

**CITY OF LAREDO
CITY COUNCIL MEETING
M2004-R-01
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
JANUARY 12, 2004
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
Alfredo Agredano,	Council Member, District I
Hector Garcia,	Council Member,
District II	
John C. Galo,	Mayor Pro Tempore,
District III	
Johnny Amaya,	Council Member,
District IV	
Eliseo Valdez, Jr.,	Council Member, District V
Gene Belmares,	Council Member, District VI
Jose A. Valdez, Jr.,	Council Member, District VII
Juan Ramirez,	Council Member,
District VIII	
Gustavo Guevara, Jr.,	City Secretary
Larry Dovalina,	City Manager
Cynthia Collazo,	Assistant City Manager
Anthony McGettrick,	Assistant City
Attorney	

IV. MINUTES

Approval of the minutes of November 3, 2003, November 17, 2003 and December 1, 2003.

Motion to approve the minutes.

Moved: Mayor Pro Tempore Galo

Second: Cm. E. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

V. COMMUNICATIONS AND RECOGNITIONS

Announcements

None.

Invitations

- a. Invitation by the City of Laredo Convention and Visitors Bureau to the 2nd Annual

Laredo International Festival of Sister Cities, January 29 – February 1, 2004.

Nick Reyna, Director of Convention and Visitors Bureau, offered a formal invitation to the Mayor, Council Members, and the community to the 2nd Annual Laredo International Festival of Sister Cities. He named the exposition participants which include: Mexico, China, Taiwan, Canada, and Spain. He thanked Council Member Ramirez, City Secretary and his staff, Parks and Recreations and their staff, the Civic Center staff, and the Convention and Visitor's Bureaus staff for dedicating their time and effort to the Sister Cities Festival.

- b. Invitation to the Tex-21 Reception and Quarterly Meeting on Thursday and Friday

January 29-30, 2004.

Rene Gonzalez, Director of State, Federal, and International Affairs for the City of Laredo, gave a comprehensive report on the importance of Tex-21. He noted that Tex-21 has been very helpful to the City of Laredo. He said delegations of individuals from a coalition of cities/counties will discuss transportation issues and how they affect the State of Texas. He added that the separation of the Border and Corridor Program will be the key issue.

Recognitions

- a. Recognition of the nominees for the 2004 Women Hall of Fame. The following women

will be inducted on March 7, 2004: Sister Rosemary Welsh-Health, Diana Saucedo-Civic Volunteer, Michelle Hinojosa-Law Enforcement, Blanca Nalaschi-Professional, Esperanza Sanchez-Education and Raquel Valle-Senties-Arts.

Mayor Flores and City Council presented a Seven Flags Certificate to each of the six recipients of the 2004 Women Hall of Fame in the fields of Health, Civic Volunteer, Law Enforcement, Professional, Education, and Arts.

- b. Recognition of the poster contest winners of the 2004 Women Hall of Fame, Aileen

Terrazas-Overall Winner, Ana Martinez-Division Winner, Eugenio Villarreal-Division Winner.

Mayor Flores and the City Council recognized the poster contest winners: Ana Martinez from St. Augustine Elementary; Eugenio Villarreal and the overall winner was Aileen Terrezas from Alma Pierce Elementary.

c. Recognition of the 2003 Retirees of the Laredo Fire Department.

Fire Chief Sosa recognized the retirees:

District Chief Phil Vaillancourt for 30 years of service;

District Chief Juan J. Rendon for 25 years of service;

Captain Ramon Lopez for 28 years of service;

Jorge Javier Lopez 28 years for years of service;

Roberto Mancha 27 for years of service;

Santiago Cavazos for 20 years of service;

Not present:

Ramiro Garza for 20 years of service.

Faustino Cordova for 24 years of service;

Raul Gonzalez, Jr. for 21 years of service; and

Ruben Venegas for 30 years of service.

d. Recognition of the Health Department's Vital Statistics Registration staff for being

awarded the Exemplary 5 Star Vital Registration and Excellence Award from the Texas Department of Health, Bureau of Vital Statistics.

Mayor Flores and City Council recognized Dr. Gonzalez, Health Director, and staff for being awarded the Exemplary 5 Star Vital Registration and Excellence Award from the Texas Department of Health, Bureau of Vital Statistics.

e. Recognition of Nora Bertani, of the Convention and Visitor's Bureau Department, on her

selection as December 2003 Employee of the Month.

Mayor Flores and City Council publicly recognized Nora Bertani as Employee of the Month for December 2003.

f. Recognition of Felix Garcia, of the Bridge Department, on his selection as 2003 City of

Laredo Employee of the Year.

Mayor Flores and City Council recognized Felix Garcia for his selection as the 2003 City of Laredo Employee of the Year.

Communiqués

Mayor Pro Tempore Galo said he hoped that everyone had a nice holiday. He asked Code Enforcement and other City departments to focus on cleaning the City of Laredo's streets and lots.

Cm. Agredano wished everyone a Happy New Year. He informed the public of several functions in District I to be held in the month of January including a ribbon cutting ceremony at the Mario Tijerina Park and a Ground Breaking at the Cielito Lindo Fire Station. He also mentioned the expansion of the Santa Nino Library which has been in motion since he took office. Finally, he thanked Rogelio Rivera, City Engineer, and the Public Works Department for paving eight sidewalks in his District I. He also wished his wife a Happy Birthday.

Cm. Garcia wished the Mayor a Happy belated Birthday. He mentioned the ground breaking ceremony for the Fire Sub-Station on 359 and the Santa Clara Park. He added that staff should be completing the lighting project on Clark Street. He thanked the Fire Department EMS team at Station # 8 for allowing him to accompany them to several different responses on Saturday, January 10, 2004.

Cm. Amaya said he is looking forward to serving the constituents of District IV for the year of 2004. He added that he will strive for the betterment of all the citizens of Laredo with the assistance of the Mayor and Council Members. He was happy to announce the grand opening of the Inner City Park. He advised that under his administration they have laid 140 sidewalks in District IV. Finally, he said he would continue to discuss traffic problems with the Laredo Independent School District to ensure safer conditions for the youth of Laredo.

Cm. E. Valdez thanked the Mayor, fellow Council Members, City Manager, and staff for the hard work they have done during his tenure as City Council Member. He said their commitment allowed him to serve a wonderful eight years. He noted many changes that have taken place in the last eight years and specifically asked for the citizens of Laredo to be the eyes and ears for the Laredo Police Department in caring for the each other, parks, and buildings.

Cm. Belmares wished everyone a Happy New Year. He said he was committed in continuing improving District VI through innovative programs, cost effective programs, and unity among Council Members. He thanked the Mayor and fellow Council Members for their support throughout the previous year.

