

**CITY OF LAREDO  
CITY COUNCIL MEETING  
M2005-R-03  
CITY COUNCIL CHAMBERS  
1110 HOUSTON STREET  
LAREDO, TEXAS 78040  
February 7, 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 Flores led in the Pledge of Allegiance.

**III. ROLL CALL**

In attendance:

Elizabeth G. Flores,  
Alfredo Agredano,  
John C. Galo,  
Johnny Amaya,

Mayor  
Council Member, District I  
Council Member, District III  
Mayor Pro Tem, District

**IV**

Johnny Rendon,  
Gene Belmares,  
Jose A. Valdez, Jr.,  
Juan Ramirez,  
Gustavo Guevara, Jr.,  
Larry Dovalina,  
Valeria Acevedo,

Council Member, District V  
Council Member, District VI  
Council Member, District VII  
Council Member, District VIII  
City Secretary  
City Manager  
Assistant City Attorney

Motion to excuse Cm. Garcia.

Moved: Mayor Pro Tem Amaya

Second: Cm. Ramirez

For: 6

Against: 0

Abstain:

0

Cm. Agredano was not present.

Mayor Flores asked for a moment of silence for the mother of Council Member Garcia who passed away on February 7, 2005.

**IV. MINUTES**

Approval of the minutes of December 6, 2004.

Motion to approve.

Moved: Cm. J. Valdez, Jr.

Second: Mayor Pro Tem Amaya

For: 6

Against: 0

Abstain:

0

## V. COMMUNICATIONS AND RECOGNITIONS

Cm. Agredano joined the meeting at 5:51 p.m.

### Announcements

a. Presentation by Linda Payle, Parent Involvement Coordinator for the Webb County Head Start Program.

Motion to postpone the presentation.

Moved: Cm. Galo

Second: Cm. Valdez

For: 6

Against: 0

Abstain:

0

### Invitations

None.

### Recognitions

a. Recognition of the Financial Services Department for its distinguished achievement of excellence in Financial Reporting from the Government Finance Officers Association (GFOA) for the sixteenth consecutive year. This award is the highest form of recognition for state and local governments.

Mayor, City Council, and the City Manager publicly recognized the Finance Department for this award.

b. Recognizing the Laredo Heat and Laredo Blaze Basketball Teams who garnered 1st and 5th place, respectively in the 10 and 13 year old age group competitions, at the Disney Wide World of Sports, USSSA 3 on 3 World Champion held January-14-16, 2005 in Orlando Florida.

Coach Joe Barron praised the children for their hard work, commitment, and dedication that allowed them to garner 1<sup>st</sup> and 5<sup>th</sup> place at the Disney Wide World of Sports. He also commended the parents for being so committed and for raising the monies for travel.

Mayor Flores and City Council recognized the following individuals:

Ryan Morganson  
Albert Hernandez  
Frank Sanchez  
Alex Barron  
Sergio Vela  
Gino Contreras  
Alex Hernandez  
Andy Reyes  
Chelsea Morganson

### **Communiqués**

Cm. Galo gave his condolences to the Garcia family and other families that have recently lost loved ones. He mentioned attending a Society of Martha Washington, Princess Pocahontas, and Abrozos Children ceremony at the State Capital. He said that Laredoans were received with warmth from Governor Rick Perry, Lieutenant Governor Dewhurst, Senator Judith Zaffarini, and Representative Richard Raymond. He acknowledged the assistance from Senator Zaffarini who continuously gives the City good exposure and keeps the Capital abreast of border issues.

Mayor Pro Tempore Amaya thanked Rogelio Rivera, City Engineer, and John Orfila, Public Works Manager, for doing a great job repaving Lyon Street in District IV.

Cm. Rendon said he would also like to send his condolences to the Garcia Family. He stated that he has attended several George Washington Celebration events and they were all very nice noting that the yearly celebration is off to a good start.

Cm. Belmares also expressed his sentiments for the Garcia family. He said that Council Member Garcia has been a true friend to him for years and he knows that Cm. Garcia and his mother had a very special relationship and she will be greatly missed. He congratulated our State Representative and our State Senator for their committee appointments. He stated that the Senator continues to chair different committees which allow her to be a moving force in Austin for the City of Laredo. He also congratulated the Washington Birthday Celebration Association and the Boys & Girls Club for raising over \$210,000 for the Boys & Girls Club at a wine tasting event.

Cm. Valdez expressed his sorrow for the Garcia family noting that his thoughts and prayers go to the family for their recent loss. He mentioned that the Public Works Department has been doing an outstanding job on the resurfacing of San Lorenzo. He said that the Public Works Department has also gone above and beyond their duties by repairing flood damage along Bristol Road.

Cm. Ramirez applauded the City Secretary, Gustavo Guevara, Jr. and Nick Reyna, Convention & Visitor's Bureau Director, for doing a great job coordinating the Sister Cities International Festival.

Mayor Flores said the Third Annual Sister Cities International Festival was one of the best festivals yet. She said that the response from the exhibitors was so overwhelming that the City had to place a tent outside to accommodate their needs. She went on to mention the awards night for the Sister Cities event where she was given very nice momentums including a gift from the Mayor of Montemorelos who gave her a historic photo of "Reunion Interacional por la paz efectuada en Laredo" which was a gift given to Don Arnulfo Berlonga in November 1929. She expressed how thoughtful it was for the Mayor to take the time to offer a gift that included part of Laredo's history. She added that the vendors and exhibitors expressed their happiness with the event and look forward to participating next year. She went on to say that she had attended a conference for Health Occupation for Students of America where 1,600 children from all over South Texas participated. She said that Dr. Dagoberto Gonzalez, originally from Laredo, came back to open his practice after serving years in the military.

Cm. Agredano expressed his sincere condolences to Cm. Garcia and his family. He also thanked John Orfilia, Public Works Manager, and his department for patching a hole in the South Gate Subdivision.

