

**CITY OF LAREDO
CITY COUNCIL MEETING
M2005-R-15
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
August 1, 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 Flores led in the Pledge of Allegiance.

III. ROLL CALL

In attendance:

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

Motion to excuse Cm. Agredano.

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

Against: 0

Abstain:

0

IV. MINUTES

Approval of the minutes of June 27, 2005 and July 20, 2005.

Motion to approve.

Moved: Cm. Ramirez

Second: Mayor Pro Tem Valdez

For: 7

Against: 0

Abstain:

0

V. COMMUNICATIONS AND RECOGNITIONS

Announcements

Invitations

Recognitions

Communiqués

Cm. Valdez thanked Parks and Recreation Department for the great summer program that they coordinated for the children this past summer. He also thanked United Independent School District who provided some campuses for use of their locations.

Cm. Belmares thanked AEP for their quick response to an issue that they had in District VI. They responded immediately to restore electric power to 1,800 homes within three hours. He also congratulated the Del Mar Majors Little League team that will be representing the city of Laredo at the state championship in Louisiana.

Cm. Rendon stated that the SOS program was very successful this summer. The last figure he received for items collected was 17 tons of school supplies for our school children. He also thanked Mayor Flores for attending the event. He also thanked Parks and Recreation Department for the improvements to Chaparral Park. He mentioned that several residents have called to express their appreciation for the sidewalks that have been added to the park.

Cm. Amaya mentioned that District IV Special Projects Committee is getting ready for its own back to school drive. This year they hope to donate 150 backpacks with school supplies for the youngsters. He thanked Alfonso Garza, Carlos Mejia, Manuel Bautista and Wal-Mart for their generosity. He mentioned that he will be conducting a town hall meeting, together with the Laredo Police Department, at Villa San Luis in order to clear up some problems that are affecting the residents.

Cm. Galo congratulated the SOS program for a successful collection drive for the school children. He mentioned that Judge Danny Valdez and Belinda Mendez did an excellent job in coordinating the event. He was happy to participate at a separate school supply drive at the Lafayette Park which was sponsored by the Pentecostal church. He mentioned the Border Trade Alliance that held a forum in Laredo back in

July. He stated that BTA has been working on coming to Laredo and unfortunately the event was poorly attended by the private sector. The guest speaker was Frank Moss, Deputy Assistant Secretary of State, who spoke about the new Western hemisphere travel initiative where all U.S. citizens will be required to have some proof of citizenship. He also reported on the I-94 exit bound part that is yet to be implemented but that will go into effect in the next two years.

Cm. Garcia congratulated the Class of 1974 from Nixon High School graduate Al Chapa who is the new CEO at Doctors Hospital. He also mentioned that he has been attending several local plays and he is delighted to see so many of these programs showcasing the acting and singing talents of our local youth. He stated that there is an open invitation to meet with Congressman Cuellar tomorrow, August 2, 2005. He stated that the congressman will be conducting a meeting at Larga Vista Community Center in District II to meet with his constituents from 7:30 p.m. to 8:15 p.m. He also stated that he met with the residents from Heritage Park and thanked the Transportation Department for resolving the problem there. There will be also be a meeting set later this week to meet with the residents of Villa del Sol to address any concerns they might have. He encourages the residents from Villa del Sol to attend the meeting and voice their concerns.

Mayor Flores thanked the Public Relations Department and all the directors who participated in getting information distributed. She read from a publication put together by the Laredo Morning Times which shows Laredo as having the strongest economy in Texas and the number 1 job creator in the State of Texas. She mentioned that this report was compiled through the efforts of the City Council, the Mayor's Office, and the employees of the City of Laredo.

a. Mayor Elizabeth G. Flores reports on the City of Laredo Municipal Court.

The mission of the court is to provide a forum for a fair and impartial trial and disposition of all City ordinance violations and State Law Class C misdemeanor violations.

The Municipal Court has exclusive original jurisdiction within the territorial limits of the municipality in all criminal cases that are punishable by a fine not to exceed \$2,000 in all cases arising under a municipal ordinance that governs fire safety, zoning, or public health and sanitation and \$500 in all other cases arising under a municipal ordinance or state law.

The Municipal Court is presided over by a magistrate who shall be known as the Judge of the Municipal Court. Section 5.02 of the City Charter establishes the Municipal Court Judge as an elected position to a four year term with a limit of two terms. Our present Municipal Court Judge is Alfonso H. Ornelas, Jr.

The City council, by ordinance, has provided for the appointment of two Associate Municipal Court Judges; Juan Caballero and Edward F. Maddox are presently serving two year terms.

The Municipal Court Clerks office is directed by Thomas L. "Tommy" Ochoa. In addition, the clerk's office consists of two Deputy Clerks, fourteen Assistant Court Clerks, and one custodian. Court clerks are responsible for all of the clerical and many of quasi-judicial administrative functions and are the support staff for the Municipal Court.

There are two prosecutors, Ernesto Garcia and Melissa Saldana, who are assigned to the court by the City Attorneys Office. The prosecutor's role is to seek justice, to screen out or to ask dismissal of cases were there is insufficient evidence, to seek conviction of only the guilty, and to avoid playing judge on points of law. The prosecution is ultimately responsible for preparation of all complaints and presentation of the State's case.

In August 2003, a new state of the art 18,000 square foot Municipal Court Building was completed at 4610 Maher Ave.