Cm. J. Valdez, Jr. said that several projects that have been initiated in previous years are coming to a close. He said District VII will be having several ribbon cuttings in the next few months. He mentioned that he would be working for recreation centers, splash parks, and an elderly center. He went on to say that he would like to let the public know that the Council is there to help and serve. He encouraged the community to contact their Council Member with any concerns.

Cm. Ramirez thanked everyone for the work they have done in District VIII and throughout the City of Laredo. He added that he would continue to establish the

Laredo Water Park for everyone to enjoy. He said the water park would be a great source of employment for students. He wished everyone a Happy New Year.

There was a moment of silence was acknowledged for families that lost loved ones during the holiday season.

Mayor Flores read the following speech:

“After serving you as your Mayor for 11 months in 1998, I said that in January, 1999 and 1998 had been a banner year for the City of Laredo. I repeated that statement in January, 2000 and the year 2001 and again in January 2004, I am about to tell Laredo that 2003 was indeed a BANNER year for Laredo. In fact, we are not the only ones that believed in Laredo’s steady climb to bigger and better things. The Milken Institute Best Performing Cities index rated Laredo as the 7th best performing city in the United States and the 1st in Texas. The index measures where jobs are created, economies are growing and businesses are thriving.

We have not forgotten our responsibilities in all our neighborhoods and for all our families. Cm. E. Valdez worked with Council and City staff to upgrade and widen major arteries, such as McPherson Road and other intersections including those along Hillside at McPherson and Springfield. We also opened up Jacaman Road to promote the cross traffic from McPherson to the Loop. Cm. Agredano and Cm. J. Valdez have seen tremendous growth in their districts and worked hard to plan for a fire station and fire fighters that would serve those two districts. Cielito Lindo is now a community that is well on its way and the Laredo Community College 2nd Campus will soon open. He has seen the results of TxDOT’s investment in Highway 83 and worked hard with the City to compliment the state’s investment. But he and I as well as the other Council Members wanted more parks, because that is what the people of Laredo wanted. So the people of Laredo will see seven new parks and five major improvements to existing facilities including those started last year. There is the Zacate Creek Linear Park, the Inner City Park , soon to have its grand opening, the Eastwoods Park, Eistetter Park, Lafayette Street Park, El Cuatro Park, and many major improvements to all parks. I commend all my Council Members for working with their new district lines and improving those neighborhoods. I thank Mayor Pro Tempore Galo, Cm. Agredano, Cm. Amaya, Cm. Garcia, Cm. Ramirez, Cm. Belmares, and Cm. Valdez and Cm. Valdez for their help in getting so many projects completed on time and on budget. I hope we continue to work with the City Manager and our budget that well this year.

The street recycling cost this year was almost \$900,000 thousand dollars. Over 860 streets were recycled using a method that prolongs the life of worn streets. We built many sidewalks at the request of Council and helped Laredo Independent School District with their school projects. Next year Laredo will see the completion of three Police Workstations; one on Highway 359, one on Loop 20 at Del Mar, and one on the Mines Road.

Our City staff and Council members all worry about police protection for all the citizens of Laredo. This is reflected in our budget every year as public safety budget numbers grow. Thankfully, our police are well trained and through their

diligence and hard work Laredo enjoys additional police money from the drug busts and cash seizures that happen more often than not in their traffic stops. In 2003, we added a \$360,000 Mobile Command Center located with crime fighting equipment for your safety. But at the end of the day, equipment is just that...ready to be used by the expertise and courageous police officers that serve Laredo. Our homeland security is in place.

The Fire Training and Law Enforcement Center has had a great year with plenty of attention from many Texas cities and cities in South and Central America. Our fire fighters and EMS personnel are well trained and have saved many lives and property in Laredo and Webb County. Our most recent fire in Mirando caused by the train derailment ate up most of the County's contribution to that department. This showed the expertise, readiness, and responsiveness of our firefighters and the commitment of this Council and Mayor to supplement the County's budget to help all residence. We automated and saved many trees thanks to our MIS Department, Mr. Guevara, Rodger Rodriuez and staff with computers that we added for our Council agendas. Laredo is reading more books and using more computers thanks to the efficient staff at the Laredo Public Library and it is growing very rapidly.

Cm. Ramirez often says that the Rio Grande is the reason Laredo is here. Well under this administration, Laredo's River has had a lot of attention. We have continued to buy the Vega land and have continued to work to make it more accessible and restore it to its beauty. We have removed debris and concrete from old fallen bridges to increase the flow and protect the river. We will not turn our backs on our river. With this comes our work to downtown Laredo. There are very few towns in Texas that have the attraction that Laredo has to its downtown, that is, its value and quality shopping and it is the only way to cross into Nuevo Laredo. And although some decisions were made many years ago to build Bridge II away from the downtown, both Laredo and Nuevo Laredo, with the help of our federal agencies, have worked hard to make it easier for people to cross and come shopping downtown. People that walk the bridges are shopping downtown. Our Metro parking and aggressive purchasing in downtown Laredo for parking spaces has added a considerable amount of parking spaces downtown for all the shoppers that drive. We will continue to work on a multi-level parking as we work with the El Portal City Project and the El Portal mall.

Our bridges have kept up with the traffic and bridge employees have helped the needy children of Laredo by contributing their time for fundraisers and delivering gifts. This year the City of Laredo will be distinguished for its contributions for the United Way Campaign. Working on a daily basis with state and federal agencies help bridge personnel give the best of service.

As you know, we celebrated the opening of a new Municipal Court at 4610 Maher; opened the year with a first and great Festival of Sister Cities that we will repeated at the end of this month; we had an enormously successful George Washington Celebration, thanks to all the volunteers of that association and all the City staff that worked hard to pull it off. We all hope to repeat that and more.

Shakira, Sesame Street Live, Monster Trucks, rodeos, and hockey were all successful this past year. But what sticks out in my memory and will remain there for all my life are the first high school graduates in their entire splendor. Thanks to each high school and their administration and board members for making each one so special. Not having to worry about inclement weather was great for parents, planners, and graduates.

And it ain't over. More entertainment, more graduations, and more award winning hockey games are yet to come. This summer, as you all know, we have a New Law in Laredo. The indoor kind, arena football will be here and nine games will be played in Laredo.

El Metro has added more busses, more lifts, and better service while protecting the environment. The busses are very clean and they run CNG. There was a bus donated because the City of Galveston bought a bus but forgot they didn't have a CNG station.

As we prepare for Miss Texas USA we asked all Laredoans to get involved in what will be the largest "convention" of people that will repeat their visit to Laredo for five years. The Convention and Visitor's Bureau should be complimented for selling Laredo and for bringing all the exciting events that you have hosted this year. Their plans for next year will be equally inviting if not more challenging.

Business is good. But we also worry about our families. We know that every business hires more people. And as businesses compete for the workforce, there will be better pay. Interest rates and more jobs coupled with the city's down payment assistance program helped out many Laredo families in homes.

