

**CITY OF LAREDO  
CITY COUNCIL MEETING  
M2005-R-09  
CITY COUNCIL CHAMBERS  
1110 HOUSTON STREET  
LAREDO, TEXAS 78040  
May 2, 2005  
5:30 P.M.**

**I. CALL TO ORDER**

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

**II. PLEDGE OF ALLEGIANCE**

Mayor 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**

Approval of the minutes of March 29, 2005, April 4, 2005 and April 22, 2005.

Motion to approve.

Moved: Cm. Ramirez  
Second: Cm. Rendon  
For: 8

Against: 0

Abstain:

0

## **V. COMMUNICATIONS AND RECOGNITIONS**

### **Announcements**

- a. Presentation by Fernando J. Guerra regarding the Eagle Scout Project to benefit American soldiers in Iraq.

Fernando J. Guerra, local Eagle Scout candidate, reported that when his father went to Desert Storm he had fond memories of those moments when he was able to speak to his father over the phone. He would like to extend this privilege to those families who have loved ones serving in Iraq or Afghanistan. He will be setting up a booth at Mall del Norte on Saturday, May 7<sup>th</sup>, to collect phone cards for the soldiers. He mentioned that his troop will also be collecting phone cards at Target, Wal-Mart as well as the college and the university. He expressed his appreciation to the American Red Cross and the Republican Women Club for sponsoring this project.

### **Invitations**

### **Recognitions**

### **Communiqués**

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

None.

## **VII. PUBLIC HEARINGS**

1. Public hearing and introductory ordinance amending the City of Laredo Fiscal Year 2004 - 2005 Airport Construction Budget to recognize additional revenues from a grant received from the Federal Aviation Administration Airport Improvement Program being Grant Project No. 3-48-0136-44-05 in the amount of \$4,271,932.00 to rehabilitate a portion of Runway 17R and to improve runway safety area at the Laredo International Airport and appropriating said grant revenue and local match to the appropriate expenditure accounts and authorizing the City Manager to implement said budget amendment. This grant in the amount of \$4,271,932.00 was augmented by the amount of \$1,271,932.00 from the original grant announcement of \$3,000,000.00.

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 8  
0

Against: 0

Abstain:

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Rendon

Second: Cm. Garcia

For: 8  
0

Against: 0

Abstain:

Ordinance Introduction: City Council

2. Public hearing and introductory ordinance amending the Zoning Ordinance Map of the

City of Laredo by rezoning the North 2/3 of Lots 1 and 2, Block 1738, Eastern Division, located at the intersection of Zacatecas Street and Arkansas Avenue, from R-3 (Mixed Residential District) to B-1 (Limited 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. Rendon

Second: Mayor Pro Tem Amaya

For: 8  
0

Against: 0

Abstain:

Ordinance Introduction: Cm. Agredano

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

City of Laredo by rezoning 1.64 acres, as further described by metes and bounds in attached Exhibit "A", located south of Del Mar Blvd. and east of Country Club Dr., from R-2 (Multi-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. Belmares

Second: Cm. Garcia

For: 8  
0

Against: 0

Abstain:

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Rendon

Second: Mayor Pro Tem Amaya

For: 8  
0

Against: 0

Abstain:

Ordinance Introduction: Cm. Rendon

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

City of Laredo by rezoning Lot 1 and the west ½ of Lot 2, Block 993, Eastern Division, located at 1801 Market St., from R-O (Residential/Office District) to B-1 (Limited 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. Belmares

Second: Cm. Valdez

For: 8  
0

Against: 0

Abstain:

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Galo

Second: Mayor Pro Tem Amaya

For: 8  
0

Against: 0

Abstain:

Ordinance Introduction: Cm. Galo

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

City of Laredo by rezoning Lots 7 and 8, Block 1016, Eastern Division, located at 2820 S. Hwy 83, from B-3 (Community Business 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. Belmares

Second: Cm. Garcia

For: 8  
0

Against: 0

Abstain:

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Galo

Second: Cm. Amaya

For: 8  
0

Against: 0

Abstain:

Ordinance Introduction: Cm. Galo

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

City of Laredo by rezoning 12.85 acres, as further described by metes and bounds in attached Exhibit "A", located west of Bob Bullock Loop, from AG (Agricultural District) to R-1A (Single-Family Reduced Area 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. Belmares

Second: Cm. Garcia

For: 8  
0

Against: 0

Abstain:

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 8  
0

Against: 0

Abstain:

Ordinance Introduction: Cm. Belmares

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

City of Laredo by rezoning all of Block 5, Colonia Los Obispos Subdivision, Unit V, located at the intersection of Sierra Vista Boulevard and South Lucy Street, from R-1 (Single-Family Residential District) to B-1 (Limited Commercial 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. Garcia

For: 8  
0

Against: 0

Abstain:

Ron Whitehawk, on behalf of Jose Perez, Jr., stated that the property is on Sierra Vista Boulevard and it is an entire block of land. He pointed out that there is a police station immediately to the west of the property. There is also a daycare center as well as a church in the area. He added that in terms of the residential subdivision there are plenty of other neighborhood services, therefore, they are asking for a B-1 zoning designation.