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

Mayor Flores gave the following report:

#### **Financial Services Department**

- The Finance Department focuses on providing the best customer service possible to the City of Laredo and its vendors. With its major services are in the areas of Purchasing, Accounting, Payroll, Accounting, Accounts Payable, Investments and Revenue Collections.
- The Purchasing Division supports all City Departments by procuring needed materials, supplies and services. Over 13,500 purchase orders were issued last fiscal year representing annual expenditures exceeding \$30 million.
- The Purchasing Division prepares approximately 130 formal bid solicitations on an annual basis.
- Accounting Division is responsible for preparing and reporting the financial condition of the City and its 26 City Departments with an annual consolidated budget of over \$320 million.
- Where over 194 Federal and State Grants with over \$148 million of award funding is accounted and reported annually.
- Where over 10 thousand vendors are active with the City of Laredo and where \$183.7 million is paid out on an annual basis.
- Where over 2,100 employee payroll checks are processed bi-weekly with annual gross wages of over \$107 million

- Where as of September 30, 2004, \$178 million was invested in cash or cash equivalent and federal agency securities. Cash is monitored on a daily basis and funds are managed, invested and safeguarded for the benefit of the City and its citizens.
- Total revenue collected for the City was approximately \$315 million which is monitored and reconciled by the Accounting staff. This amount includes revenue collections of \$638,576 that was delinquent and the department helped in its collection efforts.
- The accounting division is responsible in monitoring the Debt Service for the City of Laredo. During the fiscal year \$13.535 million in new bond proceeds from a Certificate of Obligations Bonds were received. The proceeds will benefit the City in the following areas of Solid Waste, Transit and Parking Meters with additional improvements. A Waterworks Revenue Refunding Bond issue was also sold in the amount \$6.215. Revenue bonds in the amount of \$13.415 million were sold for the Bridge, Water and Sewer Improvements.
- The debt service associated with the long term debt is monitor and managed by the accounting staff to make sure that payments are made on a timely basis. The total debt service payment was \$38.1 millions and the outstanding General Long Term Debt was \$205.7 millions.
- There were 1,089 financial reports prepared to the City Council, Management, Department Heads and the General Public including over 50 Open Record Requests.
- Where the department has been awarded for the 16th Consecutive Year the Certificate of Achievement for the Excellence in Financial Reporting by the Government Finance Officers' Association (GFOA). The certificate is the highest form of recognition that can be received for governmental accounting and financial reporting.

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

a. Appointments by Mayor Elizabeth G. Flores of Rene Ornes to the Building Standards Board.

Motion to appoint Rene Ornes to the Building Standards Board.

Moved: Cm. Agredano  
 Second: Cm. J. Valdez, Jr.  
 For: 7

Against: 0

Abstain:

0

b. Appointment by Mayor Elizabeth G. Flores of Council Member Johnny Rendon to the Audit / Finance Committee.

Motion to appoint.

Moved: Cm. Agredano  
Second: Cm. J. Valdez, Jr.  
For: 7

Against: 0

Abstain:

0

c. Appointment by Mayor Pro Tempore Johnny Amaya of John Charles to the  
the  
Transportation and Traffic Safety Committee.

Motion to appoint.

Moved: Cm. Agredano  
Second: Mayor Pro Tem Amaya  
For: 7

Against: 0

Abstain:

0

d. Appointment by Mayor Pro Tempore Johnny Amaya of Oscar Mendoza to the  
Citizens  
Environmental Advisory Committee.

Motion to appoint.

Moved: Cm. J. Valdez, Jr.  
Second: Cm. Agredano  
For: 7

Against: 0

Abstain:

0

## VII. PUBLIC HEARINGS

1. Public hearing and introductory ordinance amending the FY 2004-2005  
Annual

Operating Budget in the Laredo Fire Department Prevention and Arson Fund  
Budget by accepting a donation of \$750.00 from Wal-Mart Stores and appropriating  
said funds for the purpose of purchasing Fire Safety Educational and Promotional  
Materials for the Fire Prevention Division.

Motion to open the public hearing.

Moved: Cm. Belmares  
Second: Cm. J. Valdez, Jr.  
For: 7

Against: 0

Abstain:

0

There was no public input.

Motion to close the public hearing and introduce.

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

Against: 0

Abstain:

0

Ordinance Introduction: City Council

2. Public hearing and introductory ordinance amending the City of Laredo FY 2004-2005 Annual Budget by increasing revenues and expenditures in the amount of \$6,251.00 in additional funds, totaling \$338,841.00 from the South Texas Development Council for the HIV/AIDS Ryan White Title II Services Program of the City of Laredo Health Department for the period of April 1, 2004 through March 31, 2005.

Motion to open the public hearing.

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

Against: 0

Abstain:

0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Agredano  
Second: Cm. J. Valdez, Jr.  
For: 7

Against: 0

Abstain:

0

Ordinance Introduction: City Council

### VIII. INTRODUCTORY ORDINANCES

3. Authorizing the City Manager to execute an amendment to the lease agreement for approximately 16,291.44 square feet of land located at 1719 E. Hillside Street at the Laredo International Airport between the City of Laredo, as Lessor, and Miguel A. Rojas, as Lessee. Original lease agreement was approved by Ordinance No. 95-O-177 dated August 7, 1995, and was amended by Ordinance No. 98-O-284 dated November 2, 1998. Proposed amendment will modify Section 6.04 titled "Lessee's Right to Encumber" in order to allow Lessee to encumber the lease until August 2015. All other terms and conditions remain the same and in effect; providing for an effective date.

Motion to postpone.

