

**CITY OF LAREDO
CITY COUNCIL MEETING
M2005-R-16
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
August 15, 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,
Alfredo Agredano,
Hector Garcia,
John C. Galo,
Johnny Rendon
Gene Belmares,
Jose A. Valdez, Jr.,
Juan Ramirez,
Gustavo Guevara, Jr.,
Larry Dovalina,
Cynthia Collazo,
Jerry Cain,

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

Motion to excuse Cm. Amaya.

Moved: Cm. Agredano

Second: Cm. Galo

For: 6

Against: 0

Abstain: 0

Cm. Garcia not present.

IV. MINUTES

Approval of the minutes of July 5, 2005.

Motion to approve.

Moved: Cm. Agredano

Second: Cm. Ramirez

For: 6

Against: 0

Abstain:

0

V. COMMUNICATIONS AND RECOGNITIONS

Announcements

None.

Invitations

None.

Recognitions

- 2005 a. Recognition of Andrea P. Sanchez, of Municipal Court, on her selection as July Employee of the Month.

Alfonso "Boyer" Ornelas, Municipal Court Judge, said that Andrea P. Sanchez, Deputy Municipal Court Clerk, has completed twenty eight years of service with the City of

Laredo. On January 27, 2005, Andrea was awarded the title of Certified Court Clerk

Level I by the Board of Directors of the Texas Court Clerks Association, Texas Municipal Courts Association, and Texas Municipal Courts Education Center in cooperation with Texas State University-San Marcos. The Municipal Court Clerks Certification Program was established to encourage professional development and educational growth among court clerks. In order to qualify the Level I Certification, Andrea had to complete a 40-hour course of study and pass a four-hour examination. The areas covered by the examination included an overview of the courts, ethics, authority & duties, procedures before trial, trial processes, post-trial procedures, state and city reports, traffic law, juveniles, and communications and stress management. In addition to working on her Level I certification, Andrea also applied and was chosen to participate in the City Employee Leadership Development Program and on June 7, 2005, where she met all requirements and graduated from the Class of 2005. Andrea has truly demonstrated her commitment to the City of Laredo by going on and beyond the call of duty and improving her knowledge of court procedures and her skill as a supervisor. For these accomplishments, we would like to recognize Andrea as the July 2005 employee of the month.

Communiqués

William Slemaker spokesperson for the Laredo's Missing read the following statement: *"You may be thinking to yourselves that there is nothing as members of the Laredo City Council can do for us...well we are here to tell you that there is something that you can do for us and for the citizens of this great city. We are not here to debate the guilt or the innocence of our loved ones; we are here to tell you, and the entire world, that we care in and value the lives of our loved ones. This is not a question about drugs ladies and gentlemen; it is about the value we as citizens place on human lives especially the lives of our loved ones. There are today, as we speak, twenty three United States citizens that are missing. One citizens is from San Antonio. There are over 400 Mexican Nationals who have gone missing since last August. Mayor, and members of this Council, we have today over 400 people missing without a trace. Human beings who have just vanished. Shocking to say the least but ladies and gentlemen do you know what is more shocking? The fact that nobody seems to be asking where are our loved ones, our citizens? I will tell you that there are hundreds of families who are suffering the same pain that we are. We have suffered emotionally, economically, and we have had to endure so many slanderous remarks that at times it has been unbearable. Mayor and members of this Council, the eyes of the world and the citizens of both Laredo and Nuevo Laredo are upon us. They will bare witness to your actions today and in the near future. We, the citizens, are the children of the city and if you don't look for one of your missing children then what can the rest of us expect to do for us as our leaders. So please listen to us, this is something that you can do. We are here today to ask you and petition this Council as our leaders to stand up and be true leaders. Our lives have been destroyed and it is with great pain and suffering that we come to you. We ask you all to please pass a resolution denouncing the kidnappings specifically that you as our leaders demand from our counterparts in Nuevo Laredo to find our loves ones or answers to what has happened to the lives of so many human beings. We have the right to know. We are also here to protect the citizens of Laredo by issuing a warning to the citizens of Laredo that they should be aware of the dangers that exist in Nuevo Laredo and that they too can become innocent victims of the violence. We ask you to tell the citizens of Laredo not to go to Nuevo Laredo. They should be aware of the dangers that exist in our sister cities. Please help us and may God Bless us All and Justice for everyone."*

Cm. Agredano commented on an article that was published in the Laredo Morning Times stating that Commissioner Sciaraffa was going to be the first official to initiate a scholarship program for graduating seniors in South Laredo. He went on to advise that he has been distributing scholarships for seven years to the seniors in south Laredo with a total of over \$32,000. He went on to discuss projects that he has seen to fruition during his term including new fire stations, cop stations, additional speed humps, new sidewalks, recreational parks, walk ways for children, and a boxing gym.

Cm. Garcia advised that the first day of school went very smoothly and he thanked the City of Laredo Traffic and Police Departments. He welcomed back United Independent School District and Laredo Independent School District and he wished them well for the upcoming school year. He asked all drivers to drive carefully and

to be cognizant of school zone areas. Finally, he noted that he too has distributed scholarships for two years to graduating seniors in south Laredo.

Cm. Galo extended kudos to the City departments for a smooth first day of school noting that there has been a lot of rerouting because of remodeling to the schools. He invited the viewing public to attend a ceremony to rename a portion of the IH35 the *Purple Heart Trail*. He also invited everyone to participate in raising funds for the Alexander Band who was going to have a steak plate sale at United Middle School. He noted that the Alexander Marching Band will be the only band from the state of Texas to participate in the Macy's Day Parade held on Thanksgiving Day.

Cm. J. Rendon said he was very impressed with the summer programs that were offered to the children at the City's Recreational Centers. He too asked everyone to be very careful around the school zones. He wished his granddaughter, Lorena, a happy birthday.