Our Health Department helped more people and have prepared for aggressive prevention programs for 2002. Rabies, West Nile Virus, TB, you don't have a chance with our health professionals. Thank you Dr. Gonzalez and thank you for helping the people of Nuevo Laredo as well. Their Bi-National Agreements that you have keeps our communities safe.

We saw a hospital sell out, a new one being built, huge investments in our community that made our planning departments and our engineering departments work in high gear. We saw our Environmental Department touch every facet of our development and our daily work. We saw the value of our City Attorneys and the great staff we have in every City department. We saw our City streets clean because the trash was picked up. When we looked out into the state and national news we saw how much each decision by congress and the state legislation affected our daily lives and hoped more Laredoans will come out to vote. We saw our soldiers come back weary and safe and some that left and didn't return to war. We saw the capture of a fugitive. All of this affected our daily lives yet on the home front we had to think about Laredo and its future. The Council continued to set policy that helped the City Manager and his staff work conservatively so that no city employee will lose his job unless they're insubordinate. Throughout the year the

City Manager brought recommendations to this Council to operate even more efficiently as he saw the downward trends. Yet our projects for the people of Laredo did not suffer. Our 2004 budget looks strong. Our city is safe. Our vision is complete. Our goal is sincere and our work is committed to service. This year I predict we will see a 5th bridge application from the City of Laredo accepted by both and state and federal governments. Today, I met the Presidente Municipal Jose "Pepe" Suarez, I am pleased to announce we will have a Memorandum of Understanding with Nuevo Laredo supporting our bridge application. You will see our clear view of a city government that works together, for all. You will continue to see a government that advocates for its citizens, grieves with them and celebrates their accomplishments. We will be aware of all the state and federal mandates that may adversely affect us through a strong legislative team. As we finished the city budget when our fiscal year started, we presented many projects, some yet to be finished and some that will get started. If you were not tuning in to those meetings you missed the opportunity to see just how exciting a year we will have. And as the year goes on and the projects are started, completed and announced I hope everyone will take interest in them and see their tax dollar, City staff, Council Members, and Mayor at work.

We wish you all a very happy and healthy New Year, and a promise to keep on working for you. Viva Laredo!"

VI. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

None.

VII. PUBLIC HEARINGS

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

City of Laredo by authorizing the issuance of a Conditional Use Permit for a mechanic shop on Lots 11 & 12, Block 448, Eastern Division, located at 118 & 120 East San Carlos Street; providing for publication and effective date. The Planning and Zoning Commission has recommended approval of the proposed Conditional Use Permit.

Motion to open the public hearing.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

Margarito Benavides and Elsa Gonzalez appeared before the Council to request approval of a Conditional Use Permit for a mechanic shop.

Motion to close the public hearing and introduce with the following conditions:

1. Hours of operation shall be limited to those between Monday thru Saturday 8:00 a.m.

to 6:00 p.m.

2. At least ten (10) percent of the lot area shall be devoted to landscaping. All property shall be kept in an attractive fashion with landscaping properly maintained. All trash, garbage and all other waste shall be kept in sanitary containers, which at all times must be concealed from public view.
3. The entire lot shall be paved except for the area landscaped.
4. Seventy-five (75) percent of the buildings shall be composed of masonry, glass, or brick.

Moved: Cm. E. Valdez

Second: Cm. Belmares

For: 8
0

Against: 0

Abstain:

Ordinance Introduction: Cm. E. Valdez

2. Public hearing and introductory ordinance amending the Zoning Ordinance Map of the City of Laredo by rezoning 2.66 acres, as further described by metes and bounds on attached Exhibit "A" located approximately at the 3900 block of Bob Bullock Loop, from R-3 (Mixed Residential District) to B-4 (Highway Commercial District); providing for publication and effective date. The Planning and Zoning Commission has recommended approval of the proposed zone change.

Motion to open the public hearing.

Moved: Cm. J. Valdez

Second: Cm. Belmares

For: 8

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. E. Valdez

Second: Cm. Belmares

For: 8
0

Against: 0

Abstain:

Ordinance Introduction: Cm. E. Valdez

3. Public hearing and introductory ordinance amending the Zoning Ordinance Map of the City of Laredo by rezoning Lots 1 and 2, Unit 1, El Rancho Subdivision, located at 4120 Loop 20, from R-3 (Mixed Residential District) to B-3 (Community Business District); providing for publication and effective date. The Planning and Zoning Commission has recommended approval of the proposed zone change.

Motion to open the public hearing.

Moved: Cm. Belmares
Second: Cm. J. Valdez
For: 8

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Garcia
Second: Cm. Agredano
For: 8 Against: 0 Abstain:
0

Ordinance Introduction: Cm. Garcia

4. Public hearing and introductory ordinance authorizing the amendment of a Special Use

Permit for a mini-storage warehouse, on Lot 1, Block 1, Lago Del Mar Subdivision, Unit 11, located at 7611 Bartlett Avenue; providing for publication and effective date. The Planning and Zoning Commission has recommended approval of the proposed Special Use Permit.

Motion to open the public hearing.

Moved: Cm. Belmares
Second: Cm. J. Valdez
For: 8

Juan Segovia, representing Alice Werstak, stated that one item does not merit nor have justification as being a requirement for the Special use Permit which is 24.93.9 of the Laredo Development Code which states that dumpsters, trash bents, or locations for refuse shall not be located within storage facilities. He said that the applicant has to schedule trash pick up twice a week because of the volume of trash that the business generates. Keeping her place of business and her neighbors clean and free of trash is the utmost importance. He added that visiting similar sites in town only affirms that trash bins should be required under the ordinance and not prohibited in the special use permit. He noted that dumpsters should be incorporated into the site plan and located away from public view as part of the Special use Permit therefore enhancing the esthetic quality in maintenance of such facilities. He asked that condition # 8 of the Special use Permit be deleted.

Motion to close the public hearing and introduce as a Special Use Permit; however, Council asked for the deletion of # 8 of imposed conditions recommended by staff.

Moved: Cm. E. Valdez

Second: Cm. Belmares

For: 8
0

Against: 0

Abstain:

Ordinance Introduction: Cm. E. Valdez

5. Public hearing and introductory ordinance amending the Zoning Ordinance Map of the City of Laredo by rezoning Lot 4, Block 236, Western Division, located at 1309 San Dario Avenue, from B-1 (Limited Commercial District) to B-3 (Community Business District); providing for publication and effective date. The Planning and Zoning Commission has recommended denial of the proposed zone change.

Motion to open the public hearing.

Moved: Mayor Pro Tempore Galo

Second: Cm. J. Valdez

For: 8

Against: 0

Abstain: 0

Alberto Garcia, property owner, asked to expand his business for used car sales.

Laura Garcia, petitioner's wife, stated that they want to extend the business for car sales.

Motion to close the public hearing, postpone and take it back to Planning and Zoning for the sole use as a used car business.