At no cost to our taxpayers, in January 2004, a \$200,000 case management software program, which included conversion of old data, was implemented and installed. The software has allowed the staff to effectively manage the high volume of cases filed with the court.

For the fiscal year ending September 30, 2004, the court processed 102,059 cases (a 31% increase over the previous year), and collected \$3,371,734 in fines and court cost (a 16 % increase over the previous year).

The court is committed to providing professional and courteous service and to being responsive to all parties involved in the judicial process.

For complete information of all Municipal Court process, you may locate them on the city web page/city departments at www.ci.laredo.tx.us

VI. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

a. Approval of City Manager Larry Dovalina's recommendations to the Keep Laredo Beautiful Board as follows:

1. Roger Solano
2. Jesse Gonzalez
3. Fred Santos
4. Alejandro Aguirre
5. Doris Collins
6. Rene Rubio
7. Elmo Lopez
8. Nelida Cisneros

Motion to approve.

Moved: Mayor Pro Tem Valdez

Second: Cm. Belmares

0 For: 7 Against: 0 Abstain:
0 b. Appointment by Council Member Juan Ramirez of George Alglet to the
Citizens Environmental Advisory Committee to replace Dr. James Earhart.

Motion to approve.

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

Against: 0 Abstain:

0

VII. PUBLIC HEARINGS

1. Public hearing amending the 2003 and 2004 Consolidated One Year Action Plans
by reprogramming 29th and 30th Action Year (AY) Community Development Block
Grant Funds by (1) eliminating the Cross Street Park Project (29th AY) for
\$225,000.00 and utilizing these funds for the proposed Cigarroa
Recreation Center Boxing Gym; (2) reducing the amount of funding for the
Ejido Street Project (30th AY) from
\$1,000,000.00 to \$850,000.00 for a difference of \$150,000.00, and eliminating the
amount of Cheyenne Park Project (30th AY) for \$50,000.00 and utilizing the combined
Phase \$200,000.00 for the proposed East Side Sports Complex (Acquisition and Design-
I) Project.

Motion to open the public hearing.

Moved: Cm. Belmares
Second: Mayor Pro Tem Valdez
For: 7

Against: 0 Abstain:

0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares
Second: Mayor Pro Tem Valdez
For: 7

Against: 0 Abstain:

0

Ordinance Introduction: City Council

2. Public hearing and introductory ordinance authorizing the City Manager to execute
a

lease renewal with Securitas Security Services USA, Inc., for approximately 220 square feet of office space at Bridge I and approximately 120 square feet of office space and an exclusive office entry lane of approximately 540 square feet at Bridge II.

1. Lease term is for one (1) year commencing September 1, 2005 and ending on August 31, 2006.
2. Monthly rent will be \$4,000.00 for both properties, including
an
exclusive office entry lane.
3. The lease may be terminated by either party with a thirty (30) day written notice.

Motion to open the public hearing.

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

Against: 0

Abstain:

0

There was no public input.

Motion to close the public hearing and introduce.

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

Against: 0

Abstain:

0

Ordinance Introduction: City Council

3. Public hearing and introductory ordinance amending the City of Laredo Fiscal Year 2004-2005 Fleet Fund Annual Budget by appropriating revenues and expenditures in the amount of \$750,000.00 for the purchase of fuels. Funding is available in the respective City Department Budgets.

Motion to open the public hearing.

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

Against: 0

Abstain:

0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Mayor Pro Tem Valdez

Second: Cm. Amaya

For: 7

Against:

Abstain:

Ordinance Introduction: City Council

4. Public hearing and introductory ordinance authorizing the City Manager to execute an

Interagency Cooperation Subcontract between the South Texas Development Council and the City of Laredo to accept a grant award in the amount of \$1,200,000.00 for the period beginning July 1, 2005, and ending August 31, 2006, from the State of Texas, Office of the Governor, Criminal Justice Division; and amending the FY 2004-2005 Communication System Fund Annual Budget by appropriating revenues and expenditures in the amount of \$1,200,000.00. Grant funds will be used for the purchase of equipment for the City of Laredo's proposed 800 MHz Trunked Radio Communication System Project.

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. Amaya

For: 7

Against: 0

Abstain:

0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Amaya

For: 7

Against: 0

Abstain:

0

Ordinance Introduction: City Council

5. Public hearing and introductory ordinance authorizing the City Manager to implement

the FY 2006-2010, 9-1-1 South Texas Regional Administration Strategic Plan as approved by the Commission on State Emergency Communication (CSEC) on July 21, 2005; and amending the FY 2004-2005 9-1-1 Regional Administration Fund of the City of Laredo by appropriating revenues and expenditures in the amount of \$1,124,461.00 for administrative, equipment and program budgets for Webb, Zapata, Jim Hogg, and Starr Counties for the period beginning September 1, 2005 and ending August 31, 2006. Funding for subsequent years is contingent upon future budget approvals.

Motion to open the public hearing.

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

Against: 0

Abstain:

0

There was no public input.

Motion to close the public hearing and introduce.

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

Against: 0

Abstain:

0

Ordinance Introduction: City Council

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

FY 2004-2005 Convention and Visitor's Bureau 250th Anniversary Celebration Budget to appropriate revenues and expenditures in the amount of \$29,719.00 provided by the sale of 250th Anniversary Celebration promotional items, and entrance, registration and sponsorship fees / contributions collected at the 7 Flags – 7 Cultures Festival. Funds will be used for scheduled 250th Anniversary Celebration events.