Cm. Belmares congratulated the Del Mar Little League for the phenomenal season that they had in 2005. He thanked Killam Companies for cooperating with the City and their need to expedite the scheduled project in laying a water line to provide an alternative water source to the Winfield Subdivision. He also thanked the Winfield residents for being patient with the City while they reached a solution for the low water pressure. He reiterated the other Council Members comments about observing school zones. He went on to explain that the viewing public should try to understand that the city can prosper by cultivating relationships with other cities and countries. It has been proven that networking, which can take years, can increase the trade and investments in Laredo. He gave an example of a relationship that was fostered by the Mayor of San Antonio, Mayor Henry Cisneros, with companies in Japan over twenty five years ago.

Cm. Valdez announced that he was pleased to represent the Mayor at two events including the Breastfeeding Awareness Proclamation and the Laredo Independence School District's Return to Work day. He encouraged everyone to drive safely in the school zones and reminded the parents not to park on the sidewalks around the schools.

Cm. Ramirez thanked the Public Works Department for doing a great job on San Bernardo between Jefferson and Park Street.

Mayor Flores thanked everyone that participated in the Budget Process for the City of Laredo. She noted that the budget was well presented and she was proud to be a part of it. She also thanked the Council for their patience and commitment to the community as part of the project. She advised that there are policy decisions that are made and their perseverance on issues has allowed the City to issue bonds in an amount that has never been issued before. She went on to mention that today was her grandson's first day of school at United Day School and that he was a brave trooper but tired. Finally, she thanked all of the teachers for electing to work with the youth of Laredo. She said that teachers play an important part of molding our children and they should be thanked for their efforts.

Cm. Garcia explained that United South High School was recently labeled a dangerous school from a technical error. He went on to say that in all reality the administration, faculty, and students are a great group of people that have proven to be wonderful and hard working and they are going to work hard to overcome their given title.

A. Mayor Elizabeth G. Flores reports on the City of Laredo Planning Department.

City The Department implement the policies and procedures of the City, as defined by Council, by providing oversight of the built environment.

- * Planning and Zoning Commission
- * Board of Adjustments
- * Metropolitan Planning Organizations (LUTS)
- * Historic District Landmark Board
- * Building Standards Board
- * Electrical Board
- * Sidewalk Access Committee
- * Redistricting Committee
- * Oil & Gas Review Committee
- * Rail Policy Committee

Department Activities:

Zone cases processed: 110

Plats applications: 235

Citations Issued: 278

Permits Issued: 19,736

Building: 2901

Electrical: 3218

Mechanical: 1509

Plumbing: 2728'

Inspections Completed: 29,900

Total in valuations for calendar year 2004: Approximately \$392 million..

VI. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

a. Appointment by Council Member Hector J. Garcia of Erika Garcia to the Laredo

Commission for Women to replace Minita Ramirez.

Motion to approve.

Moved: Cm. Rendon

Second: Cm. Valdez

For: 6

Against: 0

Abstain: 0

VII. PUBLIC HEARINGS

1. Public hearing and introductory ordinance amending the Zoning Ordinance Map of the City of Laredo by rezoning 1.103 acres, as further described by metes and bounds in attached Exhibit "A", located on the West side of Mines Road, south of Big Bend Blvd, from B-1 (Limited Commercial District) to B-3 (Community Business District); providing for publication and effective date. The Planning & Zoning Commission recommended approval of the proposed zone change.

Motion to open the public hearing.

Moved: Cm. Galo

Second: Cm. Belmares

For: 6

Against: 0

Abstain: 0

There was no public input.

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

Moved: Cm. Valdez

Second: Cm. Belmares

For: 6

Against: 0

Abstain: 0

2. Public hearing and introductory ordinance amending the Zoning Ordinance Map of the City of Laredo by authorizing a Conditional Use Permit for a paint and body shop on Lots 10-12, Block 1704, Eastern Division, located at 2802 Guadalupe Street; providing for publication and effective date. The Planning & Zoning Commission recommended approval of the proposed conditional use permit.

Motion to open the public hearing.

Moved: Cm. Galo

Second: Cm. Agredano

For: 6

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Agredano

Second: Cm. Belmares

For: 6

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Agredano

3. Public hearing and introductory ordinance amending the Zoning Ordinance Map of the City of Laredo by rezoning 9.22 acres, as further described by metes and

bounds in attached Exhibit "A," located on Loop 20 north of Winfield Parkway, from R-1 (Single Family Residential District) to B-3 (Community Business District); providing for publication and effective date. The Planning & Zoning Commission has recommended approval of the proposed zone change.

Motion to open the public hearing.

Moved: Cm. Agredano

Second: Cm. Valdez

For: 6

Against: 0

Abstain: 0

Harry Jewet, representing Killam Development, said that the property matches the Winfield Master Plan. He advised that the zone change would be appropriate for the said property.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Valdez

For: 6

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Belmares

4. Public hearing and introductory ordinance amending the Zoning Ordinance Map of the City of Laredo by rezoning 3,893 square feet out of Lot 9, Block 1635, Eastern Division, as further described by metes and bounds in attached Exhibit "A," located at 408 S. Arkansas Avenue, from B-3 (Community Business District) to B-4 (Highway Commercial District); providing for publication and effective date. The Planning & Zoning Commission recommended approval of the proposed zone change.

Motion to open the public hearing.

Moved: Cm. Galo

Second: Cm. Agredano

For: 6

Against: 0

Abstain: 0

Jeff Puig explained that the following request is being submitted through the Department of Transportation. He noted that the applicant must relocate a sign and asked that the item be adjusted from a B-3 to a B-4 to accommodate the existing sign requirements.

Motion to close the public hearing and introduce.