Moved: Cm. Ramirez

Second: Cm. J. Valdez

For: 8
0

Against: 0

Abstain:

6. Public hearing and introductory ordinance amending the Zoning Ordinance Map of the City of Laredo by rezoning Lot 8 and the west 22.56 feet of Lot 7, Block 1692, Eastern Division, located at 2401 Arkansas Avenue, from R-3 (Mixed Residential District) to B-3 (Community Business District); providing for publication and effective date. The Planning and Zoning Commission has recommended approval of the proposed zone change.

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Mayor Pro Tempore Galo

For: 8

Against: 0

Abstain: 0

Blas Martinez, representing Victor De Anda, requested the zone change to B-3 use as a used car lot.

Motion to close the public hearing and introduce as B-3.

Moved: Cm. Garcia

Second: Cm. J. Valdez

For: 8
0

Against: 0

Abstain:

Ordinance Introduction: Cm. Garcia

7. Public hearing and introductory ordinance amending the Zoning Ordinance Map of the City of Laredo by rezoning Lot 2, Block 1, Hilltop Subdivision, Phase I, located at 420 Hilltop Road, from R-3 (Mixed Residential District) to B-3 (Community Business District); providing for publication and effective date. The Planning and Zoning Commission has recommended approval of the proposed zone change.

Motion to open the public hearing.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. J. Valdez

For: 8
0

Against: 0

Abstain:

Ordinance Introduction: Cm. Belmares

8. Public hearing and introductory ordinance amending the Zoning Ordinance Map of the City of Laredo by authorizing the amendment of a Conditional Use Permit for a meat market/supermarket on Lot 2 and the South 1/3 or 23.14' of Lot 4, Block 1056, Western Division, located 4201 Flores Avenue; providing for publication and effective date. The Planning and Zoning Commission has recommended approval of the proposed Conditional Use Permit.

Motion to open the public hearing.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. J. Valdez

Second: Cm. Ramirez

For: 8
0

Against: 0

Abstain:

Ordinance Introduction: Cm. J. Valdez

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

City of Laredo by authorizing a Conditional Use Permit for a sign on Lot 5A, Block 849, Eastern Division, located at 1520 East San Pedro Street; providing for publication and effective date. The Planning and Zoning Commission has recommended denial of the proposed Conditional Use Permit.

Motion to open the public hearing.

Moved: Mayor Pro Tempore Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

Francisco Rodriguez and Jonathan Ruiz asked for approval of a Conditional Use Permit in order to erect a sign 30 feet tall to advertise a minor emergency clinic.

Motion to close the public hearing and override Planning and Zoning based on the conditions proposed.

Moved: Cm. Amaya

Second: Cm. Ramirez

For: 8
0

Against: 0

Abstain:

Motion to remove the site plan for the locations and allow for a multi-tenant complex sign of 300 sq. feet.

Moved: Cm. Belmares

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Amaya

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

City of Laredo by rezoning 0.05 acres, as further described by metes and bounds on attached Exhibit "A" located northwest of the intersection of Loop 20 and the Texas Mexican Railroad right-of-way, from R-1 (Single Family Residential District) to B-4 (Highway Commercial District); providing for publication and effective date. The Planning and Zoning Commission has recommended approval of the proposed zone change.

Motion to open the public hearing.

Moved: Mayor Pro Tempore Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Garcia

Second: Mayor Pro Tempore Galo

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Garcia

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

City of Laredo by rezoning 2.00 acres, as further described by metes and bounds on attached Exhibit "A" located west of South Lucy Avenue and south of Cassata Lane, from R-1 (Single Family Residential District) to R-1A (Single Family Reduced Area District); providing for publication and effective date. The Planning and Zoning Commission has recommended denial of the proposed zone change.

Motion to open the public hearing.

Moved: Mayor Pro Tempore Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

Juan Salinas, property owner, spoke in favor of zone change to R-1A.

Motion to close the public hearing and introduce and override Planning and Zoning.

Moved: Cm. Agredano

Second: Cm. E. Valdez

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Agredano

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

City of Laredo by rezoning 219.26 acres, as further described by metes and bounds on attached Exhibit "A" located west of Mines Road and south of Bob Bullock Loop, from R-1 (Single Family Residential District), and M-1 (Light Manufacturing District) to R-1A (Single Family Reduced Area District); providing for publication and effective date. The Planning and Zoning Commission has recommended approval of the proposed zone change.

Motion to open the public hearing.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

Paul Zuniga, on behalf of Faskin, Ltd. , spoke in favor of the zone change.

Motion to close the public hearing and introduce.

Moved: Cm. J. Valdez

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. J. Valdez

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

City of Laredo by rezoning 8.89 acres, as further described by metes and bounds on attached Exhibit "A" located west of Mines Road and south of Bob Bullock Loop, from M-1 (Light Manufacturing District) to B-4 (Highway Commercial District); providing for publication and effective date. The Planning and Zoning Commission has recommended approval of the proposed zone change.

Motion to open the public hearing.

Moved: Mayor Pro Tempore Galo

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. J. Valdez

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. J. Valdez

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

City of Laredo by rezoning 41.25 acres, as further described by metes and bounds on attached Exhibit "A" located west of Mines Road and south of Bob Bullock Loop, from M-1 (Light Manufacturing District) to R-2 (Multi-Family Residential District); providing for publication and effective date. The Planning and Zoning Commission has recommended approval of the proposed zone change.

Motion to open the public hearing.

Moved: Mayor Pro Tempore Galo

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. J. Valdez

Second: Cm. Ramirez

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. J. Valdez

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

City of Laredo by authorizing a Conditional Use Permit for a second single family residential dwelling on Lot 1 and the west ½ of Lot 2, Block 1158, Eastern Division, located at 2001 Piedra China Street; providing for publication and effective date. The Planning and Zoning Commission has recommended approval of the proposed Conditional Use Permit.

Motion to open the public hearing.

Moved: Mayor Pro Tempore Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Garcia

Second: Cm. Ramirez

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Mayor Pro Tempore Galo

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

City of Laredo by authorizing a Conditional Use Permit for the outdoor storage of heavy equipment on Lot 1G, Block 1, Jacaman Ranch, Unit 1, located at 6320 Krone Lane; providing for publication and effective date. The Planning and Zoning Commission has recommended approval of the proposed Conditional Use Permit.

Motion to open the public hearing.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

Fernando Chavarria, Jr., spoke in favor of a Conditional Use Permit approval.

Motion to close the public hearing and introduce.

Moved: Cm. E. Valdez, Jr.

Second: Cm. Ramirez

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. E. Valdez Jr.

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

City of Laredo by authorizing a Planned Unit Development Specific Use Overlay District on Lot 1A, Block 1, Pan American Mobile Home Park, located approximately at 4502 Game Creek Road; providing for publication and effective date. The Planning and Zoning Commission has recommended denial of the proposed Planned Unit Development Specific Use Overlay District.

