.

Motion to allow for the 75 days that have been used to be restored so that the employee can retire.

Moved: Cm. Galo

Second: Mayor Pro Tem Amaya

For: 8

Against: 0

Abstain: 0

B. Status report on the Colonias Project.

Keith Kendall, Project Manager, reported that they have 9 contracts of the Water Development Board. Five of those have been completed, the sixth one is under construction and the last three are pending easements and rights-of-way acquisition. He mentioned that there are two contracts with NADBank and each of those are also pending easements and rights-of-way acquisition. The highlights for this upcoming month will be starting the water transmission line along Mines Road and booster station in early February. Secondly, they were activating the 28,000 ft. of 16-inch water line along 359 again for the ground storage tank and booster station as well as the elevated storage tank. Part of that also will be that Webb County will be moving their distribution point to the new self-help center along 359 and the City is adding another distribution point along Pueblo Nuevo. He noted that this is critical to starting the 16-inch line because they want that water to be used and once they put it into service and put the elevated storage tank, the booster pump and the ground storage tank into service. He added that they held a status meeting today and he will have an update for the City Council from that meeting as soon as possible.

Pablo Martinez, Utilities Department, stated that services have been paid as part of the grant. The service agreements that individuals fill out when they apply for the water connection do require a deposit for the usage. He mentioned that all this information has already been provided to the property owners. He added that they also held several public meetings where they presented this information to them and mentioned the likely average rate that they will be paying each month.

Cm. Garcia would like to set up a station to hand out information to these individuals and have staff on hand to explain what they are required to do.

Larry Dovalina, City Manager, stated that as they get closer to the dates, they will be setting up something along those lines. He mentioned that he will be meeting with Comm. Gutierrez tomorrow to discuss the status of the project.

XIII. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

44. A. Request by Council Member Hector J. Garcia

1. Discussion with possible action regarding the placement of a crossing light on the corner of Mier St. and Arkansas Ave.

Roberto Murillo, Traffic Director, stated that they will initiate a traffic study and conduct a two-day count for that area. He mentioned that there has been a change in the traffic pattern since Lamar Middle School vehicles now exit onto that road. He added that he will be evaluating that situation and bring back a recommendation to City Council in mid February.

2. Status report on the drainage in the Eastwoods Subdivision.

Rogelio Rivera, City Engineer, stated that elevations were taken along the streets surrounding those particular city blocks of Ejido Avenue and Kearney Street. He mentioned that is a flooding problem at the intersection of Kearney Street and Ejido Avenue. The street area is uneven and is full of weeds and debris. He stated that the Public Works crew is going to clear up the area of debris and trash. The drainage channel will also be cleared and widened to allow for free flow of rainwater to the storm water inlet.

B. Request by Council Member Gene Belmares

1. Discussion with possible action regarding the re-stripping of McPherson Avenue north of Shiloh.

Cm. Belmares stated that he has met with the City Manager regarding this issue and they have agreed that staff will take care of this request.

2. Discussion with possible action on initiating speed hump studies for Laurel Dr., Weatherwood Rd., Topaz Trail, and Country Club Dr. from Del Mar Blvd. to Kimberly Lane.

Cm. Belmares stated that city staff will be initiating a traffic calming study for Country Club Drive and he would like to be the contact person for those speed hump studies.

Larry Dovalina, City Manager, stated that there is a particular process that needs to take place for these requests to occur. He explained that when that process is not possible, the Council Member then has the authority to ask that it be done for safety reasons. He stated that the only condition there is when the traffic study is done, then the monies used for the speed humps need to come from the Council Member's discretionary funds.

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

1. Discussion on the laws governing mopeds, mini motor bikes,, ATV's, etc..., and the requirements for the use of protective head and body gear by riders, especially minors, with possible action.