Moved: Cm. Valdez  
Second: Cm. Agredano

For: 7

Against: 0

Abstain:

0

## IX. FINAL READING OF ORDINANCES

Motion to waive the final reading of Ordinances # 2005-O-024; # 2005-O-025; # 2005-O-026; # 2005-O-027; # 2005-O-028; # 2005-O-029; # 2005-O-030; # 2005-O-031; # 2005-O-032; # 2005-O-033; # 2005-O-034; # 2005-O-035; # 2005-O-036; and # 2005-O-037.

Moved: Cm. Galo

Second: Cm. Agredano

For: 7

Against: 0

Abstain:

0

4. 2005-O-024 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.

Motion to adopt Ordinance # 2005-O-024.

Moved: Cm. Galo

Second: Cm. Agredano

For: 7

Against: 0

Abstain: 0

- 2005-O-025 Amending the Street Name Map of the City of Laredo by renaming Farm to

Market 255 to State Highway 255; providing for publication and effective date.

Motion to adopt Ordinance # 2005-O-025.

Moved: Cm. Galo

Second: Cm. Agredano

For: 7

Against: 0

Abstain: 0

- 2005-O-026 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning

2.42 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. (As Amended)

Motion to adopt Ordinance # 2005-O-026.



Moved: Cm. Galo  
Second: Cm. Agredano  
For: 7

Against: 0

Abstain: 0

2005-O-027 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning

Exhibit

2.95 acres, as further described by metes and bounds in attached

“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.

Motion to adopt Ordinance # 2005-O-027.

Moved: Cm. Galo  
Second: Cm. Agredano  
For: 7

Against: 0

Abstain: 0

2005-O-028 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.

Motion to adopt Ordinance # 2005-O-028.

Moved: Cm. Galo  
Second: Cm. Agredano  
For: 7

Against: 0

Abstain: 0

2005-O-029 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.

Motion to adopt Ordinance # 2005-O-029.

Moved: Cm. Galo  
Second: Cm. Agredano  
For: 7

Against: 0

Abstain: 0

2005-O-030 Amending Chapter 24, Article 1, Section 24.1.2.1 of the Code of Ordinances

& Land Development Code: Historic District / Landmark Board created, composition, appointment, and terms of office of members; providing for publication and effective date. (As Amended)

Motion to adopt Ordinance # 2005-O-030.

Moved: Cm. Galo

Second: Cm. Agredano

For: 7

Against: 0

Abstain:

0

2005-O-031 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 “El Portal Project “.

Motion to adopt Ordinance # 2005-O-031.

Moved: Cm. Galo

Second: Cm. Agredano

For: 7

Against: 0

Abstain:

0

2005-O-032 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.

Motion to adopt Ordinance # 2005-O-032.

Moved: Cm. Galo

Second: Cm. Agredano

For: 7

Against: 0

Abstain:

0

2005-O-033 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.

Motion to adopt Ordinance # 2005-O-033.

Moved: Cm. Galo

Second: Cm. Agredano

For: 7

Against: 0

Abstain:

0

2005-O-034 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.

Motion to adopt Ordinance # 2005-O-034.

Moved: Cm. Galo

Second: Cm. Agredano

For: 7

Against: 0

Abstain: 0

2005-O-035 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.

Motion to adopt Ordinance # 2005-O-035.

Moved: Cm. Galo

Second: Cm. Agredano

For: 7

Against: 0

Abstain: 0

2005-O-036 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.

Motion to adopt Ordinance # 2005-O-036.

Moved: Cm. Galo

Second: Cm. Agredano

For: 7

Against: 0

Abstain: 0

2005-O-037 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.

Motion to adopt Ordinance # 2005-O-037.

Moved: Cm. Galo

Second: Cm. Agredano

For: 7  
0

Against: 0

Abstain:

## X. RESOLUTIONS

5. 2005-R-007 Authorizing the City Manager to enter into and execute an Interlocal Governmental Agreement pursuant to the Vernon's Texas Government Code, Chapter 71, between the City of Laredo and the County of Webb, in which Webb County's law enforcement agency, namely Webb County Sheriff's Department and the City's law enforcement agency, namely the Laredo Police Department, require the formation of a Mutual Aid Law Enforcement Task Force to mutually assist each other in the areas of traffic control, crowd control, and general law enforcement both within and beyond the city limits during the various Washington's Birthday Celebration festivities scheduled for February 8, 2005 to February 20, 2005.

Motion to approve Resolution # 2005-R-007.

Moved: Cm. Galo

Second: Cm. J. Valdez, Jr.

For: 7

Against: 0

Abstain: 0

6. 2005-R-009 Accepting the donation of one utility easement from Alfredo Alvaro Liendo Jr. and Margarita Liendo for the Pueblo Nuevo Subdivision Easement Acquisition Project, this being a 0.0518 acre, more or less, parcel of land which is out of Lot 8, Block 10, Pueblo Nuevo Subdivision, City of Laredo, Webb County, Texas; as described by metes and bounds and survey attached as Exhibits A and B.

Motion to approve Resolution # 2005-R-009.

Moved: Cm. Galo

Second: Cm. J. Valdez, Jr.

For: 7

Against: 0

Abstain: 0

7. 2005-R-010 Accepting the donation of one utility easement from Jose Luis Garcia and Leticia Garcia for the Pueblo Nuevo Subdivision Easement Acquisition Project, this being a 0.2051 acre, more or less, parcel of land which is out of Lot 7, Block 11, Pueblo Nuevo Subdivision, City of Laredo, Webb County, Texas; as described by metes and bounds and survey attached as Exhibits A and B.

Motion to approve Resolution # 2005-R-010.

Moved: Cm. Galo

Second: Cm. J. Valdez, Jr.

For: 7

Against: 0

Abstain: 0

8. 2005-R-011 Authorizing the City Manager to submit a grant application to the Office of

the Governor, Criminal Justice Division in the amount of \$80,000.00 with the City designating \$76,493.00 in matching funds for a total of \$156,493.00 for funding a Domestic Violence Grant under the Violence Against Women Act (VAWA) for the period of September 1, 2005 through August 31, 2006.