Motion to open the public hearing.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

Howard and Julia Ruhlman spoke in favor of a zone change request for a Planned Unit Development Specific Use Overlay District.

Motion to close the public hearing, introduce, and override Planning & Zoning.

Moved: Cm. J. Valdez

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. J. Valdez

18. Public hearing and introductory ordinance amending Article I Section 24.1.3.2, Responsibilities of the Board of Adjustment, Creating Section 24.1.8, Standard Technical Specification Manual Committee, Creating Article III Section 24.58, Standard Technical Specification Manual, Creating Article VI Section 24.96, Amendment Procedures for the Standard Technical Specification Manual, of the Laredo Land Development Code of the City of Laredo, providing for publication and effective date. The Planning and Zoning Commission has recommended approval of the proposed zone change.

Motion to open the public hearing.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

Cm. Belmares pointed out that the public hearing was introduced by City Council instead of Cm. Belmares as stated in the Council Communication.

Cm. J. Valdez asked if irrigations are included in the amended ordinance.

Keith Selman, City Planner, stated that staff will go through the process. He explained that the ordinance establishes the committee that will work on the amendments to the spec book.

Motion to close the public hearing and introduce.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

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

\$2,750.00 in various donations to the City of Laredo Parks and Recreation Department and amending the City of Laredo FY 2003-2004 annual budget by 1) appropriating revenues in the amount of \$2,250.00 in the form of equal amount donations of \$750.00 each from: South Texas National Bank, International Bank of Commerce and Escamilla and Poneck, Inc., and appropriating expenditures in the amount of \$2,250.00 for the attendance at Austin Expo 2004 in Austin, Texas; 2) appropriating revenues of \$500.00 in the form of a donation from HEB Food Stores and appropriating expenditures in the amount of \$500.00 for the purchase of recreational equipment for the Mario Tijerina Park ribbon cutting ceremony.

Motion to open the public hearing.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Agredano

Second: Cm. Ramirez

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

20. Public hearing and introductory ordinance authorizing the City Manager to enter into

an agreement with the Texas Parks and Wildlife Department to accept a grant in the amount of \$489,793.00 and amending the City of Laredo Fiscal Year 2004 Capital Improvements Projects Fund annual budget by appropriating revenues and expenditures in the amount of \$979,586.00 for the construction and redevelopment of Zacate Creek Linear Park with 50% funding from the Texas Parks and Wildlife Outdoor Recreation Grant Program and 50% local matching funds from Community Development Block Grants (\$81,679.00) and a Tex-Mex land donation (\$408,114.00).

Motion to open the public hearing.

Moved: Mayor Pro Tempore Galo

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Mayor Pro Tempore Galo

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

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

contribution to the City of Laredo Parks and Recreation Department in the amount of \$12,500.00 from the Prairie Foundation and amending the City of

Laredo FY 2003-2004 annual budget by appropriating revenues of \$12,500.00 in the form of a contribution from the Prairie Foundation and appropriating expenditures in the amount of \$12,500.00 for the 2004 Summer Playground registration fees.

Motion to open the public hearing.

Moved: Mayor Pro Tempore Galo

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Garcia

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

22. Public hearing and introductory ordinance amending the City of Laredo FY 2003-2004

annual budget by increasing expenditures and revenues in the amount of \$65,750.00 from the Texas Department of Health and \$36,965.00 in Program Income for a six-month budget for the Immunization Action Program of the City of Laredo Health Department for the grant period beginning on January 1, 2004, through December 31, 2004; and amending the Full-Time Equivalent Positions by -.13.

Motion to open the public hearing.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Agredano

Second: Mayor Pro Tempore Galo

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

23. Public hearing amending the 2003 Consolidated One-Year Action Plan to reprogram a

total of \$75,000.00 of the 29th Action Year (AY) 2003 Community Development Block Grant (CDBG) funds by reducing the amount of funding for the South Laredo Cross Street Park Project, from \$300,000.00 to \$225,000.00 and creating a new activity known as the South Laredo (Mario Tijerina) Park Lighting Project totaling \$75,000.00.

Motion to open the public hearing.

Moved: Mayor Pro Tempore Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing.

Moved: Cm. Agredano

Second: Mayor Pro Tempore Galo

For: 8

Against: 0

Abstain: 0

VIII. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

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

1. Discussion with possible action on placing more street lights on Clark between Arkansas to Bob Bullock Loop.

Roberto Murillo, Traffic Department, reported the cost for the project will be \$40,000. He said that staff is ready to proceed once the funding is identified.

Motion to remove \$20,000 from the discretionary funds of Cm. Garcia for street lights on Clark between Arkansas to Bob Bullock Loop. Staff needs to identify the additional \$20,000 needed to complete the project.

Moved: Cm. Garcia

Second: Cm. Ramirez

For: 8

Against: 0

Abstain:

B. Request by Mayor Pro-Tempore John Galo

1. Discussion with possible action on establishing a program to allow interns to assist the Mayor and City Council.

Paul de la Pena, Professor at Laredo Community College and Texas A & M University, submitted the following correspondence for the record:

"It is with great pleasure that I was asked to address the City Council tonight on the issue of establishing a program for interns to assist the Mayor and the City Council members of the City of Laredo.

My direct involvement with this issue occurred in San Antonio, Texas under the leadership of former Council Member Maria Berriozabal while attending St. Mary's University. This experience was a rich and invigorating experience and one which allowed me to continue in politics and political activism and pursue a Master's Degree.

Currently, I hold a Bachelor's Degree in Political Science, with a concentration in Public Administration. My master's is in International Political Economy and has allowed me a broad perspective dealing with the intricacies of local, state, and international policies. I am also an adjunct faculty member at Laredo Community College, and Texas A & M International University.

Since few, if any, of the City Council members have staff or secretaries to assist them, and, as our city continues to grow, the work load for each City Council member is heavy, I believe the time has come to establish an "intern" program to assist the Mayor and City Council members with their duties. Some City Council members transact business from their homes and such work, as it relates to the City of Laredo, should be handled professionally by a staff hired by the City and trained for such purpose. But, because of budgetary concerns at this time, an internship program would be able to assist using nominal cost. This assistance will prove to be invaluable for the years to come as Laredo moves into the twenty-first century with little signs of the local economy slowing down in the foreseeable future.

*The duties of such a position would include the following:
Assisting Council Members with their correspondence, faxes
Acting as liaison between Council Members,
Handling such matters as delegated to such intern by the City Council Members or Mayor (for instance, picking up dignitaries at the airport, representing them meetings, conferences, etc.)
Training
Annual review – checks and balances
Scheduling and appointments of Council Members/Mayor*

Interns would be able to apply for the positions with the City through the Council offices and should be juniors or seniors at the University level, or have completed an associates degree from a Community College in the field awareness of political activism which is currently being taught at both Laredo collegiate campuses.