Motion to open the public hearing.

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

Against: 0

Abstain:

0

There was no public input.

Motion to close the public hearing and introduce.

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

Against: 0

Abstain:

0

Ordinance Introduction: City Council

7. Public hearing and introductory ordinance amending Chapter 33, Environmental Protection, of the Code of Ordinances of the City of Laredo, Texas by creating Article III, Commercial Litter Prevention, which will regulate the handling and disposal of commercial litter; providing for severability, publication and an effective date.

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. Amaya

For: 7

Against: 0

Abstain:

0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Mayor Pro Tem Valdez

For: 7

Against: 0

Abstain:

0

Ordinance Introduction: City Council

8. Public hearing and introductory ordinance amending Ordinance # 2004-O-336 so as to

accept a supplemental grant in the amount of \$6,155.00 by the South Texas Development Council (STDC) with no matching funds and to amend the City of Laredo's FY 2004-2005 Annual Budget for the NPDES Fund by appropriating this supplemental grant revenue to the appropriate expenditure accounts. With this additional grant, the total amount for the STDC grant will be \$46,983.00. The grant funds will be used to promote electronic waste (e-waste) recycling events, as well as for disposal fees for the materials collected.

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. Amaya

For: 7

Against: 0

Abstain:

0

There was no public input.

Mayor Flores announced that the correction be made to the grant amount from \$6,155.00 to \$8,404.00 and the total grant amount from \$46,983.00 to \$49,232.00

Motion to close the public hearing and introduce as amended.

Moved: Cm. Galo

Second: Cm. Amaya

For: 7

Against: 0

Abstain:

0

Ordinance Introduction: City Council

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

City of Laredo FY 2004-2005 Annual Budget by increasing revenues and expenditures of \$13,184.00 in additional funds totaling \$65,919.00 from the Texas Health and Human Services Commission for the City of Laredo Health Department's Children's Health Insurance Program (CHIP); extending the grant period three additional months from September 1, 2004 through November 30, 2005; and authorizing the City Manager to execute said contract.

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. Amaya

For: 7

Against: 0

Abstain:

0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Mayor Pro Tem Valdez

Second: Cm. Belmares

For: 7

Against: 0

Abstain:

0

Ordinance Introduction: City Council

VIII. INTRODUCTORY ORDINANCES

10. Authorizing the City Manager to execute a lease with the Texas Migrant Council for

approximately 1.158 acres (50,442 square feet of land) located at 5102 North Bartlett Avenue on Tract 3, Block 25 at the Laredo International Airport. Lease term is for two (2) years commencing on August 1, 2005 and ending on July 31, 2007, and may be extended for three (3) terms of one (1) year each ending on July 31, 2008; July 31, 2009; and July 31, 2010. Monthly rent shall be \$2,128.00 and will be adjusted annually according to changes in the Consumer Price Index; providing for an effective date.

Ordinance Introduction: City Council

IX. FINAL READING OF ORDINANCES

Motion to waive the final readings of Ordinance # 2005-O-178, # 2005-O-179, # 2005-O-180, # 2005-O-181, # 2005-O-182, # 2005-O-183, # 2005-O-184, # 2005-O-185, # 2005-O-186, # 2005-O-187, # 2005-O-188, # 2005-O-189, # 2005-O-190, and # 2005-O-191.

Moved: Cm. Belmares

Second: Cm. Amaya

For: 7
0

Against: 0

Abstain:

11. 2005-O-178 Amending the Zoning Ordinance Map of the City of Laredo by authorizing the

amendment of a Conditional Use Permit for a tattoo/body piercing parlor on Lot 12, Block 988, Eastern Division, located at 1802 Corpus Christi Street by extending the term of permit and by retaining all other previously required conditions; providing for publication and effective date.

Motion to adopt the Ordinance # 2005-O-178.

Moved: Cm. Galo

Second: Cm. Amaya

For: 7

Against: 0

Abstain: 0

2005-O-179 Amending the Zoning Ordinance Map of the City of Laredo by authorizing a Conditional Use Permit for truck/trailer rental on Lot 1, Block 8, Crown Ridge

Subdivision Phase 1, located at 502 Shiloh Drive; providing for publication and effective date. (As Amended)

Motion to adopt the Ordinance # 2005-O-179.

Moved: Cm. Galo

Second: Cm. Amaya

For: 7

Against: 0

Abstain: 0

2005-O-180 Authorizing the amendment of Ordinance No. 2004-O-270 which authorized a

Special Use Permit for mini-storage warehouse on Lot 1, Block 8, Crown Ridge Subdivision Phase 1, located at 502 Shiloh Drive by revising the site plan; providing for publication and effective date.

Motion to adopt the Ordinance # 2005-O-180.

Moved: Cm. Galo

Second: Cm. Amaya

For: 7

Against: 0

Abstain: 0

2005-O-181 Amending the Zoning Ordinance Map of the City of Laredo by rezoning all of

Block No. 24, Laredo Airport Subdivision, located at 4804 and 4812 N. Bartlett Avenue, from AG (Agricultural District) to B-1 (Limited Commercial District); providing for publication and effective date.

Motion to adopt the Ordinance # 2005-O-181.