Motion to approve Resolution # 2005-R-011.

Moved: Cm. Galo

Second: Cm. J. Valdez, Jr.

For: 7

Against: 0

Abstain: 0

9. 2005-R-012 A resolution by the City of Laredo, Texas, endorsing certain legislative

changes to S.B.7 supported by South Texas Aggregation Project, Inc., in order to ensure that the Texas Retail Electric Market is a truly competitive market with low prices throughout Texas while eliminating cost shifting.

Motion to approve Resolution # 2005-R-012.

Moved: Cm. Galo

Second: Cm. J. Valdez, Jr.

For: 7

Against: 0

Abstain: 0

10. 2005-R-016 Declaring the public necessity to acquire the "Surface Only" of twenty-

three (23) parcels of land for the River Vega Land Acquisition Project. Said twenty-three (23) parcels being Blocks 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 220, 450, & 455 and parts of Blocks 135, 151, 152, 153, 218, 219, 221, & 451, Eastern Division, City of Laredo, Webb County, Texas, as delineated on attached copy of City Plat; and authorizing staff to negotiate with the owners for the acquisition of said parcels by purchase at market values to be established by a State Certified Real Estate Appraiser, and further authorizing the City Attorney to initiate condemnation proceedings to acquire said parcels if staff is unable to acquire due to inability to agree to a purchase price, conflict of ownership, owner refusal to sell, and/or inability to locate a listed owner.

Motion to approve Resolution # 2005-R-016.

Moved: Cm. Galo

Second: Cm. J. Valdez, Jr.

For: 7

Against: 0

Abstain: 0

**XI. MOTIONS**

11. Authorizing the City Manager to grant a public fireworks display permit to Melrose Pyrotechnics, Incorporated for the Washington’s Birthday Celebration event to be held at the Laredo Life Down’s on February 20, 2005.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Agredano

For: 7

Against: 0

Abstain:

0

12. Consideration for approval of acceptance of the Farias Street and Lafayette Street Spray

Parks and approval of final payment in the amount of \$24,716.00 to TNT Construction Company, Inc., Waco, Texas. Final contract amount is \$399,300.00. Funding is available in the Community Development Fund - CD Projects – Farias Splash Playground / Lafayette Splash Playground – 28th Action Year / 2002 Grant.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Agredano

For: 7

Against: 0

Abstain:

0

13. Consideration for approval to award an engineering contract to Freese and Nichols,

Inc., Fort Worth, Texas, for an amount not to exceed \$292,026.00 for design and preparation of plans and specifications for the Laredo International Airport Engineered Material Arresting System (EMAS) on Runway 35L. Funding is available in the Airport Construction Fund – FAA Grant No. 41 – Purchased Professional Services / Project Engineer Fees.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Agredano

For: 7

Against: 0

Abstain:

0

14. Consideration to award supply contract number FY05-036 to the following low bidders: Libcon Inc. dba Leyendecker Materials, Laredo, Texas in the amount not to exceed \$1,316,250.00 for the purchase of asphalt, black base, flexible base, asphalt oils, sand, and gravel; and City Ready Mix, Laredo, Texas in the amount not to exceed \$194,000.00, for the purchase of ready mix cement. These will be

the primary vendors for the purchase of materials required for all city paving and construction projects. Generally, the asphalt materials have increased approximately 12% from the previous contract period. The term of this contract is for a one year period and is subject to the availability of funds. All materials are purchased on an as needed basis using the Engineering Department – Public Works Division Budget and Construction Projects Budget.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Agredano

For: 7

Against: 0

Abstain:

0

15. Consideration to amend contract number FY04-042, awarded to the low bidder, County

Wide Security, Laredo, Texas, in the estimated yearly amount of \$30,000.00 for providing additional security guards at the Health Department. Additional guards will be assigned to the WIC satellite clinics. Funding is available in the Health Department Budget.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Agredano

For: 7

Against: 0

Abstain:

0

16. Consideration to award a two (2) year contract to SBC, through the State of Texas,

Department of Information Resources (DIR) program, in an amount not to exceed \$19,326.64 for Primary Rate Interface (PRI) Smart Trunk Telephone Service as related to the Universal Service Program grant application to Schools & Libraries Division / Universal Services Administrative Company / Federal Communications Commission. Contract is contingent on a grant allocation. The City of Laredo must provide a match of 10% - 13%. Funding for the match is budgeted in the FY 2004 – 2005 Main Library Annual Budget.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Agredano

For: 7

Against: 0

Abstain: 0

17. Consideration to award a three (3) year contract to Time Warner / Road Runner Business Class, through the State of Texas Catalog Information Systems Vendor Purchasing Program, in an amount not to exceed \$109,036.00 for Internet access connection of 20Mbps as related to Universal Service Program grant application to Schools & Libraries Division / Universal Service Administrative Company /



Federal Communications Commission. Contract is contingent on a grant allocation. The City of Laredo must provide a match of 10% - 13%. Funding for the match is budgeted in FY 2004 - 2005 Main Library Annual Budget.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Agredano

For: 7

Against: 0

Abstain:

0

18. Consideration to award a contract to Avnet Enterprise Solutions, through the State of

Texas Department of Information Resources (DIR) Program in an amount not to exceed \$711,780.45 for equipment, wiring, installation and maintenance as related to the Universal Service Program grant application to Schools & Libraries Division / Universal Services Administrative Company / Federal Communications Commission. Contract is contingent on a grant allocation. The City of Laredo must provide a match of 10% - 13%. Funding for the match is budgeted in FY 2004 – 2005 Main Library Annual Budget - Computer Hardware account.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Agredano

For: 7

Against: 0

Abstain:

0

19. Consideration to authorize the purchase and installation of four (4) playground modules

from Park Place Recreation Designs, LTD, San Antonio, Texas, through the Texas Local Government Purchasing Cooperative (Buy Board) contract pricing in the total amount of \$61,204.00. Utilizing Buy Board contract pricing, these playground modules will be installed along Zacate Creek Park. Funding is available in the Capital Improvement Project (CIP) Fund.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Agredano

For: 7

Against: 0

Abstain:

0

20. Consideration for approval of the Plans and Specifications for Phase III, an estimate of

31 residential units, of the City of Laredo Residential Sound Insulation Program, as part of the Federal Aviation Regulation Part 150 Noise Compatibility Program; and authorization to advertise for bids for said plans and specifications. The

program is funded through the Federal Aviation Administration Grant # 35 for Noise Abatement.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Agredano

For: 7

Against: 0

Abstain:

0

21. Refund of property tax in the amount of \$70, 647.51 to the following taxpayers and companies:

1. A refund in the amount of \$1,354.13 payable to First American Real Estate Tax Service due to a double payment. Account # 991-00017-227.
2. A refund in the amount of \$896.32 payable to First American Real Estate Tax Service due to a double payment. Account # 990-20016-010.
3. A refund in the amount of \$704.31 payable to First American Real Estate Tax Service due to a double payment. Account # 965-21003-105.
4. A refund in the amount of \$997.61 payable to First American Real Estate Tax Service due to a double payment. Account # 965-21003-065.
5. A refund in the amount of \$531.90 payable to First American Real Estate Tax Service due to a double payment. Account # 965-20001-301.
6. A refund in the amount of \$628.53 payable to First American Real Estate Tax Service due to a double payment. Account # 992-11004-340.
7. A refund in the amount of \$930.53 payable to First American Real Estate Tax Service due to a double payment. Account # 989-00012-150.
8. A refund in the amount of \$649.55 payable to First American Real Estate Tax Service due to a double payment. Account # 969-40004-074.
9. A refund in the amount of \$610.63 payable to First American Real Estate Tax Service due to a double payment. Account # 968-70004-370.
10. A refund in the amount of \$567.18 payable to First American Real Estate Tax Service due to a double payment. Account # 968-60003-170.
11. A refund in the amount of \$1,418.92 payable to First American Real Estate Tax Service due to a double payment. Account # 945-00871-455.
12. A refund in the amount of \$507.69 payable to First American Real Estate Tax Service due to a double payment. Account # 925-90001-140.
13. A refund in the amount of \$501.38 payable to First American Real Estate Tax Service due to a double payment. Account # 925-50001-010.
14. A refund in the amount of \$527.72 payable to First American Real Estate Tax Service due to a double payment. Account # 909-20003-230.
15. A refund in the amount of \$543.49 payable to First American Real Estate Tax Service due to a double payment. Account # 909-00009-160.
16. A refund in the amount of \$577.57 payable to First American Real Estate Tax Service due to a double payment. Account # 983-50011-340.

17. A refund in the amount of \$541.26 payable to First American Real Estate Tax Service due to a double payment. Account # 989-30002-612.
18. A refund in the amount of \$1,000.00 payable to First American Real Estate Tax Service due to a double payment. Account # 991-00010-090.
19. A refund in the amount of \$705.39 payable to First American Real Estate Tax Service due to a double payment. Account # 990-00004-030.
20. A refund in the amount of \$1,217.24 payable to First American Real Estate Tax Service due to a double payment. Account # 985-11001-150.
21. A refund in the amount of \$792.24 payable to First American Real Estate Tax Service due to a double payment. Account # 970-20001-370.
22. A refund in the amount of \$552.28 payable to First American Real Estate Tax Service due to a double payment. Account # 968-20015-130.
23. A refund in the amount of \$1,480.96 payable to First American Real Estate Tax Service due to a double payment. Account # 970-12006-280.
24. A refund in the amount of \$1,189.72 payable to First American Real Estate Tax Service due to a double payment. Account # 927-10005-240.
25. A refund in the amount of \$731.15 payable to First American Real Estate Tax Service due to a double payment. Account # 970-10003-170.
26. A refund in the amount of \$508.13 payable to First American Real Estate Tax Service due to a double payment. Account # 968-90004-160.
27. A refund in the amount of \$635.98 payable to First American Real Estate Tax Service due to a double payment. Account # 968-20010-080.
28. A refund in the amount of \$610.69 payable to First American Real Estate Tax Service due to a double payment. Account # 946-50002-330.
29. A refund in the amount of \$598.65 payable to First American Real Estate Tax Service due to a double payment. Account # 334-0521-051.
30. A refund in the amount of \$539.35 payable to First American Real Estate Tax Service due to a double payment. Account # 327-00191-020.
31. A refund in the amount of \$798.54 payable to First American Real Estate Tax Service due to a double payment. Account # 980-30002-040.
32. A refund in the amount of \$857.98 payable to First American Real Estate Tax Service due to a double payment. Account # 970-10005-210.
33. A refund in the amount of \$518.84 payable to Oralia Maria Garcia due to a double payment. Account # 108-00350-080.
34. A refund in the amount of \$6,657.48 payable to Wells Fargo Home Mortgage due to a double payment. Account # 927-00001-115.
35. A refund in the amount of \$528.46 payable to Analia X. Esquivel due to a double payment. Account # 968-81001-058.
36. A refund in the amount of \$1,675.63 payable to Felix S. Martinez and Sandra A. Martinez due to a double payment. Account # 927-10010-060.