Recommendations for the interns would be coordinated by the Chair people from each Laredo campus: Dr. Carol Waters, Chair of the

Department of Social Science at TAMU, and Mr. Phil Worley, Chair of Social and Behavioral Sciences at LCC..

The intern's schedule would be determined by each Council Member/Mayor and would be academic semesters (Fall, Spring, Summer I & II). This would keep a number of students working with City Government and again encourage direct political activism in the local political arena. The terms of the interns could also be renewed and encouraged as trust is developed with each Council Members/Mayor."

Larry Dovalina, City Manager, advised that the City of Laredo has an intern program which has been in place for four years through a budgeted item. He noted that the City Charter is very specific. The City cannot pay staff to be under the direction of City Council. The Charter states that all staff must be under the direction of the City Manager. He added that staff will continue to be open to allow students to come, recruit, and train for future department directors.

2. Discussion with possible action regarding trash bags and other trash within the city limits.

Mayor Pro Tempore Galo expressed his frustration with the debris caused from t-shirt bags. He would like for staff to contact the larger retailers and ask them what kind of an impact they would have if the City of Laredo would create an ordinance banning t-shirt bags.

Larry Dovalina, City Manager, advised Council that staff has met with HEB and they would stop using the t-shirt bags if the other large retailers would stop. He noted that staff would research the item and return to Council with recommendations by the first meeting in March.

C. Request by Council Member Gene Belmares

1. Discussion with possible action on creating a speed watch program.

Agustin Dovalina, Police Chief, reported that the program is a community based speed management program. It solicits help from the community in order to deter speed problems and accidents that are caused as a result of speeding. There is a step-by-step process on how to set up the program but the biggest obstacle for the City of Laredo would be a matter of cost and being able to purchase equipment that is needed to get the program going.

Cm. Belmares said that Fort Collins has a three phase program which involves placing the speed trailers from TxDOT, recruiting volunteers to speed watch, and enforcement. This program requires volunteers. He

instructed the City Manger to research the program, its cost, and report back to Council with recommendations. He noted that he would like the cost to be place on the budget for 2004.

Cm. E. Valdez said the City of Laredo should stress the importance of legislative changes which would allow the City to use the cameras, that are already in place at traffic lights, to issue citations. The City would be able to mail tickets to violators. He suggested sending the resolution, which has already been signed by the Council, to representatives in legislation encouraging them to vote in favor of using the cameras.

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

1. Discussion with possible action regarding the parking situation at 1400 Pierce and surrounding areas.

Cm. Valdez postponed this item.

2. Recognition of the AARP for being the most active local chapter in the state.

Cm. Valdez stated that he would bring this item at the next meeting in February.

3. Discussion with possible action on the relocation of a power pole located at 1004 Lafayette.

Cm. J. Valdez said it would be addressed by staff.

4. Status report on the CP&L Road, with possible action.

Edward Garza, from Crane Engineering, said that a meeting was held with Keith Selman, Planning Director, and TxDOT to discuss the environmental assessment which is required by the Federal Highway Administration Standards Board. He noted that the initial contract included doing a Phase I site; however, Crane Engineering does not do that line of work so they hired a consulting firm. At the same time, Crane Engineering is keeping the land owners abreast of current issues. He noted that the landowners are in support of the project and he is confident that when they are approached with the right-of-way acquisition they will do their part. Letters have been sent to the landowners in accordance with TxDOT for official permission to access the properties including the CP & L property. He went on to say that he has been working with the CP & L officials from Corpus Christi for the donation of land which was part of the original plan. He noted that Crane Engineering has been following guidelines and is complying to request by CP & L. At this point, Crane needs to proceed with the environmental assessment and identify

that the final alignment is clear of environmental problems which will allow them to continue with the design.

Larry Dovalina, City Manager, reminded Council that staff had an issue with TxDOT and was not able to get the contract done. The City had a meeting in Austin to prepare an advanced funding agreement with TxDOT and they rejected the idea. The City has executed an advance funding agreement for the environmental assessment and is drafting a second document for the Flecha Lane realignment.

Edward Garza said the final design stage would take 90 to 100 days.

Cm. J. Valdez asked for a monthly report on this item.

E. Request by Council Member Juan Ramirez

1. Discussion with possible action on modifications to Bridge II due to the current high alert.

Cm. Ramirez expressed his desire to increase the amount of traffic at Bridge II.

Motion to instruct the City Manager to report back to Council with a cost estimate for bridge modifications to be done as soon as possible.

Moved: Cm. Ramirez
No Second
Motion dies for a lack of second.

Larry Dovalina, City Manager, informed Council that the item is included in the Capital improvement Plan for 2005. He said the estimate design is \$70,000 with the construction cost of \$1,200,000. Staff agrees that there is a need to expedite traffic so they are going to start marketing the transponder system which should expedite the flow of traffic. Staff has also discussed setting up a new lane called "Century Lane" which will allow Customs to recognize particular applicants in the system. As for the modifications, the City Manager recommended that Council follow the original Capital Improvement Plan for 2005.

Cm. Ramirez said that he was not happy with the City Manager's recommendation to wait for 2005 to do the modifications to the bridge.

2. Discussion with possible action regarding driving safety precautions by law enforcement within the city limits.

Motion to postpost.

Moved: Cm. Ramirez

Second: Cm. Galo

For: 8

Against: 0

Abstain: 0

3. Status report on Calle Iturbide.

Postponed by Council Member Ramirez.

IX. INTRODUCTORY ORDINANCES

25. Authorizing the City Manager to execute a lease agreement with Webb County for

approximately 2,378 square feet constituting Building No. 1228 located at 4704 Naranjo Street at the Laredo International Airport. Lease term is for fifteen (15) months commencing on May 1, 2003 and ending on July 31, 2004. Monthly rent shall be \$1,500.00; providing for an effective date.

Ordinance Introduction: City Council

26. Setting the maximum speed limits on that portion of Jacaman Road between Summerwind Boulevard and Sinatra Parkway, within the city limits of Laredo, Webb County, Texas, as 40 mph as defined in the control section map provided by the City of Laredo, Traffic Safety Department.

Ordinance Introduction: City Council

27. Authorizing the City Manager to enter into a lease agreement by and between the

Laredo Transit Management, Inc., and the City of Laredo Community Development Department for the lease of 6,628 sq.ft. of building space at the Laredo Transit Center located at 1301 Farragut (East) second and third floors (East) for a monthly sum of \$4,218.97 for a term of three (3) years commencing on February 1, 2004.

Ordinance Introduction: City Council

X. RESOLUTIONS

28. 2004-R-001 Accepting the assignment of 7.758 acre feet of municipal water rights

from the balance of 244.6125 acre feet deeded to the City of Laredo by Vaquillas Ranch Company, Ltd. by applying 1 acre feet of municipal water rights for water availability charges, and 0.158 acre feet for meter connections fees for the final plat of San Isidro Monarch Unit I; and 6.6 acre feet of municipal water rights for water availability charges in connection with the final plat of Concord Hills Phases VI, VII and VIII.