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

Against: 0

Abstain: 0

2005-O-182 Amending the Fiscal Year 2004-2005 Annual Operating Budget in the NPDES

Fund Budget by accepting a donation of \$200.00 from H.E.B. Stores and appropriating said revenue and expenditures for the purpose of providing food for the volunteers at the Household Hazardous Waste and Used Tire Collection Event.

Motion to adopt the Ordinance # 2005-O-182.

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

Against: 0

Abstain: 0

2005-O-183 Amending the City of Laredo Fiscal Year 2004-2005 Annual Budget by appropriating revenues and expenditures in the amount of \$27,250.00 in additional funds, totaling \$124,001.00 from the Texas Department of State Health Services for the Title V Family Planning Services of the City of Laredo

Health Department to extend the contract four (4) additional months, from September 1, 2004 through December 31, 2005.

Motion to adopt the Ordinance # 2005-O-183.

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

Against: 0

Abstain: 0

2005-O-184 Amending the City of Laredo Fiscal Year 2004-2005 Annual Budget by appropriating revenues and expenditures in the amount of \$15,000.00 in funds from the Texas Department of State Health Services to assist with the Childhood Lead Poisoning Prevention Program of the City of Laredo Health Department for the period beginning July 1, 2005 through June 30, 2006.

Motion to adopt the Ordinance # 2005-O-184.

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

Against: 0

Abstain: 0

2005-O-185 Authorizing the City Manager to accept a \$4,237.64 donation from the Laredo

Heat Soccer League and to amend the City of Laredo Fiscal Year 2004-2005 Capital Improvement Fund by appropriating revenues and expenditures in the

amount of \$4,237.64 in the form of a donation for the purchase and installation of lights at the Slaughter Park Soccer Fields.

Motion to adopt the Ordinance # 2005-O-185.

Moved: Cm. Galo

Second: Cm. Amaya

For: 7

Against: 0

Abstain: 0

2005-O-186 Authorizing the City Manager to amend the Fiscal Year 2004-2005 Parks Capital

Grants Fund to appropriate revenues and expenditures in the amount of \$50,000.00, provided by Webb County, for sport lighting improvements at Father McNaboe Park Baseball Field; and \$50,000.00 for specified improvements to be done at the Noon Lions Park.

Motion to adopt the Ordinance # 2005-O-186.

Moved: Cm. Galo

Second: Cm. Amaya

For: 7

Against: 0

Abstain: 0

2005-O-187 Authorizing the City Manager to amend the City of Laredo Fiscal Year 2004-

2005 General Fund Annual Budget by appropriating revenues and expenditures in the amount of \$4,175.00 in the form of a reimbursement for repair costs incurred due to an automobile accident at Little League Field No. 3 located at the former Air Base.

Motion to adopt the Ordinance # 2005-O-187.

Moved: Cm. Galo

Second: Cm. Amaya

For: 7

Against: 0

Abstain: 0

2005-O-188 Amending the City of Laredo 2004-2005 Annual Budget in the amount of \$589,460.00 to fund the Laredo Autotheft Task Force and accepting an award in the amount of \$346,000.00 from the Texas Automobile Theft Prevention Authority. The City of Laredo will be designating \$211,810.00 in matching funds, and Webb County will be designating \$31,650.00 in matching funds for a total of \$589,460.00. This grant is effective from September 1, 2005 through August 31, 2006.

Motion to adopt the Ordinance # 2005-O-188.

Moved: Cm. Galo

Second: Cm. Amaya

For: 7

Against: 0

Abstain: 0

2005-O-189 Amending Ordinance #2004-0-186 so as to accept a supplemental grant in the

amount of \$23,000.00 from the Texas Automobile Theft Prevention Authority and to amend the City of Laredo's FY 2004-2005 Annual Budget in the amount of \$23,000.00. This supplemental grant of \$23,000.00 is 100% funded at no cost to the city. The 2004-2005 Texas Automobile Theft Prevention Authority grant for the Laredo Autotheft Task Force will now total \$305,805.00. The funding period for this grant is from September 1, 2004 through August 31, 2005.

Motion to adopt the Ordinance # 2005-O-189.

Moved: Cm. Galo

Second: Cm. Amaya

For: 7

Against: 0

Abstain: 0

2005-O-190 Authorizing the City Manager to execute an amendment to the lease agreement

approved by Ordinance No. 2003-O-114 dated May 5, 2003, with KK Communications, L.P., for approximately 5,672 square feet constituting Building No. 962 located at 1816 Pappas Street at the Laredo International Airport. Said amendment will specifically amend Section 1.07 titled, "Use and Use Conflict", thereby allowing Lessee to sublease a portion of the leased premises. All other terms and conditions remain unchanged and in effect; providing for an effective date.

Motion to adopt the Ordinance # 2005-O-190.

Moved: Cm. Galo

Second: Cm. Amaya

For: 7

Against: 0

Abstain: 0

2005-O-191 Approving and authorizing the City Manager to execute a 0.042 acre easement to

Arena Ventures Holding, L.P. for an underground storm drainage culvert under and across Arena Road as described in Exhibit 1 attached to this ordinance; and providing for effective date.

Motion to adopt the Ordinance # 2005-O-191.

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

Against: 0

Abstain: 0

X. RESOLUTIONS

12. 2005-R-069 Authorizing the City Manager to submit an application to the United States Foreign-Trade Zones Board for a temporary boundary modification on behalf of Transmaritime, Inc., in accordance with Ordinance No. 2000-O-183 dated July 24, 2000. The Temporary Boundary Modification consists of temporarily transferring the designation of 2.0 acres from the City of Laredo, Foreign-Trade Zone Site No. 1 located at the Laredo International Airport to the new temporary site which shall be designated as Site No. 1-C and located at 14213 Transportation Avenue within the Interamerica Industrial Park.