37. A refund in the amount of \$1,350.69 payable to Manuel Arechiga due to a double payment. Account # 909-00661-213.
38. A refund in the amount of \$666.62 payable to Chris Cronen due to a double payment. Account # 947-40002-108.
39. A refund in the amount of \$909.76 payable to Guillermo Garcia Jr. due to a double payment. Account # 970-12006-290.
40. A refund in the amount of \$542.98 payable to Ernesto A. Meza and Nora L. Meza due to a double payment. Account # 968-30005-180.
41. A refund in the amount of \$788.35 payable to Gonzalo Soto Jr. due to a double payment. Account # 968-00007-059.
42. A refund in the amount of \$682.74 payable to Miguel Lugo Mireles due to a double payment. Account # 986-00008-529.
43. A refund in the amount of \$963.11 payable to Samuel C. Lopez and Noemi Lopez due to a double payment. Account # 980-30001-010.
44. A refund in the amount of \$1,080.42 payable to Vaquillas Development LTD due to a double payment. Account # 900-90311-137.
45. A refund in the amount of \$677.00 payable to Falcon National Bank due to a double payment. Account # 918-10002-300.
46. A refund in the amount of \$522.02 payable to Falcon National Bank due to a double payment. Account # 937-20001-020.
47. A refund in the amount of \$1,803.03 payable to Falcon National Bank due to a double payment. Account # 945-00771-341.
48. A refund in the amount of \$576.29 payable to K B Home Lone Star LP due to a double payment. Account # 973-50045-240.
49. A refund in the amount of \$600.88 payable to K B Home Lone Star LP due to a double payment. Account # 973-50045-210.
50. A refund in the amount of \$752.62 payable to K B Home Lone Star LP due to a double payment. Account # 973-50045-020.
51. A refund in the amount of \$11,266.26 payable to Villa Del Rio LTD due to a change in value as certified by the Webb County Appraisal Review Board. Account # 978-20001-010.
52. A refund in the amount of \$13,377.31 payable to Clark's Crossing Partners LTD due to a change in value as certified by the Webb County Appraisal Review Board. Account # 908-10001-030.

Motion to approve.

Moved: Cm. Galo  
Second: Cm. Agredano  
For: 7

Against: 0

Abstain:

0

22. Approving Amendment #4 to a contract with Foster Engineering Co., Laredo, Texas, in

the amount of \$9,998.00 to cover additional surveying services required to acquire easements for water and wastewater lines at Pueblo Nuevo and Old Milwaukee. The amendment brings the total contract amount to \$431,198.00. Funding is available in the Colonias Project Fund.

Motion to approve.

Moved: Cm. Galo  
Second: Cm. Agredano  
For: 7

Against: 0

Abstain:

0

23. Accepting the State Highway 359 Planning Area – Work Order No. 1 Wastewater Trunk Line from Chacon Creek to Los Altos and approving the release of retainage in the amount of \$97,866.81 to Price Construction, Ltd., Big Spring, Texas. The final contract amount is \$1,957,336.25. Funding is available in the Colonias Construction Fund.

Motion to approve.

Moved: Cm. Galo  
Second: Cm. Agredano  
For: 7

Against: 0

Abstain:

0

## **XII. STAFF REPORTS**

24. A. Discussion regarding the creation of a Special Collection Assistance Service for

elderly and/or disabled customers who are unable to set out their garbage containers for pick-up and who have no one to assist them, with possible action.

Oscar Medina, Director of Solid Waste, reported that Council instructed staff to research special collections for people that are physically challenged and cannot take their trash to the curb. Staff has several recommendations after doing a comprehensive study which included surveys and calls to other cities. Staff noted that there are four main items of criteria:

# 1 No one living in the home can be capable of placing the garbage container at

the curb;

# 2 The applicant must have a physician statement (from a United States physician) stating that the applicant is not capable of taking the cart to the curb;

# 3 The applicant must apply annually;

# 4 The applicant must sign an affidavit allowing the department to enter their property to remove the garbage cart. The cart must be in full view for the City employee.

Larry Dovalina, City Manager, said that City employees will not be allowed to enter an applicant's home.

Oscar Medina, Director of Solid Waste, advised that the applicant should file on a yearly basis to assure that the applicant has not moved.

Motion to introduce the creation of a Special Collection Assistance Service for elderly and/or disabled customers who are unable to set out their garbage containers for pick-up and who have no one to assist them.

Moved: Cm. Belmares

Second: Mayor Pro Tempore Amaya

For: 7

Against: 0

Abstain: 0

B. Update regarding the creation of an ordinance to address the use of mopeds, mini motor bikes, ATV's, etc., appropriate protective gear requirements and all other applicable requirements, with possible action.

Ernesto Garcia, Assistant City Attorney, noted that several individuals have been working on the creation of an ordinance to address the use of mopeds, mini motor bikes, and ATV's. He noted that they have learned that there are eight (8) different types of pocket rockets, moped type, and ATV's. He said the purpose of the ordinance is to prevent tragic accidents. He stated that there is no state law regulating the devices because they come under the term of a play vehicle. Staff is in the process of drafting an ordinance that would address the use play vehicles on the sidewalks, public roads, and recreational parks. The ordinance may also address the parental responsibility which will come upon a child who is using the device on the sidewalk or the streets. He went on to say that staff is also considering the possibility of seizing the device if the child/parent are in violation of the ordinance.

Cm. Agredano expressed his concern of allowing the "play vehicles" at City parks.

Larry Dovalina, City Manager, noted that the City of Laredo is avoiding pocket parks and moving into an area where they are using 50 to 60 acres. The larger parks area will allow the city to designate a particular sector for the play vehicles without affecting the rest of the park area.

- C. Presentation of the Fiscal Year 2003 – 2004 Comprehensive Annual Financial Report (CAFR) prepared by the City of Laredo’s Financial Services Department and audited by the Independent Audit Firm of Garza, Martinez, & Co.

Jorge Martinez, representing Garza, Martinez & Company, thanked the City Staff, more specifically the City Manager’s Office, and the Finance Department for being cooperative and very courteous.