Police Chief Dovalina reported that there are definite concerns regarding the use of these vehicles on public highways. He mentioned that there is nothing on the Texas Penal Code that prohibits the use of these vehicles on our public roadways. A motor assisted scooter is a self-propelled device with at least two wheels in contact with the ground during operation that has a braking system that is capable of stopping a device under typical operating conditions. It can be a gas or electric motor and a deck design to allow a person to sit or stand while operating the vehicle. The motor scooter may be operated only on a street or highway for which the speed limit is 35 mph or less. The vehicle may cross the road or street at an intersection where the posted speed limit of more than 35 mph. A person may operate a motor scooter on a path set aside for the exclusive use of bicycles or on a sidewalk. Except as otherwise provided in this section, a provision of this title applicable to the operation of a bicycle applies to the application of a motor scooter. A county or municipality may prohibit the operation of a motor scooter on any street or highway if the governing body of the county or municipality determines that the prohibition is necessary in the interest of safety.

Sgt. Michael Raines stated that as far as Texas law is concerned, the motor scooter is treated as a moped and, therefore, is not required to pass any type of state inspection. He explained that ATVs need to be differentiated from motor scooters. The ATVs are three and four-wheeled vehicles and they are not designed to be on any public street or roadway. The motor scooters are treated as motorcycles according to traffic laws. He mentioned that there are some cities that have adopted ordinances restricting their use, such as Katy, Texas. Their requirements are the same as what other cities have done such as restricting the age for operation and the prohibition against operating the moped at night time.

Cm. Valdez, Jr. stated that the City Council should consider bringing this back to establish restrictions for these vehicles. He recommended that city staff provide an update for the next City Council meeting. He also wants to look into ATVs because he has seen a lot of them on our public streets. He also requested that city staff look into areas within the proposed city parks for the recreational use of dirt bikes or ATVs.

2. Discussion with possible action regarding concern for the safety of unsupervised children in public places.

Cm. Valdez, Jr. stated that this has to do with young children playing in different neighborhoods without any adult supervision. He would like to know whether there is something that can be done to reprimand the parents.

Mayor Flores suggested that the Public Access Channel could run some public service announcements to remind parents that young children need to be supervised and point out the dangers of letting children play unsupervised.

D. Request by Council Member Juan Ramirez

1. Discussion with possible action on opening the landfill on the 2nd Sunday of February.

Ernesto Elizondo, Jr., Solid Waste Department, stated that in response to this request, it would cost approximately \$4,500.00 to open an extra day. On the average, the City would have 254 customers show up. Since residents can go in for free on Sundays, there will be very little revenue to recover these costs. He is recommending that the landfill be open on January 30, 2005, so that more customers can take advantage of the opportunity.

Motion to open the city landfill on January 30, 2005.

Moved: Cm. Ramirez

Second: Cm. J. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

2. Discussion with possible action regarding the installation of posts to prevent vehicle access to Zacate Creek where the creek intersects at Clark Blvd, O'Kane St. and Monterrey Ave.

Cm. Ramirez stated that people are using the edge of Zacate Creek to access Clark Boulevard.

Larry Dovalina, City Manager, reported that city staff has gone back to look at these areas. He explained that the City had purchased some of these properties, and because the City has not yet fenced the properties, some of the owners have gradually extended their fence lines. He mentioned that the City will address some of these problems and proceed to secure as many areas as possible. He added that they need to re-stake some of the property and add some type of fencing along the property.

3. Discussion with possible action regarding blockage at Sanchez St. by the Pacific Railroad.

Union

Cm. Ramirez stated that he has been bringing this item to City Council for some time now and Union Pacific still continues to block that intersection by Sanchez Street. He mentioned that at times there are two trains that are waiting to be taken across which blocks the street. He would like to have staff meet with the representatives of Union Pacific and see how this situation could be resolved.

Keith Selman, City Planner, stated that they will try to set up a meeting with the Union Pacific representatives.

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.

45. Request for Executive Session pursuant to Section 551.071(1)(A) of the Government

Code to consult with the City Attorney regarding the pending case of Martin Villarreal, et al. v City of Laredo, et.al., Cause No. L-03-11, in the U.S. District Court, Southern District of Texas, Laredo Division [Case pertaining to the Los Obispos Affordable Housing Project]; and return to open session for possible action thereon.