Motion to approve Resolution # 2005-R-069.

Moved: Cm. Galo
Second: Mayor Pro Tem Valdez
For: 7

Against: 0

Abstain: 0

13. 2005-R-070 Accepting the donation of a 0.008 of an acre (349 sq.ft.) more or less,

parcel of land, as a Drainage Easement in the Milo Distribution Center, Phase I, from Killam Development, LTD. Said parcel of land being situated in Lot 13, Block 2, Milo Distribution Center, Phase I, City of Laredo, Webb County Texas; as described on attached Exhibit A.

Motion to approve Resolution # 2005-R-070.

Moved: Cm. Galo
Second: Mayor Pro Tem Valdez
For: 7

Against: 0

Abstain: 0

14. 2005-R-071 Accepting the donation of a 0.145 of an acre (6,327 sq.ft.) more or less,

parcel of land, as a Drainage Easement in the Milo Distribution Center, Phase I, from Eduardo Salido, Jr., Partner in Stoneworks Management, L.L.C. Said parcel of land being situated in Lot 4, Block 2, Milo Distribution Center, Phase I, City of Laredo, Webb County Texas; as described on attached Exhibit A.

Motion to approve Resolution # 2005-R-071.

Moved: Cm. Galo
Second: Mayor Pro Tem Valdez
For: 7

Against: 0

Abstain: 0

15. 2005-R-072 Accepting the donation of one utility easement from Oziel Renteria for the

extension of utility service lines to the Ranchitos IV, Los Minerales Subdivision, this being a 1,149 square foot tract of land out of Tract 45, in the Ranchitos IV, Los Minerales Subdivision and being situated in Porcion 10, Abstract 280, Webb County, Texas and described by metes and bounds and survey attached as Exhibits A and B.

Motion to approve Resolution # 2005-R-072.

Moved: Cm. Galo

Second: Mayor Pro Tem Valdez

For: 7

Against: 0

Abstain: 0

XI. MOTIONS

16. Consideration to authorize the nomination of Daniel E. Migura, Jr. Administrative Services Department Director, for the 2005 Board of Trustees election for the Region 7 Position of the Texas Municipal League Intergovernmental Employee Benefits Pool.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Amaya

For: 7
0

Against: 0

Abstain:

17. Authorizing the City Manager to enter into a Phase II contract with Sole Source provider, TransCore LP to provide an upgraded electronic toll collection system "Hardware & Software" for the Bridge of the Americas Project "El Portal", in an amount not to exceed \$1,578,510.00. Funding is available in Revenue Bond Series 2005A.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Amaya

For: 7
0

Against: 0

Abstain:

18. Authorizing the City Manager to execute an amendment to the contract with the Laredo

Entertainment Center for hosting the 2005 Miss Texas USA Pageant and to increase the contract from \$100,100.00 to \$105,226.52 to cover the LEC final invoice total. Funding is available in the Laredo Convention & Visitor's Bureau Budget, Miss Texas Division, Convention Hosting line item.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Amaya

For: 7
0

Against: 0

Abstain:

19. Consideration for approval to award a professional services contract to Carrillo & Associates, Inc., Laredo, Texas for an amount not to exceed \$43,885.00 to provide laboratory sampling and testing services of materials for quality control for the Laredo International Airport Reconstruction of Portions of Runway 17R-35L (Phases I and II), Taxiways B and D, and General Aviation Apron (Phase I) AIP Project No.3-48-0136-042-2005 and AIP Project No. 3-48-0136-044-2005. Funding is available in the Airport Construction Fund.

Motion to approve.

Moved: Cm. Galo
Second: Cm. Amaya
For: 7
0

Against: 0

Abstain:

20. Consideration for approval of the project plaque for the Lilia Perez Community Center.

Motion to approve.

Moved: Cm. Galo
Second: Cm. Amaya
For: 7
0

Against: 0

Abstain:

21. Consideration for approval of Change Order No. 2, a decrease of \$17,821.00 for the balance of quantities actually constructed in place, acceptance of the Zacate Creek Linear Park Phase III, IV & V – Scope II – Project I, and approval of final payment in the amount of \$14,780.88 to J. Solis Maintenance and Welding Services, Laredo, Texas. Final contract amount is \$295,617.50. Funding is available in the Capital Improvement Fund – Construction Projects / Zacate Creek Linear Park.

Motion to approve.