Moved: Cm. Galo

Second: Cm. Agredano

For: 6

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Galo

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

City of Laredo by rezoning Lots 1-3, Block 1, Iglesia Cristiana Misericordia, Unit 1 located at 4519 E. Del Mar Boulevard, from B-1 (Limited Commercial District) to B-3 (Community Business District); providing for publication and effective date. The Planning & Zoning Commission recommended approval of the proposed zone change.

Motion to open the public hearing.

Moved: Cm. Galo

Second: Cm. Belmares

For: 6

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Rendon

Second: Cm. Belmares

For: 6

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Rendon

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

City of Laredo by rezoning 2.74 acres, as further described by metes and bounds in attached Exhibit "A," located north of Hwy. 359 and east of Coronado Avenue, from R-1A (Single-Family Residential Reduced Area District) to R-2 (Multi-Family Residential District); providing for publication and effective date. The Planning & Zoning Commission recommended approval of the proposed zone change.

Motion to open the public hearing.

Moved: Cm. Galo

Second: Cm. Agredano

For: 6

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Agredano

Second: Cm. Valdez

For: 6

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Agredano

7. Public hearing and introductory ordinance authorizing the amendment of Ordinance No.

2002-O-003 which authorized a Special Use Permit for mini-storage/warehousing on Lot 2A, Block 4, McPherson Plaza Subdivision, located at 1317 East Hillside Road by transferring permit to the current owner; providing for publication and effective date. The Planning & Zoning Commission recommended approval of the proposed Special Use Permit amendment.

Motion to open the public hearing.

Moved: Cm. Galo

Second: Cm. Belmares

For: 6

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Rendon

Second: Cm. Belmares

For: 6

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Rendon

8. Public hearing and introductory ordinance authorizing the amendment of Ordinance No.

94-O-139 which authorized a Conditional Use Permit for mini-storage/warehousing on Block 13, Calton Gardens Subdivision, located at 5115 San Francisco Avenue by transferring permit to the current owner; providing for publication and effective date. The Planning & Zoning Commission recommended approval of the proposed Conditional Use Permit amendment.

Motion to open the public hearing.

Moved: Cm. Galo

Second: Cm. Rendon

For: 6

Against: 0

Abstain: 0

Jerry O'Brian, representing the owner, noted that the owners are current on the conditions that are required in the conditional use permit; however, they are transferring

the name which requires authorization from City Council.

Motion to close the public hearing and introduce.

Moved: Cm. Rendon
Second: Cm. Valdez
For: 6

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Rendon

9. Public hearing and introductory ordinance authorizing the amendment of Ordinance No.

98-O-149 which authorized a Special Use Permit for mini-storage/warehousing on Lot 3, Block 2, Townlake Plaza Subdivision, located at 1234 Townlake Drive by transferring permit to the current owner; providing for publication and effective date. The Planning & Zoning Commission recommended approval of the proposed Special Use Permit amendment.

Motion to open the public hearing.

Moved: Cm. Galo
Second: Cm. Agredano
For: 6

Against: 0

Abstain: 0

Jerry O'Brian, representing the property owner, advised Council that he was present to answer any questions.

Motion to close the public hearing and introduce.

Moved: Cm. Rendon
Second: Cm. Belmares
For: 6

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Rendon

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

the City of Laredo by rezoning the East 2/3 Lot 4, Block 203; Lots 1, 2 & part of 3, Block 204 and the northerly 7,716 sq. ft. of Jarvis Avenue Right-of-Way between Santa Barbara & Santa Clara Streets, Eastern Division, located at 1502 Zapata Highway, from B-3 (Community Business District) to B-4 (Highway Commercial District); providing for publication and effective date. The Planning & Zoning Commission recommended denial of the proposed zone change.

Motion to open the public hearing.

Moved: Cm. Galo

Second: Cm. Valdez

For: 6

Against: 0

Abstain: 0

Ron Whitehawk, representing the Garcia family, stated that they are the property owners of a small shopping center that houses an 8-liner. He said that necessity for the zone change from a B3 to a B4 was initiated when Council itself decided to amend an ordinance requiring that 8 liners shall be located in a B-4 rather than a B-3. The owners understand the City's position in denying the zone change; however, the zoning pattern along Zapata Hwy., according to the zoning ordinance, does meet the criteria of being located on the highway and therefore is eligible for consideration of a B-4. He asked Council to send the item back to the Planning and Zoning Commission so that the owners can legalize their existing business with a conditional use permit and not have a necessity for a zone change.

Motion to close the public hearing, deny the zone change and send it back to Planning and Zoning Commission to see if they would entertain a conditional use permit. Be it known that it would require a Board of Variance exception to still meet the parking requirements.

Moved: Cm. Galo

Second: Cm. Agredano

For: 6

Against: 0

Abstain: 0

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

City of Laredo by rezoning 5.6 acres, as further described by metes and bounds in attached Exhibit "A", located at 4307 Loop 20, from R-1 (Single Family Residential District) to B-4 (Highway Commercial District); providing for publication and effective date. The Planning & Zoning Commission recommended denial of the proposed zone change.

Motion to open the public hearing.

Moved: Cm. Galo

Second: Cm. Agredano

For: 6

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and postpone time certain.

Moved: Cm. Galo

Second: Cm. Agredano

For: 6

Against: 0

Abstain: 0

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

City of Laredo by rezoning Lots 1A & 3A, Block 475, Western Division, located at 2308

and 2302 Santa Ursula Avenue, from B-3 (Community Business District) to B-4 (Highway Commercial District); providing for publication and effective date. The Planning & Zoning Commission recommended denial of the proposed zone change.

Motion to open the public hearing.

Moved: Cm. Galo

Second: Cm. Agredano

For: 6

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and deny.