Motion to close the public hearing, override the Planning and Zoning Commission's recommendation, and introduce.

Moved: Cm. Agredano

Second: Cm. Amaya

For: 8  
0

Against: 0

Abstain:

Ordinance Introduction: Cm. Agredano

8. Public hearing and introductory ordinance amending the Zoning Ordinance Map of the

City of Laredo by rezoning Lots 10, 11, and 12, Block 629, Eastern Division, located at 1102 Chihuahua Street, from R-O (Residential/Office District) to B-1 (Limited 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. Belmares

Second: Cm. Valdez

For: 8  
0

Against: 0

Abstain:

Ron Whitehawk, spoke on behalf of the property owners, and pointed out that to the east of this location is the H.E. B. between Chihuahua St. and Guadalupe St. The property is presently zoned R-O and has been for many years. He explained that the B-1 is a neighborhood type of zoning and requesting a B-1

designation is not out of character with existing uses on these streets. He added that the property in question has plenty of area for land development and adequate parking.

Motion to close the public hearing and introduce.

Moved: Cm. Galo

Second: Cm. Valdez

For: 8  
0

Against: 0

Abstain:

Ordinance Introduction: Cm. Galo

9. Public hearing and introductory ordinance amending the Zoning Ordinance Map of the

City of Laredo by rezoning 48.18 acres, as further described by metes and bounds in attached Exhibit "A", located east of Lakeside Subdivision, Phase 11 and 12 , from AG (Agricultural District) to R-1 (Single-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. Belmares

Second: Cm. Garcia

For: 8  
0

Against: 0

Abstain:

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Rendon

Second: Cm. Valdez

For: 8  
0

Against: 0

Abstain:

Ordinance Introduction: Cm. Rendon

10. Public hearing and introductory ordinance amending the Zoning Ordinance Map of the

City of Laredo by rezoning 26.28 acres, as further described by metes and bounds in attached Exhibit "A", located approximately south of University Boulevard and west of Casa Verde Road, 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.





Motion to open the public hearing.

Moved: Cm. Belmares  
Second: Mayor Pro Tem Amaya

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 Tem Amaya

For: 8 Against: 0 Abstain:  
0

Ordinance Introduction: City Council

13. Public hearing and introductory ordinance amending the City of Laredo Code of Ordinances Chapter 33, Article VII entitled Stormwater Fees to include a new section, 33-445, as well as amending the stormwater rates for residential and multifamily customers and the rate for additional meters for commercial customers; providing for publication and effective date.

Motion to open the public hearing.

Moved: Cm. Belmares  
Second: Mayor Pro Tem Amaya

For: 8 Against: 0 Abstain:  
0

There was no public input.

Cm. Belmares inquired whether staff could provide some clarification under the new definition for a multi-family commercial stormwater customer and what is written in the ordinance for a water meter. He stated that in this particular ordinance, the commercial stormwater customer is other than the residential multi-family whereas in the water meter ordinance the commercial includes multi-family. He recommended that the ordinance should explain how the City is going to be billing everybody as multi-family for individual units under the new definition of multi-family.

Riazul Mia, Environmental Services Director, stated that Solid Waste and Environmental Services have looked at the same definition and they are looking to

amend that ordinance and they will be adopting the same language.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Valdez

For: 8  
0

Against: 0

Abstain:

Ordinance Introduction: City Council

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

2004-2005 Annual Budget by appropriating revenues and expenditures in the additional amount of \$35,000.00 for a total amount of \$175,000.00 from the Texas Commission on Environmental Quality (TCEQ) to continue the operation of the two continuous air monitoring stations (CAMS) by the City of Laredo Health Department, by extending the grant period which ends August 31, 2005, an additional six months. The term period would be September 1, 2003 through February 28, 2006; and authorizing the City Manager to execute the contract.