Moved: Cm. Galo
Second: Cm. Amaya
For: 7
0

Against: 0

Abstain:

22. Consideration for approval of Change Order No. 3, an increase of \$17,821.00 for the balance of quantities actually constructed in place, acceptance of the Zacate Creek Linear Park Phase III, IV & V – Scope II – Project II, and approval of final payment in the amount of \$21,287.25 to J. Solis Maintenance and Welding Services, Laredo, Texas. Final contract amount is \$425,745.00. Funding is available in the Capital Improvement Fund – Construction Projects / Zacate Creek Linear Park.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Amaya

For: 7

Against: 0

Abstain:

0

23. Consideration to authorize the City Manager to sell surplus vehicles including two garbage trucks and one pickup truck to our Sister City of Montemorelos, Nuevo Leon, Mexico.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Amaya

For: 7

Against: 0

Abstain:

0

24. Approval of selection of consultant Carter & Burgess, Inc. (in association with Crane

Engineering & DFW Infrastructure, Inc-CCTV Inspection Services) and authorization to negotiate a professional services contract to provide consulting services for the evaluation of Downtown Storm Sewer Systems and Illegal Connection Elimination Project.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Amaya

For: 7

Against: 0

Abstain:

0

25. Authorizing the City Manager to extend the current contract for two years with the Texas Health and Human Services Commission for 50% of a Full Time Equivalent (FTE) Medicaid Eligibility Specialist at the Health Department. The total estimated amount for services to be reimbursed for the first year of the contract is \$27,889.27, (October 1, 2005 through September 30, 2006). Funds are appropriated in the Women/Children Program and the Maternity Budgets.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Amaya

For: 7

Against: 0

Abstain:

0

26. Consideration to award contract number FY05-096 to Rush Truck Center, Laredo,

Texas in the estimated amount of \$100,000 and Freightliner of Laredo, Laredo, Texas in the estimated amount of \$40,000 for the purchase of original equipment manufacturer (OEM) repair parts and service for the City's medium and heavy duty trucks. All parts and services will be secured on an as need basis. Funding is available in the Fleet Maintenance budget.

Motion to approve.

Moved: Cm. Garcia
Second: Cm. Amaya
For: 7
0

Against: 0

Abstain:

27. Consideration to award contract FY05-116 to the low bidders, Caldwell Country Chevy, Caldwell, Texas in the amount of \$28,092.00 for the purchase of two (2) mid size trucks; and Philpott Motors, LTD., Port Neches, Texas in the amount of \$20,500.00 for the purchase of a hybrid sedan powered by a gasoline/electric engine. The trucks will be assigned to the Environmental Services Department and the hybrid sedan to the Keep Laredo Beautiful Inc. Project. Funding is available in the Environmental Services Department and Keep Laredo Beautiful Inc. Budgets.

Motion to approve.

Moved: Cm. Garcia
Second: Cm. Amaya
For: 7
0

Against: 0

Abstain:

28. Consideration to award contract FY05-110, to the low bidder, Rochester Armored Car Co. Inc., Omaha, NE in the estimated annual amount of \$57,222.00, for providing bank courier service for city operations. The term of this contract is for two years and is subject to continued appropriation in future fiscal years. The new contract pricing is approximately 28% lower than the previous two year contract pricing. Funding is available in respective departmental budgets.

Motion to approve.

Moved: Cm. Garcia
Second: Cm. Amaya
For: 7
0

Against: 0

Abstain:

29. Consideration to award a contract to the lowest and most responsible bidder, Envirodyne Laboratories, Houston, TX in the estimated annual amount of \$31,405.00 for providing laboratory analytical services for water and wastewater samples in accordance to Environmental Protection Agency (EPA) approved standard methods. The testing laboratory will be responsible for sample handling, analysis, and reporting for a wide range of environmental parameters in soil, water, and sludge samples for both water and wastewater applications. Funding is available in the Utilities Department Budget.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Amaya

For: 7
0

Against: 0

Abstain:

30. Consideration to award a contract to American La France Gulf Coast, Houston, TX in

the amount of \$373,156.00 through the Houston Galveston Area Council of Governments Cooperative Purchasing Program, for the purchase of one (1) fire apparatus pumper. The contract price for this truck is \$381,948.00; however the City will be pre-paying 80% of the purchase price that will result in a discount of \$8,792.00. This truck will be assigned to Fire Station No. 14 located in the Cielito Lindo Subdivision. Funding is available in the 2005 Contractual Obligation Bond Budget.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Amaya

For: 7
0

Against: 0

Abstain:

31. Consideration to award a contract for the purchase of two (2) ambulances from Wheel

Coach Industries, Inc., Orlando, FL., in the total amount of \$271,728.00, through the Texas Local Government Purchasing Cooperative (Buy Board). One ambulance is a replacement for Station No. 2 and the other will be assigned to Station No 14 located at the Cielito Lindo Subdivision. Funding is available in the 2005 Contractual Obligation bond budget, the Capital Improvement Fund (CIP) Budget, and Contractual Obligation Fund.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Amaya

For: 7
0

Against: 0

Abstain:

32. Consideration to authorize the installation of a total of three (3) speed humps on the

1100 Block of Eisenhower Drive and 1000 Block of Wilson Lane in accordance with the Speed Hump Installation Policy under the special provision for installation; project costs are estimated at \$4,500.00. Funding will be made available from Capital Improvement Projects – City Council District I.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Garcia

For: 7
0

Against: 0

Abstain:

33. Authorizing the City Manager to contract with Freedom Construction, Inc. in the amount of \$95,110.00 to construct a panel wall along the North Laredo Wastewater Treatment Plant. The cost for materials and installation are to be funded from the Sewer Construction Fund.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Garcia

For: 7

Against: 0

Abstain:

0

34. Consideration to approve Change Order No. 1 in the amount of \$73,642.09 to LEM

Construction Company, Inc., for the Zacate Creek Odor Control and Rehabilitation Improvement Project to pay for additional concrete modifications, electrical modifications and waste handling services. Funding is available in the 2004 Revenue Bond Zacate Creek WWTP Rehabilitation.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Garcia

For: 7

Against: 0

Abstain:

0

35. Motion to reschedule the regular City Council meeting of Monday, September 5, 2005, to Tuesday, September 6, 2005, in observance of the Labor Day holiday.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Garcia

For: 7

Against: 0

Abstain:

0

XII. STAFF REPORTS

36. A. Presentation by the Parks and Recreation Department on the results of a study that

identifies city owned tracts greater than 15 acres for the possible development of a water park.