Moved: Cm. Ramirez

Second: Cm. Valdez

For: 6

Against: 0

Abstain: 0

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

City of Laredo by authorizing a Conditional Use Permit for a used car lot on Lot 5, Block

110, Western Division, located at 502 Matamoros Street; providing for publication and effective date. The Planning & Zoning Commission has recommended denial of the

proposed Conditional Use Permit.

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. Rendon

For: 6

Against: 0

Abstain: 0

Rosario Garza, petitioner, stated that she has obtained signatures from the neighbors

approving the zone change request for a used car lot.

Judith Reyna, property owner in the area, spoke against the zone change request. She

added that the location already has a heavy traffic flow and the business would cause additional traffic accidents because of the narrow streets.

Mildred Reyna, property owner in the area, spoke against the zone change which would allow property owner to have a car lot.

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

Moved: Cm. Ramirez

Second: Cm. Valdez

For: 6

Against: 0

Abstain: 0

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

of Laredo by rezoning Lots 5 & 6, Block 1012, Western Division, located at 4001 Santa Maria Avenue, from B-1 (Limited Commercial District) to B-3 (Community Business District); providing for publication and effective date. The Planning & Zoning Commission recommended denial of the proposed zone change.

Motion to open the public hearing.

Moved: Cm. Galo

Second: Cm. Valdez

For: 6

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and postpone for next meeting.

Moved: Cm. Valdez

Second: Cm. Galo

For: 6

Against: 0

Abstain: 0

15. Public hearing and introductory ordinance amending Section 1 of Ordinance 2004-O-334 of

the City of Laredo and authorizing an increase in the bridge toll rates schedule for southbound non-commercial traffic not utilizing the Automatic Vehicle Identification System (A.V.I.) or Colombia – Solidarity Bridge as further described in Exhibit “A” and hereby repealing all conflicting sections in all ordinances currently in effect.

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. Galo

For: 6

Against: 0

Abstain: 0

Clema Owen, representing the members of the Laredo Chamber of Commerce, expressed her concerns about the increase in the bridge toll rates.

Miguel Conchas, Chamber of Commerce Manager, noted that the increase would affect the industry in Laredo; therefore, he asked Council to reconsider their decision to raise the bridge toll.

Jesus Sanchez spoke against the increase in the toll rate.

Luis Venegas spoke in favor of raising the toll rate but asked Council to use the additional funds wisely.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Valdez

For: 6

Against: 0

Abstain: 0

Ordinance Introduction: City Council

16. Public hearing and introductory ordinance accepting funds in the amount of \$128,600.00

from the South Texas 9-1-1 Regional Administration Division to cost share personnel at the Laredo Police Department Public Safety Answering Point in accordance to Section 771.0751 of the Texas Health and Safety Code and Rule 251.3 Use of Revenue in Certain Counties from the Commission on State Emergency Communications; and amending the Fiscal Year 2004 – 2005 General Fund Budget of the City of Laredo by appropriating revenues and expenditures in the amount of \$128,600.00 for salary expenses for Laredo Police Department Communications Division.

Motion to open the public hearing.

Moved: Cm. Galo

Second: Cm. Belmares

For: 6

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Valdez

For: 6

Against: 0

Abstain: 0

Ordinance Introduction: City Council

17. Public hearing and introductory ordinance amending the City of Laredo Fiscal Year 2004 –

2005 Annual Budget by appropriating revenues and expenditures in the amount of \$391,301.00 from the Texas Department of State Health Services and from Program Income for the Maternal and Child Health (MCH-Title V) Program of the

City of Laredo Health Department for the period of September 1, 2005 through August 31, 2006.

Motion to open the public hearing.

Moved: Cm. Galo

Second: Cm. Belmares

For: 6

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Rendon

For:

Against: 0

Abstain: 0

Ordinance Introduction: City Council

18. Public hearing and introductory ordinance amending the City of Laredo Fiscal Year 2004 –

2005 Annual Budget by increasing revenues and expenditures of \$7,219.00 in additional funds totaling \$28,876.00 from the Texas Department of State Health Services for the Laredo Obesity Prevention and Control Project (LOPAC) of the City of Laredo Health Department, to extend the grant period by four (4) additional months, from September 1, 2004 through December 31, 2005.

Motion to open the public hearing.

Moved: Cm. Galo

Second: Cm. Rendon

For: 6

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Valdez

For: 6

Against: 0

Abstain: 0

Ordinance Introduction: City Council

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

of Laredo's 2004 – 2005 Budget, El Metro Operations Fund and Transit Capital Grants Fund, by \$143,693.00 and (\$179,616.00) respectively. El Metro Operations will be amended by appropriating revenues and expenditures in the amount of \$143,693.00 from the transfer of Savings of Capital Funds from Federal Transit

Administration's Fiscal Year 2000 Grant No. TX-90-X499. Transit Capital Grants Fund will be amended by reducing revenues and expenditures by \$179,616.00 to reflect the transfer of Capital Funds to Operating Funds. Local match of \$35,923.00 is already appropriated in the El Metro Operations Fund and will be transferred to Sales Tax Reserve appropriation.

Motion to open the public hearing.

Moved: Cm. Galo

Second: Cm. Agredano

For: 6

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Rendon

For: 6

Against: 0

Abstain: 0

Ordinance Introduction: City Council

20. Public hearing and introductory ordinance amending the City of Laredo Fiscal Year 2004 –

2005 Water Availability Fund Annual Budget by appropriating expenses in the amount of \$3,000,000.00 by drawing down the opening balance for Water Rights Acquisition.

Motion to open the public hearing.