Angelica Cantu, representing Garza, Martinez & Company, announced that they have completed an audit for the City of Laredo for the fiscal year ending September 30, 2004. As a result of our audit procedures we went ahead and audited three reports . The reports covered the following areas:

1. Relates to the fairness and financial statements;
2. Compliance with laws and regulations as it pertains to monies that the City receives from federal and state agencies;
3. Internal controls in place that allow the city to property prepare the financial and  
to be in compliance with the laws and regulations.

She noted that Garza, Martinez & Company issued a clean report. The city is in compliance and the internal controls the City has in place are adequate.

Mayor Flores mentioned that the City of Laredo Audit Committee met and they were happy with the report from Garza, Martinez & Company. She noted that they asked the Council to approve and accept the findings of the audit.

Motion to approve and accept the final report from Garza, Martinez & Company.

Moved: Cm. Valdez

Second: Cm. Agredano

For: 7  
0

Against: 0

Abstain:

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

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

1. Presentation by staff of the expected budget for the City to operate the Utilities

Department for the 2005 – 2006 Fiscal Year. Said budget should be calculated

year. using the same accounting procedures and structure as in the 2004 – 2005

Larry Dovalina, City Manager, explained that the budget will be broken into three different divisions including: compliance, operational, and debt service/capital improvements. The City of Laredo will honor the current year budget which has \$5,839,293 for the water side and \$3,896,862 for the sewer side. He noted that the budget for the fiscal year 2005-2006 will be compiled in the same manner as the rest of the budgets for the City. Last year the City allowed a cost of living increase for materials and supplies.

Cm. Galo asked how staff is applying electricity cost.

Larry Dovalina, City Manager, said that the electricity cost is under contractual services and the amount budgeted is \$872,000 on the sewer side and \$1,300,750 on the electricity side.

Cm. Galo stated that United Water is over their estimated goals by \$700,000.

He asked what the total projections are going to be for the Utility Department for 2005-2006.

Larry Dovalina, City Manager, said that the personnel cost has been reduced by \$2 million dollars by the current contractor.

Cm. Galo asked about conditional hiring.

Larry Dovalina, City Manager, advised that staff has asked Red Oak Consulting in the configuration and customer service issues will be brought forward.

Cm. Galo asked the City Manager to be more specific in defining Customer Service.

Larry Dovalina, City Manager, discussed different problems regarding Customer Service. He advised that one of the most pressing issues involves the “old” part of the City where lateral lines were not brought to the taps in front of the houses; instead, they were ran from the street to the backyards. For years it was not an issue because land owners were related; however, new property owners are finding it difficult because there is not a dedicated easement and so the property owner has to approach the Utilities Department to have the lines totally re-routed.

Cm. Galo asked if there is a customer service problem regarding line breaks and street cuts.

Larry Dovalina, City Manager, answered by stating the United Water may have used the national averages for estimation of water line breaks and sewer line breaks. In certain areas of Laredo staff has noticed that the lines



have been breaking more frequently because they needed to be replaced from the originally construction of iron lines to PVC pipe.

Cm. Galo advised that he would like to see the baseline of the budget to be \$11.4 or \$11.8.

Larry Dovalina, City Manager, noted that the Council Members will have an opportunity to approve the upcoming budget.

2. Review of the City's legal remedies against developers whose construction is inconsistent with the plans submitted to the City and approved by the City, in particular street, lighting and drainage issues, with possible action.

Cm. Galo asked if the City has legal remedies against developers whose construction is inconsistent with the plans submitted to the City are approved by the City, in particular street, lighting, and drainage issues.

Anthony McGettrick, Assistant City Attorney, said the City of Laredo's Legal Department is similar to a small bank because they have hundreds of "letters of credit". The City of Laredo has a subdivision ordinance that provides two ways for improvements. The applicant must submit his or her plat to the City and record their plat with the County. They must submit a letter of credit for specified improvements. A letter of credit should be paid on demand but the City of Laredo Engineering Department does not have the personnel to inspect the sight for completion. Another problem occurs after they get their plat approved because the developer is selling the property and expects the property owner to receive the commitment. If a person has not done what he was expected to do, the public and the people that live in the subdivision have a strong interest in getting the benefits for that plat. There are three (3) types of performance bonds. They are filed by the owner and the City Engineer shall inspect the construction while in progress and upon completion. After final inspection he shall notify the owner and the City Attorney in writing as to his acceptance or rejection of the construction. The inspector shall reject construction only if it fails to comply with the standards and specifications. If he rejects such construction the City Attorney, under the direction of the P & Z commission, proceeds to enforce the guarantees provided in this ordinance.

Larry Dovalina, City Manager, said the issue where the developer submits a letter of credit, there should be a mechanism at some point in time that is termed to be time specific for the improvements to occur even if a phase becomes too large. There should be some growth within the letter of credit. He noted that often the City is sitting with a letter of credit but the developer no longer has the capabilities to buy the materials for the amount of the letter of credit that is outstanding.

Cm. Galo continued to ask what the City's recourse when developers do not comply.

Mr. Dovalina said the City has a legal three strikes policy that the City can monitor a list where certain builders and developers won't be allowed to develop in the community if they have not complied.

Cm. Galo noted that the City should not allow any developer or builder to continue working if they do not comply the first time. He was concerned about the same individuals will incorporate under different names or partnerships.

Mr. City Manager, suggested the creation of a subcommittee that will include staff and individuals in the building industry to address the item.

Cm. Galo added that he would like for the City Manager to create a subcommittee that could research what the City's recourse is. He added that the City may need a temporary substation for allowing permits which will not be issued until each job is completed to the letter.

B. Request by Council Member Juan Ramirez

1. Discussion with possible action regarding the paving of the 1500 Block of San Enrique Ave.

Cm. Ramirez noted that the actual block is the 1400 block and not the 1500 block.