Horacio De Leon, Parks and Recreation Director, reported on the five tracts of land identified meeting the criteria required. He added that none of the five tracts are recommended for the development of a water park based on the location, size, or specific use constraint.

Tract "A" consists of 37.66 acres is bordered by San Luis, Pine St. and Urbahn (behind the H.E.B. South);

Tract "B" consists of 299 acres is the Fire training Facility on the Mines Road;

Tract "C" consists of 1,800 acres on I-35 behind the former Uniroyal tract and is acquired for a future landfill;

Tract "D" consists of 39 acres located off of Sinatra Parkway, west of Bob Bullock Loop, south of Jacaman Road and is acquired for a parking lot for the arena;

Tract "E" consists of 24.36 acres south of Summerwind subdivision and that tract was acquired by El Metro.

B. Submission of the Fiscal Year 2005-2006 Annual Budget as per Article VI, Section

6.02 Submission of Budget of the Charter of the City of Laredo which requires that "sixty (60) days before the end of the fiscal year, or any time before that, the City Manager shall present to the Council, in an open public meeting, after proper public notice, and having been placed on the Council meeting agenda, a budget for the ensuring fiscal year with an accompanying message.

Martin Aleman, Budget Director, reported that this consolidated budget translates to \$384,308,589.00 which includes an overall ending balance of \$85,259,902.00. This fund balance translates to 22% of the total appropriations which include operating expenditures and transfers out. The proposed tax rate will remain at \$0.637 per \$100 of assessed valuation. The budget also includes a 2.5% of cost of living adjustment for all employees, along with a 3% merit increased based on annual evaluations. He added that City employees have also been impacted by the health insurance and this budget includes a 10% increase in health insurance premiums and contributions. As for the General Fund, they have submitted a balanced budget of \$110,395,227.00 which represents an 11.38% increase from last year. The General Fund closing fund balance is \$13,433,977.00 which translates to 12.41%.

Motion to adopt the FY2005-2006 annual budget.

Moved: Mayor Pro Tem Valdez

Second: Cm. Amaya

For: 7

Against: 0

Abstain: 0

C. Presentation by the Rio Grande Regional Water Planning Group regarding

the

Long-range Water Plan for Region "M" that includes Jim Hogg, Hidalgo, Maverick, Star, Webb, Willacy and Zapata Counties.

Bill Norris, of NRS Consulting Engineers, stated that this 2006 plan is the update which is to become part of the Texas state water plan in January. He stated that Laredo and McAllen are both rapidly growing areas in this region. He stated that the population is expected to triple by the year 2060. Somehow the water needs for this population need to be taken care of and the demand now is mainly irrigation in the lower valley. But in 2060, the demand in Webb County is going to increase from 82% municipal to 95% municipal. The municipal goes from about 42,000 acre-feet demand to about 146,000 acre feet demand in 2060. That is why they are working on water management strategies to meet these demands. He reported on the three surface water supply basins which provide most of the water supply for this region. He explained on the amount of water rights that are owned in the river by the municipalities. The complete presentation is available for viewing at the City Secretary's Office.

Linda Fernandez, with the Fernandez Group, Austin, Texas, explained that the regional water planning groups are also charged with providing recommendations to the Texas Water Development Board for legislative action. She stated that some of those recommendations are included in the fact sheet that she distributed to the City Council. She added that the planning group must address all comments that it receives concerning the plan and explain why it does or does not choose to incorporate it into the plan that is submitted to the Texas Water Development Board.

XIII. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

37. A. Request by Council Member Alfredo Agredano

1. Status Report on the Cielito Lindo Fire/Police Station.

Rogelio Rivera, City Engineer, reported that the work is approximately 58% complete in spite of the delays due to poor weather. As of now, the department is seven days behind schedule. They are anticipating a completion date for the project in late October.

2. Discussion with possible action regarding the status of the Veteran's section of the City Cemetery.

Mayor Flores announced that this item would be tabled for the next meeting.

3. Status report regarding the resurfacing / paving of Century City Boulevard, North Century Drive, East Century Drive, West Century Drive, and South Century Drive.

Mayor Flores announced that this item would be tabled for the next meeting.

B. Request by Council Member Johnny Amaya

1. Discussion with possible action to consider naming that park section of Zacate

Park. Creek extending from Lyon Street to Park Street, the Eliseo Valdez, Jr.

Motion to approve.

Moved: Cm. Amaya

Second: Cm. Galo

For: 7
0

Against: 0

Abstain: 0

Park, 2. Discussion with possible action to consider naming the Lyon Street Skate
the Dr. Cecilia M. Moreno Skate Park.

Motion to approve with a correction to the Dr. Cecilia M. Moreno Park.

Moved: Cm. Amaya

Second: Cm. Galo

For: 7

Against: 0

Abstain: 0

3. Discussion with possible action to consider naming the East Central Park,
the

Andres "Andy" Ramos Jr. Park.

Motion to approve.