Moved: Cm. Galo

Second: Cm. Agredano

For: 6

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Galo

Second: Cm. Agredano

For: 6

Against: 0

Abstain: 0

Ordinance Introduction: City Council

VIII. INTRODUCTORY ORDINANCES

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

fee simple title to the "Surface Only" at its market value of \$14,900.00 for certain property described as a 19,859 sq. ft. tract of land, more or less, out of those former sections of Jarvis Avenue between Marion and Gates Streets (including its intersection with Gates Street) and Gates Street between Jarvis and Martin Avenues, said tract being situated in the Eastern Division, City of Laredo, Webb County, Texas being generally described on attached Exhibit "A"; and providing for an effective date.

Ordinance Introduction: City Council

IX. FINAL READING OF ORDINANCES

Motion to waive the final readings of Ordinance # 2005-O-193; # 2005-O-194; # 2005-O-195; # 2005-O-196; # 2005-O-197; # 2005-O-198; # 2005-O-199; # 2005-O-200; and # 2005-O-201.

Moved: Cm. Belmares

Second: Cm. Valdez

For: 6

Against: 0

Abstain: 0

22. 2005-O-193 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 adopt Ordinance # 2005-O-193.

Moved: Cm. Rendon

Second: Cm. Belmares

For: 6

Against: 0

Abstain: 0

Annual 2005-O-194 Amending the City of Laredo Fiscal Year 2004-2005 Fleet Fund

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 adopt Ordinance # 2005-O-194.

Moved: Cm. Rendon

Second: Cm. Belmares

For: 6

Against: 0

Abstain: 0

2005-O-195 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 adopt Ordinance # 2005-O-195.

Moved: Cm. Rendon

Second: Cm. Belmares

For: 6

Against: 0

Abstain: 0

2005-O-196 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 adopt Ordinance # 2005-O-196.

Moved: Cm. Rendon

Second: Cm. Belmares

For: 6

Against: 0

Abstain: 0

2005-O-197 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 adopt Ordinance # 2005-O-197.

Moved: Cm. Rendon

Second: Cm. Belmares

For: 6

Against: 0

Abstain: 0

2005-O-198 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 adopt Ordinance # 2005-O-198.

Moved: Cm. Rendon

Second: Cm. Belmares

For: 6

Against: 0

Abstain: 0

2005-O-199 Amending Ordinance # 2004-O-336 so as to accept a supplemental grant in

the amount of \$8,404.00 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 \$49,232.00. The grant funds will be used to promote electronic waste (e-waste) recycling events, as well as for disposal fees for the materials collected. (As Amended)

Motion to adopt Ordinance # 2005-O-199 as amended from the amount of \$8,404.00 to \$8,653.00 and from \$49,232 to \$49,481.

Moved: Cm. Belmares

Second: Cm. Galo

For: 7

Against: 0

Abstain: 0

2005-O-200 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 adopt Ordinance # 2005-O-200.

Moved: Cm. Rendon

Second: Cm. Belmares

For: 6

Against: 0

Abstain: 0

2005-O-201 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.

Motion to adopt Ordinance # 2005-O-201.

Moved: Cm. Rendon

Second: Cm. Belmares

For: 6

Against: 0

Abstain: 0

Cm. Garcia arrived at 6:35 p.m.

X. RESOLUTIONS

23. 2005-R-073 Accepting the donation of one utility easement from Manuel C. Torres for

the extension of utility services lines to the San Carlos Subdivision, Phase I. This being a strip of land 15.00 feet in width, containing 2,198.84 square feet or 0.05 of an acre, more or less, over and across Lot 3, Block 2, and being situated in Porcion 32, Abstract 296, as described by metes and bounds and survey attached as Exhibits A and B.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Valdez

For: 7

Against: 0

Abstain: 0

24. 2005-R-075 Resolution of the City of Laredo, Texas authorizing the employment of

Lloyd Gosselink, Attorneys at Law as legal counsel and 4MP Consultants for the Centerpoint Energy Entex Gas Rate Case, and authorizing a steering committee with representatives from Laredo, Victoria, Edna, Kingsville, and other interested cities to coordinate the work of legal counsel and consultants, to consider settlement offers and to issue rate recommendations to the City Council.

Rosario Cabello, Finance Director, informed Council that there is not a limit on the legal fees but the amount will not exceed \$25,000.

Larry Dovalina, City Manager, said the last time this item came to Council the representative from the gas company indicated to you that this has already been pre-approved and there was general acceptance by all cities involved. The City of Laredo has been contacted by two different coalition groups that have initiated rate studies related to what is being proposed and they are against the rate increases. Typically in rate cases the money that has been expended has been reimbursed to the cities and there has never been an impact to the cities.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Valdez

For: no action

Motion to postpone.

Moved: Cm. Belmares

Second: Cm. Valdez

For: 7

Against: 0

Abstain: 0

25. 2005-R-076 Disapproving of self-help groups seeking to assist duly assigned federal

and state law enforcement officers in the enforcement of the Nation's Immigration Laws: Expressing its particular undesirability in Webb County and City of Laredo in view of the long historic connection between this locality and the Republic of Mexico; exhorting landowners within Webb County and City of Laredo to refuse assistance and co-operation to private individuals or associations whose aim is the rhetorical one of assisting in the enforcement of the Nation's Immigration Laws.

Luis Dovalina, President of the LULAC # 14, thanked the City Council for the approval of the resolution noting that other cities will follow in the same manner.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Valdez

For: 7

Against: 0

Abstain: 0

26. 2005-R-077 Supporting and authorizing the City of Laredo's participation in the South

Texas Development Council, and authorizing payment of the City of Laredo's assessed membership dues in the amount of \$41,227.80 for the period of October 1, 2005 to September 30, 2006, subject to final approval of the Fiscal Year 2006 Annual Budget.

Motion to approve.