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. Rendon

For: 8  
0

Against: 0

Abstain:

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 8  
0

Against: 0

Abstain:

Ordinance Introduction: City Council

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

2004-2005 Annual Budget by reducing the amount by \$10,138.00 to reflect the actual award of \$318,929.00 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, 2005 through March 31, 2006.

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Mayor Pro Tem Amaya

For: 8  
0

Against: 0

Abstain:

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Valdez

Second: Cm. Belmares

For: 8  
0

Against: 0

Abstain:

Ordinance Introduction: City Council

16. Public hearing and introductory ordinance authorizing the City Manager to accept  
a

\$20,000.00 donation from the Del Mar Little League and to amend the City of Laredo Fiscal Year 2004-2005 Capital Improvement Fund by appropriating revenues and expenditures in the amount of \$20,000.00 in the form of a donation for the purchase and installation of lights at the Community Senior League Field located at 400 St. James.

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Mayor Pro Tem Amaya

For: 8  
0

Against: 0

Abstain:

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Valdez

For: 8  
0

Against: 0

Abstain:

Ordinance Introduction: City Council

17. Public hearing and introductory ordinance authorizing the City Manager to accept  
a

grant in the amount of \$8,000.00 from the Texas Department of Transportation for the enforcement of the seat belt law and authorizing the City Manager to amend the City of Laredo's Fiscal Year 2004-2005 Annual Budget in the amount of \$10,112.00. This grant is for overtime salaries and is funded 100% by the Texas Department of Transportation. Fringe benefits totaling \$2,112.00 will be paid by the City of Laredo.

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Mayor Pro Tem Amaya

For: 8

Against: 0

Abstain:

0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Valdez

Second: Cm. Rendon

For: 8

Against: 0

Abstain:

0

Ordinance Introduction: City Council

### **VIII. INTRODUCTORY ORDINANCES**

18. Authorizing the City Manager to execute a lease with Laredo's Foot Care Center for

approximately 5,600 square feet constituting Building No. 1054 located at 4812 North Bartlett Avenue at the Laredo International Airport. Lease term is for ten (10) years commencing on June 1, 2005 and ending on May 31, 2015, and may be extended for two (2) terms of five (5) years each ending on May 31, 2020 and May 31, 2025. Monthly rent shall be \$4,200.00 and will be adjusted annually according to changes in the Consumer Price Index and further adjusted by fair market rent appraisal on the 10th anniversary; providing for an effective date.

Ordinance Introduction: City Council

19. Authorizing the City Manager to execute all necessary documents to effectively convey

fee simple title to El Portal Center, LLC., for the "Surface Only", at its market value of \$100,000.00 for certain property described as being a 6,666 sq. ft. tract of land, more or less, out of that former section of Davis Avenue between Zaragoza and Water Streets, situated in the Western Division, City of Laredo, County of Webb, Texas being generally described on the attached Exhibit; and providing for an effective date.

Cm. Galo stated that the City should not be selling any of these properties especially if the City just bought them and suggested preparing a long-term lease instead.

Cm. Valdez made a comparison of the square footage price on the other property under Item No. 12 and the breakdown shows a price of \$15.00 per square foot.

Cm. Ramirez stated that he does not agree with the selling price on the property.

Motion to table.

Moved: Cm. Valdez

Second: Cm. Ramirez

For: 8

Against: 0

Abstain:

0

20. Authorizing the City Manager to execute Lease No. DTFA07-95-L-01050 between the

United States of America, represented by the Federal Aviation Administration (FAA), and the City of Laredo and thereby merging FAA Lease No. DTFA07-95-L-01115 which ends on September 30, 2005, providing necessary land areas for Runway 17R Localizer (LOC) at the Laredo International Airport. FAA seeks to merge existing Lease No. DTFA07-95-L-01050 which ends on September 30, 2009, providing the medium intensity approach lighting system with runway indicator lights (MALSR) Runway 17R. Therefore, the parties hereto mutually desire to incorporate Lease No. DTFA07-95-L-01115 into Lease No. DTFA07-95-L-01050 for efficiency in the administration of FAA leases. There is no rental cost since FAA maintains and operates these facilities; providing for an effective date.

Ordinance Introduction: City Council

21. Authorizing the City Manager to execute Supplemental Lease Agreement (SLA) Number 1 to Lease No. GS-07B-15259 approved by Ordinance No. 2002-O-325 dated December 16, 2002, with the General Services Administration for approximately 1,313 square feet constituting office space occupied by the Transportation Security Administration located at 5210 Bob Bullock Loop at the Laredo International Airport. Said Supplemental Lease Agreement extends the lease term three (3) years until November 17, 2007, and revises the monthly rent amount to \$3,166.67. All other terms and conditions remain unchanged and in effect; providing for an effective date.