Motion to go into Executive Session pursuant to Section 551.071(1)(A) of the Government Code to consult with the City Attorney regarding the pending case of Martin Villarreal, et al. v City of Laredo, et.al., Cause No. L-03-11, in the U.S. District Court, Southern District of Texas, Laredo Division [Case pertaining to the Los Obispos Affordable Housing Project]; and return to open session for possible action thereon.

Moved: Cm. Valdez

Second: Cm. Garcia

For: 8

Against: 0

Abstain:

0

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

46. Request for Executive Session pursuant to Texas Government Code Section 551.071(1)(A) to consult with City Attorney regarding the pending case of Webb County V. Gregg Abbott, Attorney General, City of Laredo, et al. in the 261st District Court of Travis County, Texas, and return to open session for possible action thereon.

Motion to go into Executive Session pursuant to Texas Government Code Section 551.071(1)(A) to consult with City Attorney regarding the pending case of Webb County V. Gregg Abbott, Attorney General, City of Laredo, et al. in the 261st District Court of Travis County, Texas, and return to open session for possible action thereon.

Moved: Cm. Valdez

Second: Cm. Garcia

For: 8

Against: 0

Abstain:

0

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

XV. RECESS AS THE LAREDO CITY COUNCIL AND CONVENE AS THE LAREDO MUNICIPAL HOUSING CORPORATION

Motion to recess as the Laredo City Council and convene as the Laredo Municipal Housing Corporation.

Moved: Cm. Ramirez

Second: Cm. Valdez

For: 8

Against: 0

Abstain:

0

47. Request for Executive Session pursuant to Section 551.071(1)(A) & (B) of the Government Code to consult with the City Attorney regarding possible settlement of Laredo Municipal Housing Corporation v. Darla M. Yaskiewicz in County Court at Law No. 1, Cause No. 2003CVD000082L1, and return to open session for possible action.

Motion to go into Executive Session pursuant to Section 551.071(1)(A) & (B) of the

Government Code to consult with the City Attorney regarding possible settlement of Laredo Municipal Housing Corporation v. Darla M. Yaskiewicz in County Court at Law No. 1, Cause No. 2003CVD000082L1, and return to open session for possible action.

Moved: Cm. Valdez

Second: Cm. Ramirez

For: 8

Against: 0

Abstain:

0

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

Motion to authorize the City Attorney to settle the case of Laredo Municipal Housing Corporation v. Darla Yaskiewicz on the basis of the proposed agreement made between the parties on January 11, 2005.

Moved: Cm. Rendon

Second: Cm. Agredano

For: 8

Against: 0

Abstain:

0

XVI. ADJOURN AS THE LAREDO MUNICIPAL HOUSING CORPORATION AND RECONVENE AS THE LAREDO CITY COUNCIL.

Motion to adjourn as the Laredo Municipal Housing Corporation and reconvene as the Laredo City Council

Moved: Cm. Galo

Second: Mayor Pro Tempore Amaya

For: 8

Against: 0

Abstain:

0

XVII. ADJOURNMENT

SUPPLEMENTAL AGENDA

I. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

1. A. Request by Council Member John C. Galo

1. Presentation to City Council by Severn Trent Services regarding the services provided by their company as communicated to the Water Issues Committee on January 12, 2005, with possible action. (Co-sponsored by Cm. Gene Belmares)

Cm. Rendon inquired whether the City is involved in some type of litigation with the other company.

Jaime Flores, City Attorney, stated that there is a letter informing the City of possible litigation, but there is no lawsuit filed as yet.

Motion to postpone the presentation indefinitely.

Moved: Cm. J. Valdez, Jr.

Second: Cm. Garcia

For: 6

Against: 2

Abstain:

0

Cm. Galo

Cm. Belmares

II. 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.

III. ADJOURNMENT

Time: 8:38 p.m.

Moved: Cm. Galo

Second: Cm. Agredano

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 28 and they are true, complete, and correct proceedings of the City Council meeting held on January 24, 2005.

Gustavo Guevara, Jr.
City Secretary