Moved: Cm. Rendon

Second: Cm. Agredano

For: 7

Against: 0

Abstain: 0

27. 2005-R-078 Confirming the appointment of representatives from the City of Laredo to

serve on the Board of Directors of the South Texas Development Council for the period of October 1, 2005 to September 30, 2006.

Motion to postpone.

Moved: Cm. Agredano

Second: Cm. Valdez

For: 7

Against: 0

Abstain: 0

28. 2005-R-080 Authorizing the Mayor and the City Manager to execute the Interjurisdictional Mutual Aid Agreement between and among the City of Laredo, Jim Hogg, Starr, Webb, and Zapata Counties and the following incorporated cities: La Grulla, Rio Grande City, Rio Bravo, El Cenizo and Roma. The parties recognize that this agreement will allow for better coordination of effort, would provide that adequate equipment and manpower is available, and would help ensure that mutual aid is accomplished in the event of a disaster or civil emergency.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Valdez

For: 7

Against: 0

Abstain: 0

29. 2005-R-081 Authorizing the City Manager to accept an Airport Improvement Program

Grant (AIP), if offered, in the amount of \$1,000,000.00 from the Federal Aviation Administration for the purpose of acquiring land for the Runway Protection Zone abutting the Laredo International Airport. The 5% local match in the amount of \$52,632.00 is available in the Airport Construction Fund.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Valdez

For: 7

Against: 0

Abstain: 0

XI. MOTIONS

30. Consider a recommendation to approve the Site Development Plan dated June 13, 2005

prepared by and submitted by Laredo Town Center, L.P., a Texas Limited Partnership, as Lessee, to an approximate 88.6913-acre tract approved by Ordinance No. 2005-O-060 dated March 28, 2005. Said tract is located on the east side of Bob Bullock Loop fronting the Airport Passenger Terminal. The lease term is for forty (40) years. Approval of the Site Development Plan will not diminish or modify Lessee's obligations under the lease and Lessor's approval of the Site Development Plan is conceptual in nature only.

Motion to approve.

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

Against: 0

Abstain: 0

31. Authorizing the City Manager to approve payment from the City's Arena
Renewal and

Replacement Account for the purchase of seats and parts in the amount of \$18,253.00 (50% of the total cost of \$36,506.00) and the purchase of a Zamboni in the amount of \$21,080.50 (50% of the total cost of \$42,161.00). Items purchased through the Renewal and Replacement Account are on a 50% cost basis to the City of Laredo and a 50% cost basis to Arena Ventures, L.L.C.; funding is available in the Renewal and Replacement Account.

Motion to approve.

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

Against: 0

Abstain: 0

32. Authorizing the City Manager to execute an amendment to the contract with
the

Holiday Inn Civic Center for hosting the 2005 Miss Texas USA Pageant and to increase the contract from \$42,285.88 to \$49,561.03 to cover the Holiday Inn Civic Center final invoice total. Funding is available in the Laredo Convention and Visitors Bureau Fiscal Year 2005 Budget, under the Miss Texas Division in the Convention Hosting Line.

Motion to approve.

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

Against: 0

Abstain: 0

33. Consideration to authorize the City Manager to execute a contract with
Graphitiks

Advertising Design, Inc., Laredo, Texas, who will design, produce, sell advertising and print the 2006 Laredo / Nuevo Laredo Official Visitors Guide. Graphitiks will print, at no cost to the City of Laredo, 130,000 copies of the guide which is a 76-page full color magazine featuring "Los Dos Laredos". The guide will be produced under the direction of the Laredo Convention and Visitors Bureau relative to style, design, and editorial content.

Motion to approve.

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

Against: 0

Abstain: 0

34. Consideration to execute a service agreement with Nextel Partners in the estimated amount of \$75,000.00 for Wireless Phase I services for the four county regional 9-1-1 system for a period of one (1) year. This agreement may automatically be renewed for up to four (4) successive terms of one (1) year each (subject to appropriations and availability of funds). Funding is available in the 9-1-1 Regional Fund.

Motion to approve.

Moved: Cm. Valdez

Second: Cm. Agredano

For: 7

Against: 0

Abstain: 0

35. Authorizing the City Manager to execute a contract between the City of Laredo (City),

South Texas Development Council (RPC), and Commission for State Emergency Communications (CSEC) for the period beginning September 1, 2005 and ending August 31, 2007 to administer the approved 9-1-1 Strategic Plan on behalf of the RPC for the Counties of Webb, Zapata, Jim Hogg and Starr.

Motion to approve.

Moved: Cm. Valdez

Second: Cm. Agredano

For: 7

Against: 0

Abstain: 0

36. Calling for a public hearing regarding the City's Capital Improvement Program to be

held on September 6, 2005, at the regularly scheduled City Council meeting held at City Hall, 1110 Houston Street at 5:30 p.m.; and authorizing publication of a newspaper advertisement for 10 consecutive days to inform the general public of the public hearing and advising that three copies of the Capital Improvement Program are available at the City Secretary's Office and the Laredo Public Library.

Motion to approve.

Moved: Cm. Valdez

Second: Cm. Agredano

For: 7

Against: 0

Abstain: 0

37. Consideration to authorize the purchase of three (3), half ton pick-up trucks for the Fire

Department in the total amount of \$49,236.00 from Philpott Motors, Inc., through the Houston Galveston Area Council of Governments (HGAC) – Cooperative Purchasing Program. Funding is available from a Homeland Security Grant administered by the Fire Department.

Motion to approve.

Moved: Cm. Valdez

Second: Cm. Agredano

For: 7

Against: 0

Abstain: 0

38. Consideration to award the annual Municipal Court software maintenance contract in

the amount of \$30,252.00 to Incode InVision. The amount represents a 5% increase over the previous year. The annual software maintenance contract covers the following areas; Acuserver, Cash Collections, HTE Interface, Municipal Court applications, and Data Dictionary. Funding is available in the Municipal Court Budget.