Ordinance Introduction: City Council

22. Authorizing the City Manager to execute a lease between the City of Laredo, as Lessor and L.A. Ventures, Inc., as Lessee, for approximately 3.64 acres of land known as Tract 9, Lot 1, Block 1, located at the Laredo International Airport Passenger Terminal Subdivision. Lease term is for forty (40) years commencing on June 1, 2005 and ending on May 31, 2045. The initial monthly rent is \$3,508.00 and will be adjusted annually based on the changes in the Consumer Price Index and adjusted by fair market rent appraisal on 10th, 20th, and 30th anniversaries; providing for an effective date.

Ordinance Introduction: City Council

23. Amending the City of Laredo Code of Ordinances, Chapter 15-Health and Sanitation, Article III-Cleanliness and Sanitation of Premises, specifically amending: Section 15-37 by adding definitions; Section 15-41 providing for Penalty; Section 15-42

providing for issuance of a Notice of Violation; Section 15-43 outlining process for Service of Notice of Violation; Section 15-45 providing for Assessment of Expenses of Clean-up; Section 15-46 detailing procedures for a Lien for the Costs of Clean-up; providing for publication and for an effective date.

Ordinance Introduction: City Council

24. Amending the City of Laredo Code of Ordinances, Chapter 14-Garbage, Trash and

Refuse, Article IV- Junked Vehicles by providing in Section 14-24 that Junked Vehicles are Nuisances; Section 14-25 amending the Penalty for Maintaining a Nuisance; Section 14-26, providing for Notice to Abate Nuisance; Section 14-27 providing for Hearing on Abatement of Nuisance; Section 14-28 providing for Disposal of Junked Vehicles; and Section 14-29 providing for Exceptions; providing for publication and for an effective date.

Ordinance Introduction: City Council

25. Authorizing an amendment of the lease dated May 18, 2004, as authorized by Ordinance No. 2004-O-039, with Morgan Stern Realty Holdings, LLC, Cathy Associates LLC, and Mary Associates, LLC, which amendment:

1. Approves of transfer of lease to EI Portal Center, LLC;
2. Adds 31,764 square feet to the leased area (tract 6); and
3. Adds monthly rental for tract 6 of \$794.00;  
Said lease amendment being Exhibit A of this Ordinance; and providing for effective date.

Ordinance Introduction: City Council

26. Opening as a public street and easement that section of Cherry Hill Drive between

Sandman and East Calton Road situated in the Laredo Airport Subdivision, City of Laredo, Webb County, Texas; and rescinding Ordinance No. 2004-O-262 dated October 25, 2004, which closed the same as a public easement; and providing for effective date.

Ordinance Introduction: City Council

## **IX. FINAL READING OF ORDINANCES**

Motion to waive the Final Readings of Ordinances # 2005-O-087, # 2005-O-088, # 2005-O-089, # 2005-O-090, 3 2005-O-091, and # 2005-O-092.

Moved: Cm. Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain:

0

27. 2005-O-087 Amending the City of Laredo FY 2005 Bridge System Fund by appropriating revenues and expenses in the amount of \$453,820.00 through a transfer from a balance of the Infrastructure Fund.

Motion to adopt Ordinance # 2005-O-087.

Moved: Cm. Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

2005-O-088 Authorizing the City Manager to accept a grant from the Bill &

Melinda

Gates Foundation "Staying Connected Grant" in the amount of \$20,843.00 for 16 computers and software for the Laredo Public Library and its branches. This grant requires a one third match, which will be funded from General Fund in the amount of \$10,421.00. The total cost of the computers is \$31,264.00. The City Manager is authorized to amend the City of Laredo Fiscal Year 2004 – 2005 Annual Budget by reducing the Annual Budget in the amount of \$7,236.00 and providing for an effective date.

Motion to adopt Ordinance # 2005-O-088.

Moved: Cm. Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

2005-O-089 Amending the City of Laredo Code of Ordinances, Chapter 17

Library,

Article I, in general, Section 17-5 "Fines and Fees for Library Services"

allowing for the addition of new fees associated with new and expanded

services, the deletion of fees for services no longer offered, and the updating of policies and procedures associated with these services at Laredo Public Library and its branches, providing for publication and effective date.

Motion to adopt Ordinance # 2005-O-089.