Rogelio Rivera, City Engineering, said there is a fence that is encroaching around 30 feet onto the right of way and it needs to be removed before the City schedules the paving.

Larry Dovalina, City Manager, advised that several property owners that reside along the creek areas have built fences, homes, and businesses on city property without obtaining permits.

2. Discussion with possible action regarding the new Civic Center / Convention Center.

Heberto Ramirez, said the feasibility study is complete and the presentation was given to council last month. He added that staff will receive the hard copies to distribute to Council. He said the item will be placed on the agenda for February 22, 2005.

3. Discussion with possible action regarding installing an additional water fountain at the Los Dos Laredo's Park.

Motion to use the discretionary funds for installing an additional water fountain at the Los Dos Laredo's Parks.

Moved: Cm. Ramirez

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

4. Discussion with possible action regarding the resurfacing of San Bernardo Ave. from Scott to Jefferson St.

Rogelio Rivera, City Engineer, said the area of San Bernardo Avenue includes fourteen (14) City Blocks and intersections, approximately 4,700 square feet and the width is 40 feet curb to curb. The Department of Public Works is currently doing crack sealing for most of San Bernardo, including this project. As the department understands the project, construction or resurfacing of the street would also entail repairs to broken sections of curb/gutter, million of the uneven surface areas, and reconstruction of street areas where the asphalt is deteriorated. A preliminary cost has been calculated at \$47,000 to \$50,000 depending on the amount of concrete and asphalt reconstruction required. Funding need to be identified and the project placed on a work order schedule.

#### **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.

26. Request for Executive Session pursuant to Texas Government Code Section 551.071(1)(A) to consult with the City Attorney regarding contemplated litigation by United Water Services, L.L.C., against the City of Laredo, and return to open session for possible action.

Motion to postpone this item.

Moved: Cm. Belmares

Second: Cm. Ramirez

For: 7

Against: 0

Abstain:

0

27. Request for Executive Session pursuant to Texas Government Code Section 551.072 in

order to deliberate the possible purchase, lease or value of a parcel of land situated in the northeast Laredo area, because deliberation in an open meeting would have a detrimental effect on the position of the City Council in negotiations with third persons; and return to open session for possible action.

Motion to go into Executive Session pursuant to Texas Government Code Section 551.072 in order to deliberate the possible purchase, lease or value of a parcel of land situated in the northeast Laredo area, because deliberation in an open meeting would have a detrimental effect on the position of the City Council in negotiations with third persons; and return to open session for possible action.

Moved: Cm. J. Valdez, Jr.

Second: Cm. Belmares

For: 7

Against: 0

Abstain:

0

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

## **XV. ADJOURNMENT**

### **CITY COUNCIL MEETING M2005-S-02**

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

1. Request by Mayor Pro Tempore Johnny Amaya
1. Discussion regarding the possibility of having the City Manager consider the re-classification of six (6) fire fighter positions to five (5) driver positions and one (1) assistant driver position. (Co-sponsored by Cm. Alfredo Agredano)

Rudy Ochoa, President of the Fire Fighter's Association, spoke in favor of the reclassification of six firefighter positions to five driver positions and one assistant driver position.

Larry Dovalina, City Manager, noted that the department is expanding in employees and in the numbers of facilities. As City Council has created additional facilities they have created new engine companies and each time the City has to absorb the expansion. Once the City has stopped creating new facilities, administration will be able to fill each vacancy. He said that Council has set the frame work and the infrastructure for the development of the community. Typically, when a station is constructed it serves an area that is fully developed and yet the City has fire stations in areas that are not developed. Cielito Lindo is the fire station that is needed for the City so administration will begin filling vacancies.

Cm. Valdez asked questions about the retirees and the benefits of reclassifying.

Larry Dovalina, City Manager, said that he indicated to the president of the association that he would sit down with him and the Chief in efforts to discuss this issue. He went on to say that administration is greatly concerned about the safety of the community. He said that he has asked the association to attend the budget considerations where administration has to decide what cuts are made. He

explained that it is a group effort which is very difficult. He assured Council that administration is very happy that the firefighters are in attendance and that he wants everything that they want and noted that there is light at the end of the tunnel.

2. Request by Council Member Gene Belmares

1. Discussion with possible action regarding adding blocks to the list of streets to be recycled. (Co-sponsored by Cm. Hector Garcia)

Cm. Belmares advised that he reviewed the list that was provided in the Friday packet and he was not in agreement with some of the streets that were listed. He asked staff to return to Council with a cost per block and the criteria that is required. He would like to add some additional blocks to the list.

2. Discussion with possible action on resolving the improvements to the channel at Martingale. (Co-sponsored by Cm. Hector Garcia)

Larry Dovalina, City Manager, advised the Mayor that staff would be looking at resolving the improvements to the channel at Martingale. He noted that when the City starts to prioritize some of the worse case projects the people that are issuing the letter of credit will be upset and at some point the problem will rectify itself. If the improvements don't take place within a certain time, understanding that the City has a limited resource as far as manpower, we are not able to take action. He said that staff will need to look at each case individually and at the same time we need to make sure that we have a good process to clean up the list without accumulating.

Motion to instruct the City Manager to pursue the remedy the improvements to the channel at Martingale adding that if needed staff can use the discretionary funds from District V.

Moved: Cm. Belmares

Second: Cm. Valdez

For: 7  
0

Against: 0

Abstain:

**II. ADJOURNMENT**

Motion to adjourn.

Time: 8:26

p.m.

Moved: Cm. Galo

Second: Mayor Pro Tem Amaya

For: 7  
0

Against: 0

Abstain:

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 26 and

they are true, complete, and correct proceedings of the City Council meeting held on February 7, 2005.

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Gustavo Guevara, Jr.  
City Secretary