Motion to approve.

Moved: Cm. Valdez

Second: Cm. Agredano

For: 7

Against: 0

Abstain: 0

39. Authorizing the issuance of a request for proposals (RFP) for the development of a

Hazardous Cargo Community Risk Assessment and Route Alternative Analysis for Laredo, Texas. In order to amend the Presidential Permit to allow the crossing of hazardous material on the World Trade Bridge, an updated designated hazardous material route is mandated.

Motion to approve.

Moved: Cm. Valdez

Second: Cm. Agredano

For: 7

Against: 0

Abstain: 0

40. Consideration to utilize the State of Texas – Department of Information Resources

(DIR) TE-XAN telecommunication contracts with SBC – Southwestern Bell Telephone for local and dedicated voice and data services; and Public Utility Commission Tariff #73 rates for seventeen (17) data circuits as recommended by our consultant, Carolyn Arnold Communications Consultant (CACC), Inc. These recommended changes will reduce the City's yearly telecommunications fees by approximately \$43,000.00. The affected changes will be reflected on the user department's communication budget.

Motion to approve.

Moved: Cm. Valdez

Second: Cm. Agredano

For: 7

Against: 0

Abstain: 0

41. Authorizing the City Manager to acquire through negotiations, the “Surface Only” of

one (1) parcel of land for the Chacon Creek Acquisition Project. Said parcel being a 15.01 acre tract of land known as Share 1 of the Moreno Partition of part of Porcion 30; less and except a parcel of land being the extreme Southern portion of said Share 1, consisting of a strip of land one hundred and twenty-five (125) feet in length by forty (40) feet in width, as described in Sheriff’s Deed to Matilde A. Hirsch, et. al., recorded in Volume 134, Pages 78-79, Webb County Deed Records; and authorizing staff to negotiate with the owner for the acquisition of said parcel by purchase at a market value not to exceed \$216,000.00 plus incidental expenses as established by a State Certified Real Estate Appraiser. This will be a voluntary transaction. Funding is available in the 2005 Certificates of Obligation, Chacon Creek Acquisition Project.

Motion to approve. Instead of 15.01 it should be 14.8491 more or less.

Moved: Cm. Valdez

Second: Cm. Agredano

For: 7

Against: 0

Abstain: 0

42. Approval of the 2005 Appraisal Roll from the Webb County Appraisal District for the

development of our tax roll, acceptance of the Effective and Rollback Tax Rate calculations for Tax Year 2005, and setting the first public hearing date on August 29, 2005 for the proposed tax rate of \$0.637000/\$100 value.

Motion to approve.

Moved: Cm. Valdez

Second: Cm. Agredano

For: 7

Against: 0

Abstain: 0

43. Approving monthly adjustments to the tax roll. The amount to be adjusted for the month

of July 2005 represents an increase of \$202.27. These adjustments are determined by

Webb County Appraisal District and by court orders.

Motion to approve.

Moved: Cm. Valdez

Second: Cm. Agredano

For: 7

Against: 0

Abstain: 0

44. Refund of property tax in the amount of \$1,964.49 to the following taxpayers and companies:

1. A refund in the amount of \$1,964.49 payable to Reynaldo Godines due to an erroneous payment. Account # 974-20002-060.

Motion to approve.

Moved: Cm. Valdez

Second: Cm. Agredano

For: 7

Against: 0

Abstain: 0

45. Awarding a construction contract to Price Construction, Ltd., of Big Springs, Texas, in the amount of \$324,578.60 for the Santa Clara 24" Sanitary Sewer Line. The project consists of installing approximately 879 linear feet of a 24" diameter sewer line on Santa Clara Street between Zapata Highway (US 83) and Meadow Avenue. The construction time is 120 calendar days. Funding is available in the Sewer Plant Improvement Account.

Motion to approve.

Moved: Cm. Valdez

Second: Cm. Agredano

For: 7

Against: 0

Abstain: 0

46. Awarding a construction contract to the lowest bidder J. Solis Maintenance and Welding Services, Laredo, Texas in the amount of \$294,670.00 for the SH 359 & US 83 Interchange Utilities Improvements. The project consists of adjusting and relocating water and sewer main lines, manholes, water valves and one horizontal bore under US 83. Funding is available in the Utilities Department Budget.

Motion to approve.

Moved: Cm. Valdez

Second: Cm. Agredano

For: 7

Against: 0

Abstain: 0

47. Approving the acceptance of SH 359 Planning Area-Work Order No. 5 Ground Storage Tank and Booster Station and authorizing the release of final payment in the amount of \$30,596.29 to Lambda Construction I, Ltd., of New Braunfels, Texas. The total contract

amount is \$611,925.75. Funding is available in the Colonias Project Fund Retainage Account.

Motion to approve.

Moved: Cm. Valdez

Second: Cm. Agredano

For: 7

Against: 0

Abstain: 0

48. Approving the acceptance of the SH 359 – Work Order No. 6, 500,000 Gallon Elevated

Storage Tank and authorizing the release of final payment in the amount of \$50,022.50 to

Landmark Structures Inc., of Fort Worth, Texas. The final contract amount is \$1,000,450.00. Funding is available in the Colonias Project Fund Retainage Account.

Motion to approve.

Moved: Cm. Valdez

Second: Cm. Agredano

For: 7

Against: 0

Abstain: 0

XII. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

49. A. Request by Mayor Elizabeth G. Flores

- a. 1. Veto of the motion passed by City Council at the meeting of August 1, 2005 regarding the naming of East Cental Park, pursuant to the Charter of the City of Laredo, Section 2.15 (4). In additon, suggesting the naming of the park after former City Council Member, Blas Castaneda for his efforts in securing the park for his District.