Moved: Cm. Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

2005-O-090 Amending the City of Laredo Fiscal Year 2004 – 2005 Civic Center Budget, by appropriating an opening balance in the amount of \$62,999.00

to the building improvements line item for continuing Civic Center improvement projects.

Motion to adopt Ordinance # 2005-O-090.

Moved: Cm. Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

of July

2005-O-091 Establishing a 15% penalty on the 2004 delinquent tax accounts as  
1, 2005 to defray costs of collection pursuant to section 33.07 (a) of  
the  
Texas State Property Tax Code; providing for publication and effective  
date.

Motion to adopt Ordinance # 2005-O-091.

Moved: Cm. Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain:

0

2005-O-092 Authorizing the City Manager to execute all necessary documents to  
effectively convey fee simple title to Mr. Pablo David Morales for the  
sale  
of the "Surface Only" of a tract of land containing 12,894.06 sq. ft.  
(0.2960 of an acre), more or less, comprised of the northwest 212.01  
sq. ft.  
of Lot 7, the west 5,737.55 sq. ft. of Lot 9, and all of Lot 10, Block 994,  
Western Division, City of Laredo, Webb County, Texas, as described  
on t  
the attached exhibit, said property is being sold to the sole bidder as  
awarded by City Council pursuant to its public sale; and providing for  
an  
effective date.

Motion to adopt Ordinance # 2005-O-092.

Moved: Cm. Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

**X. RESOLUTIONS**

28. 2005-R-041 Accepting the donation of an easement for water and sewer utilities  
from

Jose Pedro Sanchez and Minerva R. Sanchez, for the D-5 Acres  
Subdivision Easement Acquisition Project. This being a strip of land  
15 feet in width, containing 3,218.21 square feet or 0.074 of an acre,  
more or less, over and across a portion of Tract 7 in the D-5 Acres  
Subdivision, and being situated in Porcion 33, Abstract 3084, Webb  
County, Texas, and described by metes and bounds and survey  
attached as Exhibits A and B.

Motion to approve Resolution # 2005-R-041.

Moved: Cm. Galo

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0



29. 2005-R-042 Authorizing the use of surplus proceeds from the City of Laredo –  
Public

Property Finance Contractual Obligations (PPFCO) Series 2003 in the total amount of \$22,000.00 for the purchase, installation and maintenance of video surveillance system cameras at City Hall.

Motion to approve Resolution # 2005-R-042.

Moved: Cm. Galo

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

30. 2005-R-043 Authorizing the City Manager to submit to the Federal Emergency Management Agency (FEMA) an Assistance to Firefighters Grant (AFG) application for funding needed for a Fire Rescue Squad Apparatus for the City of Laredo Fire Department. The need for a dedicated Fire Rescue Apparatus is necessary for specialized rescue and fire safety in our community.

Motion to approve Resolution # 2005-R-043.

Moved: Cm. Galo

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

31. 2005-R-048 Ratifying the execution of a Memorandum of Understanding between the

City of Laredo, Texas, the City of Nuevo Laredo, Tamaulipas, the State of Tamaulipas, and Union Pacific Railroad declaring the intent of all parties to work together and to take the necessary steps to facilitate and expedite the long-term plan to construct a new international railroad crossing at a point approximately three kilometers south of the World Trade Bridge.

Motion to approve Resolution # 2005-R-048.

Moved: Cm. Galo

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

## **XI. MOTIONS**

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

Wide Security, Laredo, Texas, for providing airport security guards at the Laredo International Airport Terminal. Funding is available in the Airport Construction Fund Budget.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tem Amaya

For: 8  
0

Against: 0

Abstain:

33. Authorizing that the regularly scheduled City Council meeting set for June 20, 2005 be rescheduled to June 27, 2005.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tem Amaya

For: 8

Against: 0

Abstain:

0

34. Authorizing an amendment to the professional services contract with Miller &

Van

Eaton, PLLC, Washington, DC by increasing the amount of reimbursable related expenditures to include \$26,264.77 incurred by the consultant as part of the 2005 Annual Laredo Delegation Trip to Washington and Reception. Funding is available through private sector donations in support of this trip.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tem Amaya

For: 8

Against: 0

Abstain:

0

35. Motion authorizing the City Manager to negotiate with Central Power and Light Company as to the rates and charges for light, heat, power and other purposes to residential and commercial customers as authorized by Ordinance, until December 1, 2005 or until such time as a new franchise agreement becomes effective, whichever occurs sooner.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tem Amaya

For: 8

Against: 0

Abstain:

0

36. Consideration to award contract number FY05-064, to the low bidders, Cintas Corporation #496, Laredo, Texas, in the amount of \$47,323.91 and Al & Rob Sales, Laredo, Texas, in the amount of \$9,739.05 for the purchase of uniforms for the Solid Waste, Bridge, Parking Enforcement and Animal Control personnel. Funding is available in each respective department's fund.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tem Amaya

For: 8  
0

Against: 0

Abstain:

37. Consideration to amend contract number FY04-025, awarded to Cintas Corporation,

Laredo, Texas, on February 2, 2004, for providing industrial uniform rental and laundry service to include the uniform requirements of the Utilities Department personnel. The contract vendor will be required to provide eleven sets of uniforms to the service employees and will provide weekly laundry service at a cost of \$4.04 per week per employee. Funding is available in the Utilities Department Budgets.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tem Amaya

For: 8  
0

Against: 0

Abstain:

38. Consideration to authorize the City Manager to purchase vaccines in the amount of

\$52,010.00 for the 2005 – 2006 flu season from the Sanofi Pasteur, Inc. (formerly Aventis). The Health Department will utilize the Texas Department of State Health Services' federal contract pricing with Sanofi Pasteur, Inc. to purchase the vaccines. Funding is available in the Health Department Budget.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tem Amaya

For: 8  
0

Against: 0

Abstain:

39. Consideration to authorize the City Manager to purchase laboratory equipment needed

for the Public Health Preparedness and Epidemiology Program of the City of Laredo Health Department in the amount of \$42,000.00, from the Health Department's Public Health Preparedness and Epidemiology Budget.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tem Amaya

For: 8  
0

Against: 0

Abstain:

40. Consideration to award contract FY05-071, to the low bidder, Pogue AGRI Partners,

Kenedy, Texas, in the estimated amount of \$27,707.54 for bermuda seeds, fertilizer, and paper blocks for the Parks and Recreation Department. The term of this contract will be for a period of six months. All items will be purchased on an as needed basis. Funding is available in the Parks and Recreation Department Budget and Construction Projects.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tem Amaya

For: 8  
0

Against: 0

Abstain:

41. Consideration to award contract number FY05-067 to Capps Rent A Car, Inc., Dallas,

Texas as the primary vendor and Advantage Rent-a-Car, Harlingen, Texas, as the secondary vendor to provide rental services for the Laredo Police Department. Approximately fifteen (15) to twenty-five (25) vehicles are secured for the use by the various task forces working with the Police Department. The term of these contracts is for a twenty-four (24) month period, and these contracts are contingent upon continued funding in future fiscal years. Funding is available in the Police Department Budget.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tem Amaya

For: 8  
0

Against: 0

Abstain:

42. Consideration to award contract number FY05-066 to the low bidder, Mr. Camera,

Laredo, Texas, in the estimated amount of \$26,596.90, for the purchase of photographic film processing chemicals for the Police Department. Funding is available in the Police Department Budget.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tem Amaya

For: 8  
0

Against: 0

Abstain:

43. Consideration to award contract number FY05-065 to the low bidder, Denco Photo,

Laredo, Texas, in the estimated amount of \$25,520.52, for the purchase of photographic film and film processing. A base price has been established for a twelve-month period for the purchase of 35mm and Polaroid film and photo development services for all City departments. All services and film will be secured on an as needed basis. The contract pricing is approximately 4% less than the previous contract. Funding is available in the Community Development, Parks and Recreation, Environmental Services and Planning Department Budgets.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tem Amaya

For: 8  
0

Against: 0

Abstain:

44. Consideration to authorize a contract with Truth Chemical, The Woodlands, TX; Bay

Chemical and Supply Co., Odem, TX; Polydyne Inc., Riceboro, GA; DPC Industries, Corpus Christi, TX; and AOC – Acetylene Oxygen Co., Laredo, TX, for providing water and wastewater treatment chemicals for the Utilities Department for a thirty (30) day period in the estimated amount of \$75,000.00. Funding is available in the Utilities Department Budget.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tem Amaya

For: 8  
0

Against: 0

Abstain:

45. Amending the Tax Abatement Agreement between the City of Laredo and M.S. Carriers by changing the Base Year as calculated in Section 6(e) of the contract from 2001 to 2000.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tem Amaya

For: 8  
0

Against: 0

Abstain:

46. Consideration to award a professional services contract to Tedsi Infrastructure Group,

Inc., McAllen, Texas in the amount not to exceed \$118,600.00, for design and preparation of plans and specifications for the traffic signal and roadway improvements on Del Mar Boulevard at the intersection of Winfield Parkway on the north and J. B. Alexander Parkway on the south. Funding is available in the Capital Improvement Fund.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tem Amaya