Moved: Cm. Amaya

Second: Cm. Galo

For: 7

Against: 0

Abstain: 0

C. Request by Council Member Gene Belmares

1. Discussion with possible action on providing traffic support for back to school.

Cm. Belmares stated that there are some critical areas within District VI as well as the other council districts. He mentioned that the Borchers Elementary area and also the new elementary school in the Winfield – Alexander area are the main areas of concern within his district.

Police Chief Agustin Dovalina stated that they put out a schedule every year of the motorcycle patrol officers assigned to the different school areas. He added that he will make sure that there is a police presence at the school areas that are very congested to assist with traffic flow.

D. Request by Mayor Pro-Tempore Jose A. Valdez, Jr.

1. Discussion with possible action regarding issues relating to civilian patrols along the border.

Cm. Valdez stated that he has an issue with these organizations that may be racially motivated and that want to establish themselves here in our community. He added that these groups want to usurp the authority of our federal law enforcement officers such as the U.S. Border Patrol agents and the local law enforcement agencies and want to do their job. He inquired whether the City Attorney could explain the fact that some of these people carry concealed weapons and how this was being addressed by the City.

Larry Dovalina, City Manager, stated that the City has had ongoing discussions regarding this issue. Some of those discussions included the drafting of a new ordinance to address this concern. He added that a current ordinance states that all parks are closed at eleven and this applies to everybody. There is a separate ordinance that states that all parks are weapons-free zones regardless of the situation. He explained that the City intends to enforce the provisions of all these ordinances. He mentioned that the City will address these issues without creating new ordinances and without discriminating against any particular group.

Police Chief Agustin Dovalina, stated that all individuals who are not peace officers must have a license to carry a concealed weapon.

Ms. Estela Quintanilla, District Director for LULAC Council #14, stated that the organization is here as a united front in support Cm. Valdez's proposal. She explained what other communities where these groups have made an appearance have done. She added that the City of Brownsville, Texas, is making plans to keep these people out.

Jaime Flores, City Attorney, explained that any local ranchers who might invite some of these individuals onto their property will incur every liability that might come to them from the harm that comes to those individuals. He stated that he would offer to work with the members of LULAC Council to draft a resolution to City Council addressing the sentiments of City Council.

2. Discussion with possible action to allocate a minimum of \$2,000 for the current year operations of the Laredo Webb County Food Bank to specifically assist indigent Veterans and widows of indigent Veterans.

Cm. Valdez stated that they are currently assisting 90 families and the funds that had been allocated to the Food Bank have run out.

Tony Silva, with the Laredo-Webb County Food Bank, stated that they do have indigent Veterans who are receiving assistance. Most of the families of Veterans are living on monthly incomes of \$500.00 to \$700.00 and he would like to provide meals to these families.

Larry Dovalina, City Manager, stated that a similar request had been made some time back and City Council had allocated a particular sum of money to the Food Bank. He remembers that Jesus Hernandez had made this request and the City Council included some money to take care of the families of these veterans. He asked for clarification from the Finance Department as to the money that had been previously allocated and also to review the contract that was made with the Food Bank.

Motion to ask Finance Department to go back to see if there are monies under the Third Party Funding contract and if not, to have them allocate \$2,000.00 for the indigent Veterans and their widows.

Moved: Cm. Valdez

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

Larry Dovalina, City Manager, stated that the City would have to amend the current contract with this agency. He stated that the City cannot pay someone \$2,000.00 and it would have to be spelled out in the contract.

3. Discussion with possible action to create a no parking area on the west side of

Santa Maria Avenue between Ugarte and Pace Streets.

Roberto Murillo, Traffic Director, reported that there is an issue with safety in terms of vehicles parking on that side of the street. They will look into this and install a "no parking area" zone.

4. Discussion with possible action regarding the lowering of the fee for water aerobics for citizens 65 years and older from \$30.00 to \$20.00 per class.

Horacio De Leon, Parks and Recreation Director, stated that the ordinance calls for a \$20.00 fee across the board per session. Therefore, the reduction in fee for citizens 65 years and older would be from \$20.00 to \$10.00.

Motion to approve lowering the fee from \$20.00 to \$10.00 for those citizens who are 65 years and older.

Moved: Mayor Pro Tem Valdez

Second: Cm. Amaya

For: 7

Against: 0

Abstain: 0

XIV. EXECUTIVE SESSION

The City Council hereby reserves the right to go into executive session at any time during this public meeting, if such is requested by the City Attorney or other legal counsel for the City, pursuant to his or her duty under Section 551.071(2) of the Government Code, to consult privately with his or her client on an item on the agenda, or on a matter arising out of such item.

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

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

Moved: Cm. Galo
Second: Cm. Amaya
For: 7
0

Against: 0

Abstain:

38. Consideration to award contract amount FY05-090, to the lowest responsible bidder in

the amount of \$152,490.00 to National Bus Sales, Marietta, GA, for the purchase of five (5) ADA accessible mini-vans. Funding is available from FTA Federal Grant TX -90-X499.

Motion to approve.

Moved: Cm. Galo
Second: Cm. Amaya
For: 7
0

Against: 0

Abstain:

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: Cm. Amaya
For: 7
0

Against: 0

Abstain:

XVII. ADJOURNMENT

Motion to adjourn.
p.m.

Time: 8:45

Moved: Cm. Garcia
Second: Cm. 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 25 and they are true, complete, and correct proceedings of the City Council meeting held on August 1, 2005.

Gustavo Guevara, Jr.
City Secretary