Motion to approve Resolution # 2004-R-001.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

29. 2004-R-002 Accepting the donation of two utility easements for the Pueblo Nuevo

Subdivision easement acquisition project, these being:

a. A 0.0388 acre parcel from Maria del Carmen Serna which is out

of Lot 11, Block 13 Pueblo Nuevo Subdivision, described by metes and bounds and survey attached as Exhibits A and B; and

b. A 0.0302 acre parcel from Maria del Carmen Serna which is out

of Lot 12, Block 13 Pueblo Nuevo Subdivision, described by metes and bounds and survey attached as Exhibits C and D.

Motion to approve Resolution # 2004-R-002.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

30. 2004-R-003 Accepting the donation of the "surface only" of a parcel of land from

Cielito Lindo, Ltd., a Texas Limited Partnership, for the construction of a fire station in the Cielito Lindo Subdivision. Said parcel of land being Lot 2, Block 3, Cielito Lindo Subdivision, City of Laredo, Webb County, Texas.

Motion to approve Resolution # 2004-R-003.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

31. 2004-R-004 Authorizing the City Manager to enter into and execute an Interlocal

Governmental Agreement pursuant to the Vernon's Texas Government Code, Chapter 791, between the City of Laredo and the County of Webb, in which Webb County's law enforcement agency, name Webb County's Sheriff's Department and the city's law enforcement agency, name the Laredo Police Department, require the formation of a mutual aid law enforcement task force to mutually assist each other in the areas of traffic control, crowd

control and general law enforcement both within and beyond the city limits during the "Menudo Bowl" scheduled for January 24, 2004.

Motion to approve Resolution # 2004-R-004.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

32. 2004-R-005 Authorizing the City Manager to enter into and execute an Interlocal

Governmental Agreement pursuant to the Vernon's Texas Government Code, Chapter 791, between the City of Laredo and the County of Webb, in which Webb County's law enforcement agency, name Webb County's Sheriff's Department and the city's law enforcement agency, name the Laredo Police Department, require the formation of a mutual aid law enforcement task force to mutually assist each other in the areas of traffic control, crowd control and general law enforcement both within and beyond the city limits during the various Washington's Birthday Celebration festivities scheduled for January 31, 2004 to February 28, 2004.

Motion to approve Resolution # 2004-R-005.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

33. 2004-R-006 Declaring the public necessity to utilize the area under IH 35, between

Park Street and Sanchez Street as a parking staging area on January 31, 2004 for the Jamboozie Festival, February 18, 2004 for the Annual Youth Parade and February 21, 2004 for the Washington's Birthday Parade and authorizing the City Manager to enter into an agreement with the Texas Department of Transportation for the use of said property.

Motion to approve Resolution # 2004-R-006.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

34. 2004-R-008 Accepting the donation of a 12.8167 acre parcel of land from the Texas-

Mexican Railway Company as legally described on the special warranty deed attached as Exhibit "A" and authorizing the donation

of this parcel of open space land in the city for development as part of the Zacate Creek Linear Park.

Motion to approve Resolution # 2004-R-008.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

35. 2004-R-009 Authorizing the City Manager to submit a grant application with the

Office of Governor, Criminal Justice Division for \$1,142,115.00 to fund the Laredo Narcotics Task Force. The City of Laredo and participating agencies will designate 25% of the amount awarded. This funding will be used to pay salaries, direct operating expenses and the purchase of equipment from June 1, 2004 through May 31, 2005.

Motion to approve Resolution # 2004-R-009.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

36. 2004-R-010 Authorizing the City Manager to enter into an agreement between the City

of Laredo and South Texas National Bank of Laredo for funding the installation of a traffic signal on McPherson Road at Sterling Loop/Tiara Trail.

Motion to approve Resolution # 2004-R-010.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

XI. MOTIONS

37. Consideration to reschedule the City Council meeting of Monday, February 16, 2004 to

Tuesday, February 17, 2004, due to President's Day holiday.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

38. Authorizing the City Manager to: (1) execute the City of Laredo's Contract for 9-1-1

Services with the South Texas Development Council (STDC) and the Texas Commission on State Emergency Communications (CSEC) relating to establishing the City of Laredo as the administrator for the provision of all 9-1-1 emergency services for Laredo and for the counties of Jim Hogg, Starr, Webb, Zapata and cities within this area; (2) execute all necessary interlocal agreements with each county and city within the 9-1-1 area regarding the respective 9-1-1 system responsibilities of said entities; and (3) submit the revised FY 2004-2005, Stage Two 9-1-1 Regional Strategic Plan to the CSEC for approval.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

39. Authorization to advertise for bids for the construction of the Chacon Extension Wastewater Trunk Line Project from Highway 59 and the Chacon Creek to the Bob Bullock Loop east of the Laredo Entertainment Center. The construction of the project is scheduled for 360 calendar days. Funding is available in the 1998-A Bond Issue Chacon interceptor.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

40. Authorizing the City Manager to initiate termination of construction contract with Pete

Gallegos Paving, Inc., Laredo, Texas, for the Santa Rita Park Improvements Projects pursuant to paragraph C-9.08 of the construction contract documents and the Engineer's Certificate stating that sufficient cause exists to justify termination of the construction contract, and to take actions as are permitted under the terms of the construction contract.

Mr. Gallegos addressed Council about Motions 40 and 41. He said that he was surprised to see the items on the agenda. He added that they have been working for the City of Laredo for 22 years. He noted that the City gave them a little piece of the contract with a guarantee that within 30 days we would have the other 80% of the contract. Until today, they never received the rest of the contract. He added that they do not have electricity, water, or sewer services which is the City's responsibility.

Rogelio Rivera stated that the Santa Rita Project was awarded in June of 2002. Notice to proceed was issued on the June 24th. The contract was a 135 day contract. The first award date was July 29, 2002. The contractor started the

project but quickly abandoned the work site. Staff notified the contractor in November 2002. After the contractor was notified, he poured the slab for the concession stand and that is all that has been done to date. The concrete pour was not done to specs. Staff has repeatedly asked the contractor to cure and he has not done so. The contractor supplied a cure proposal which was not acceptable to the City of Laredo. The beams and the concrete of the slab were honeycombed and that was not per specs. This is why staff is initiating the process of terminating the contract.