For: 8  
0

Against: 0

Abstain:

47. Authorizing the City Manager to execute Amendment #4 to the engineering services

contract with Camp Dresser and McKee Inc. for an amount not to exceed \$74,000.00 for the construction phase services such as construction observation and coordination with Ferris & Flynn, LLC regarding construction issues for the Zacate Creek Wastewater Treatment Plant. This amendment will be funded from the Odor and Corrosion Control Project, 1998A C.O., and the total amended contract will be \$759,609.20.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tem Amaya

For: 8

Against: 0

Abstain:

0

## **XII. STAFF REPORTS**

48. A. Presentation by Red Oak Consulting on the completion of the Business Continuity

Plan for the transition of city water and wastewater utilities.

Motion to table.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 8

Against: 0

Abstain:

0

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

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

1. Status report on the temporary street lights being placed on Casa Blanca Road and Bob Bullock to alleviate traffic.

Motion to table.

Moved: Cm. Garcia

Second: Cm. J. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

B. Request by Council Member John C. Galo

1. Status report on the street recycling program in District 3 with possible action.

Cm. Galo mentioned that he did receive an update from John Orfila, Public Works Division, on most of the streets. He mentioned that the only street pending would be Market Street.

John Orfila, Public Works Manager, stated that there is one item that has not cleared the Utility Coordination Committee. He mentioned that United Water stayed pending together with CenterPoint Energy, but they will prioritize this item once United Water is turned over to the City of Laredo.

2. Discussion regarding the de-privatization of the City of Laredo Water-Wastewater Dept including but not limited to budget allocation, finances, press releases and PIO-releases.

Cm. Galo inquired as to how the transition process is proceeding and what the City is going to do differently.

Larry Dovalina, City Manager, stated that they had a meeting today with all staff involved. As part of the transition team, he had asked Beto Ramirez to coordinate the team which included Adrian Montemayor and Mauro Perez of the Compliance team. They are the ones who will ensure that all of the construction projects and CIP projects and the compliance issues are all in place and would not be impacted. These same people were involved in doing some of the coordination with the inventories. He added that Dan Migura and Rosa Salinas were handling all the personnel transition work and they are following the organizational chart developed with the Red Oak proposal. They are also proceeding with the recruitment of a Utilities Director. Of the individuals that were working with United Water, six of those have violated the City's alcohol and drug policy. There are two individuals who are very concerned because of the results of their drug test. These individuals were taking medication that was prescribed to some other member of the family. The way the current ordinance reads, it does not allow the City Manager to exempt those two individuals. Consequently, those two individuals will not be transferred to the City. Four other employees were clearly in violation of the drug and alcohol testing.

Cm. Galo inquired what the three divisions will be and how different will these be from the way the system was operating previously.

Larry Dovalina, City Manager, stated that the proposal follows the United Water organizational structure. There were extensive interviews conducted by the Red Oak folks of the United Water staff and it does follow closely the model and it makes the approach more sustainable than what is was before.

Cm. Galo inquired as to what the remaining budget was for the portion that was privatized.

Rosario Cabello, Finance Director, stated that the budget remaining for this fiscal year is roughly \$3,921,000.00.

Cm. Galo inquired as to the remaining allowance on kilowatt hours for this fiscal year.

Beto Ramirez, Interim Utilities Director, mentioned that throughout the term of the contract, the contractor utilizes the electricity to the best of his ability. On any overage, the contractor will reimburse the City and if they come in under, then the City reimburses the contractor. He added that there is no set number that the department looks for.

Adrian Montemayor, Utilities Department, stated that the kilowatt hours usage can be calculated. He added that in the past two years, they have surpassed the kilowatt hour usage by June or July.

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

1. Discussion with possible action regarding allocating District VII Discretionary Capital Improvement Project Funds not to exceed \$4,000.00 for improvements at the intersection of Sara Road and El Gato Road.

Motion to approve the improvements at the intersection of Sara Road and El Gato Road by allocating District VII Discretionary Capital Improvement Project funds.

Moved: Cm. Valdez

Second: Cm. Belmares

For: 8

Against: 0

Against: 0

D. Request by Council Member Juan Ramirez

1. Status report on the parking around Jarvis Plaza.

Jessica Hein, Assistant to the City Manager, reported that the location in question is by the Galaxy Club. She stated that after 6:00 p.m., metered parking spaces are available for everyone to use. She mentioned that the Council Member is asking whether the area around Jarvis Plaza could be made available. She reported that they are looking into possibly making the north, south, and west sides around Jarvis Plaza available for parking. She pointed out that the south and west sides are bus lanes and the north side is a taxicab stand area. She stated that they could make parking spaces available between the hours of 10:00 p.m. and 2:00 a.m.