The Mayor announced the veto of a motion passed by City Council at the meeting of August 1, 2005 regarding the naming of East Central Park, pursuant to the Charter of the City of Laredo. In addition, she suggested naming the park after the former Council Member Blas Castenda. She also noted that staff is working on a policy for naming City parks and she asked Council to refrain from naming additional parks until the policy has been completed.

Motion to consider naming of a park after former Council Member Blas Castaneda and return to Council when recommendations for naming parks are complete.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 6

Against: 0

Abstain: 0

Cm. Galo was not present

B. Request by Council Member Juan Ramirez

1. Status report regarding the expansion of the outbound inspection area at Bridge II to expedite the bus inspection process and to better accommodate bus passengers traveling to Laredo.

Larry Dovalina, City Manager, informed Council that staff has met with Gene Garza, Homeland Security, and expressed their concerns about the facilities. He added that staff has also met with several Senators and their staff and asked them if it was possible to get homeland security to fund the necessary improvements at the facilities.

XIII. 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.

50. Request for executive session pursuant to Section 551.071 (1)(A) & (B) of the Texas Government Code to consult with the City Attorney the pending case and possible settlement of Martin Villarreal, et al. v. City of Laredo, et al., Cause No. L-03-11, in the U.S. District Court, Southern District of Texas, Laredo Division (Case pertaining to the Los Obispos Affordable Housing Project); and return to open session for possible action.

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

Moved: Cm. Agredano

Second: Cm. Valdez

For: 7

Against: 0

Abstain: 0

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

51. Request for executive session pursuant to Texas Government Code Section 551.071(1)(A)&(B) for consultation with the City Attorney regarding pending litigation

and possible settlement of Mary Godines and Patricia Godines vs. The City of Laredo, Texas and Guadalupe Peña, Jr., Cause No. 2004CVQ001765-D3, in the District Court 341st Judicial District, Webb County, Texas; and return to open session for possible action.

Motion to go into executive session pursuant to Texas Government Code Section 551.071(1)(A)&(B) for consultation with the City Attorney regarding pending litigation and possible settlement of Mary Godines and Patricia Godines vs. The City of Laredo, Texas and Guadalupe Peña, Jr., Cause No. 2004CVQ001765-D3, in the District Court 341st Judicial District, Webb County, Texas; and return to open session for possible action.

Moved: Cm. Agredano

Second: Cm. Valdez

For: 7

Against: 0

Abstain: 0

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

Motion to authorize the City Manager to settle depending litigation with Mary Godines and Patricia Godines by waiving any City rights of collection or segregation which have not already been assigned to the TMLIRP and authorizing the City Manager to sign a final document.

Moved: Cm. Belmares

Second: Cm. Valdez

For: 7

Against: 0

Abstain: 0

52. Request for executive session pursuant to Texas Government Code Section 551.071(1)(A) for consultation with the City Attorney regarding pending litigation of Jose Luis Martinez v. City of Laredo, Cause No. L-99-110, in the United States District Court for the Southern District of Texas, Laredo Division; and return to open session for possible action.

Motion to go into executive session pursuant to Texas Government Code Section 551.071(1)(A) for consultation with the City Attorney regarding pending litigation of Jose Luis Martinez v. City of Laredo, Cause No. L-99-110, in the United States District Court for the Southern District of Texas, Laredo Division; and return to open session for possible action.

Moved: Cm. Agredano

Second: Cm. Valdez

For: 7

Against: 0

Abstain: 0

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

53. Request for executive session pursuant to Texas Government Code Section 551.072 in

order to deliberate the value of, and the possible purchase of, an approximately 7.08 acre parcel of real property from Fasken Ltd. out of its master plan area known as Embarcadero Southwest Quadrant to be used for a recreation center, because deliberation in an open meeting would have a detrimental effect on the position of the City Council in negotiations with a third party; and return to open session for possible action.

Motion to go into executive session pursuant to Texas Government Code Section 551.072 in order to deliberate the value of, and the possible purchase of, an approximately 7.08 acre parcel of real property from Fasken Ltd. out of its master plan area known as Embarcadero Southwest Quadrant to be used for a recreation center, because deliberation in an open meeting would have a detrimental effect on the position of the City Council in negotiations with a third party; and return to open session for possible action.

Moved: Cm. Agredano

Second: Cm. Valdez

For: 7

Against: 0

Abstain: 0

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

Motion to authorize the City Manager to negotiate to purchase 7.08 acres of land for an amount not to exceed \$500,000 plus closing cost and accepting a donation of 5.68 acres of land in the same area.

Moved: Cm. Valdez

Second: Cm. Garcia

For: 7

Against: 0

Against: 0

XIV. 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. Valdez

Second: Cm. Garcia

For: 7

Against: 0

Abstain: 0

54. 2005-RT-002 Authorizing the City of Laredo to file an application with the U.S. Department of Transportation, Federal Transit Administration, United States of America, in the amount of \$2,546,681.00 for Fiscal Year 2004 – 2005 for Section 5309 earmarks to be used for the administrative / operations / maintenance facility, and authorizing the City Manager to execute all related documents.

Motion to approve.

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

Against: 0

Abstain: 0

55. Consideration for approval of Change Order No. 1 an increase of \$5,109.15, for the balance of quantities actually constructed in place, acceptance of the El Metro Bus Bays Project, and approval of final payment in the amount of \$10,305.28 to J. Solis Maintenance and Welding Services, Laredo, Texas. Final contract amount is \$103,052.78. Funding is available in the El Metro Bus Bays Project – Improvements Other Than Buildings.

Motion to approve.

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

Against: 0

Abstain: 0

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

Against: 0

Abstain: 0

XVI. ADJOURNMENT

Motion to adjourn.

Time: 8:40 p.m.

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

Against: 0

Abstain: 0