Motion to send item to the Transportation and Traffic Safety Advisory Committee.

Moved: Cm. Ramirez

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

2. Status report on the repair of the water fountain at the Bruni Plaza, with possible action.



Larry Dovalina, City Manager, stated that they had a presentation before the Historic District/Landmark Board. He stated that the group objected to what the City wanted to do and indicated that the Planning and Zoning staff would investigate the possibility of finding something similar to the original tile. He was advised earlier that an employee of the Planning and Zoning Department had found a manufacturer that manufactured the exact tile for \$10.00 per tile. He added that he spoke to Gustavo Guevara, Jr., City Secretary, today to request that a sample of said tile be sent via FedEx it to our Sister City of Dolores Hidalgo, Guanajuato, and to ask if any of the manufacturers there could duplicate that tile and at what cost. He stated that staff should be able to get a response from Dolores Hidalgo, Guanajuato, some time next week.

#### **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.

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

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

Moved: Cm. Belmares

Second: Mayor Pro Tem Amaya

For: 8

Against: 0

Abstain:

0

50. Consideration for approval to award a construction contract to the lowest bidder J. Solis

Maintenance and Welding Service, Laredo, Texas in the bid amount of \$97,943.63 for the El Metro Bus Bays Project. Funding is available in the Transit System Grant #438 – Improvements Other Than Buildings.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

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

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

Moved: Cm. Galo  
Second: Mayor Pro Tem Amaya  
For: 8  
0

Against: 0

Abstain:

## **XVII. ADJOURNMENT**

### **Supplemental Agenda**

#### **I. Resolution**

1. 2005-R-046 – Accepting the donation of a 0.71 acre parcel of land from the Vidal Cantu

Trust, for the construction of a booster pump station to provide water utility services to residents of the colonias in the FM 1472 area. Said parcel of land being out of the Vidal Cantu Trust, as recorded in Volume 297, Pages 482 – 484, Webb County Real Property Records; and described by metes and bounds attached as Exhibit A.

Motion to approve Resolution # 2005-R-046.

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

Against: 0

Abstain: 0

#### **II. General Council Discussions and Presentations**

2. A. Request by Mayor Elizabeth G. Flores

1. Discussion with possible action regarding the presentation of the City of Laredo's 250<sup>th</sup> Anniversary Commemorative Rifles to institution for their public display in recognition of the City's 250<sup>th</sup> celebration.

Motion to table.

Moved: Mayor Pro Tem Amaya  
Second: Cm. Agredano  
For: 8

Against: 0

Abstain: 0

- B. Request by Council Member John C. Galo

1. Discussion with possible action regarding the Webb County Jail's refusal to take certain prisoners. (Co-sponsored by Cm. Johnny Rendon.)

Cm. Galo stated that there was an individual who was transported to the Webb County Jail and the jail refused to take him.

Chief Dovalina stated that an individual who had been placed under arrest was transported to the Webb County Jail where he was refused. The officers then took the individual to Laredo Medical Center for an evaluation then the individual was taken to MHMR where he was refused as well. The officers spent six to seven hours with this individual and having no other place where the officers could take him, he was released.

Larry Dovalina, City Manager, stated that the City has never looked at creating a municipal jail. There are many issues involving liability in the creation of a holding tank at the police department. He suggested having staff do an analysis into the advantages and disadvantages of constructing such a facility.

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

1. Status report on the Ordinance regarding barring sex offenders from public parks and recreation areas, with possible action. (Co-sponsored by Gene Belmares)

Cm. Valdez stated that he would like to introduce an ordinance, if possible, at the next council meeting. He added that he does not want to wait for state legislation to introduce a similar item; he would like to move forward on this request at this time.

Jaime Flores, City Attorney, requested that he would like to bring the proposed ordinance within the next two council meetings.

Motion to bring the proposed ordinance at the next city council meeting.

Moved: Cm. Valdez  
Second: Cm. Rendon  
For: 8

Against: 0

Abstain: 0

### III. Adjournment

Motion to adjourn.

**Time:** 7:10 p.m.

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

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 25 and they are true, complete, and correct proceedings of the City Council meeting held on May 2, 2005.

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Gustavo Guevara, Jr.  
City Secretary