Mr. McGettrick, Assistant City Attorney, said that Mr. Gallegos is in Chapter 11 so he had to visit the Bankruptcy Court to lift the two contracts. He said the Eastwood Contract is virtually complete; however, the City is not satisfied with the work. He said that very little work has been done on the other contract. He added that the contracts must be considered as a package. He went on to say that staff has met with Mr. Gallegos to reach an agreement but he feels that Mr. Gallegos is unreasonable. He recommended for Council to approve the two motions as written.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 7

Against: 1

Abstain: 0

Cm. Ramirez

41. Authorizing the City Manager to initiate termination of construction contract with Pete

Gallegos Paving, Inc., Laredo, Texas, for the Eastwoods Park Project due to "Notice of Abandonment or Default of Contract" pursuant to paragraph C-9.08 of the construction contract documents and the Engineer's Certificate stating that sufficient cause exists to justify termination of the construction contract and take actions as are permitted under the terms of the construction contract.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. J. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

42. Consideration for approval of final change order no. 2 a decrease of \$1,437.50, acceptance of the CDBG Sidewalks City-Wide Project No. 23 (29 Blocks) and approval of final payment in the amount of \$13,445.71 to Triple A Concrete, Inc., Laredo, Texas. Final contract amount is \$107,007.07. Funding is available in the School Sidewalks 28th Action Year/2002 Grant.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. J. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

43. Consideration to award a professional services contract to TEC Engineers & Consultants, Inc., Laredo, Texas, in the amount not to exceed \$21,000.00 for design and preparation of plans and specifications for the CDBG Sidewalks City-Wide Project No. 25 (30 Blocks). Funding is available in the Community Development Projects/Sidewalks.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. J. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

44. Consideration to award a professional services contract to Foster Engineering Company, Laredo, Texas, in the amount not to exceed \$21,000.00 for design and preparation of plans and specifications for the CDBG Sidewalks City-Wide Project No. 26 (30 Blocks). Funding is available in the Sidewalk 23rd Action Year /1997 Grant.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. J. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

45. Consideration to award a professional services contract to Arcadis, Laredo, Texas, in the amount not to exceed \$22,400.00 for design and preparation of plans and specifications for the CDBG Sidewalks City-Wide Project No. 27 (32 Blocks). Funding is available in the Community Development Projects/Sidewalks.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. J. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

46. Consideration to award a professional services contract to Howland Surveying Company Laredo, Texas, in the amount not to exceed \$21,000.00 for design and preparation of plans and specifications for the CDBG Sidewalks City-Wide Project No. 28 (30 Blocks). Funding is available in the Sidewalk 23rd Action Year/1997 Grant and Sidewalk 26th Action Year/2000 Grant.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. J. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

47. Consideration to amend the 29th Action Year 2003 Consolidated One Year Action Plan

to reprogram a total of \$50,000.00 from the 2003 Community Development Block Grant (CDBG) funds by deleting the Inner City Park Phase II-Irrigation/Landscaping Improvements and creating a public service activity known as the Inner City Technology Instruction Program totaling \$50,000.00.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. J. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

48. Authorizing the City Manager to (1) amend its 2002 Emergency Shelter Grant (ESG)

contract with the Laredo Homeless Coalition by reducing the amount of shelter operation funds by a total of \$60,000.00 from \$75,000.00 to \$15,000.00 and (2) to enter into contract and award the \$60,000.00 to Catholic Social Services, Inc., for shelter operations of La Frontera Halfway House. These changes pertain to 2002 Emergency Shelter Grant Funds which are made available by the U.S. Department of Housing and Urban Development.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. J. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

49. Consideration for approval of a consultant to perform asbestos material investigations

for city owned commercial and residential structures for FY 2003-2004 and authorization to negotiate a professional services contract. Funding is available in the Improvements Other Than Buildings Account.

Mayor Flores announced that the consultant is Drash Engineering and O'Conner Engineering on a rotation basis.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

50. Consideration for approval of the selection of consultant for the Chacon Creek Hike

and Bike Trail Phase II and authorization to negotiate a professional services contract. Funding is available in the Capital Improvement Fund Chacon Creek Hike and Bike Trail.

The award is to Land Design.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

51. Authorizing the City Manager to sign an inter-local agreement with the International

Boundary and Water Commission (IBWC) to collect quarterly Water Quality samples from Manadas Creek for the Clean River Program (CRP) for the period of September 1, 2003 through August 31, 2005. IBWC is under contract with Texas Commission on Environmental Quality (TCEQ) and is responsible for collecting the water quality data from seventy-two monitoring stations along the Rio Grande River. Under the agreement, the Environmental Services will collect eight (8) water quality samples and send to the IBWC contract lab, so there will be no cost for sample analysis except for the manpower to collect the samples.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

52. Consideration to award a construction contract to the lowest bidder SCS Field Services,

Long Beach, California, for the construction of a landfill gas collection system expansion at the City of Laredo Landfill in the bid amount of \$95,314.60. Funding is available in the Solid Waste Fund.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

53. Motion to approve seventeen contracts payable from the Hotel/Motel Tax Fund. These

contracts are for fiscal year 2004 and total \$441,170.00. The contracts are listed as follows:

Laredo Chamber of Commerce – Cola Blanca	\$ 10,000.00
LULAC #7	\$ 5,000.00
LULAC #12	\$ 5,000.00
Society of Martha Washington	\$ 9,000.00
Washington’s Birthday Celebration Association	\$ 19,000.00
Washington’s B-Day Celebration Museum	\$ 9,000.00
Laredo Children’s Museum	\$ 49,000.00
Webb County Heritage Foundation	\$ 49,000.00
Laredo Center for the Arts	\$130,360.00
Laredo Little Theater	\$ 27,758.00
Latin American Sports Hall of Fame	\$ 4,000.00
L.C.C. Dance/Music Community Productions	\$ 31,815.00
Laredo Philharmonic Chorale	\$ 2,340.00
Laredo Philharmonic Orchestra	\$ 37,897.00
T.A.M.I.U. Dance Productions	\$ 9,000.00
Border Olympics	\$ 25,000.00
Streets of Laredo Urban Mall	\$ 9,000.00
Mexican Cultural Institute of Laredo	\$ 9,000.00

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

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

November and December 2003 represents an increase of \$245,549.95. These adjustments are determined by Webb County Appraisal District and/or by court orders.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

55. Refund of property tax to the following taxpayers and companies:

a. A refund in the amount of \$508.14 payable to Ricardo Rodriguez, due to an

overpayment by the mortgage company Account #938-80001-060.

b. A refund in the amount of \$709.64 payable to Michael Brock, due to a double

payment by the mortgage company, Account #938-50001-140.

c. A refund in the amount of \$1,086.47 payable to Wells Fargo Real Est. Tax

SVCS, LLC, due to an erroneous payment by the mortgage company. Account #989-10002-180.

- d. A refund in the amount of \$1,104.67 payable to Eduardo Diaz Realty, Inc., due to an overpayment by the taxpayer. Account #972-90004-060.
- e. A refund in the amount of \$956.09 payable to Falcon National Bank, due to an overpayment by the bank. Account #933-00001-030.
- f. A refund in the amount of \$ 618.33 payable to Falcon National Bank due to an overpayment by the bank. Account #103-00120-100.
- g. A refund in the amount of \$685.72 payable to Columbus Energy Corporation, due to a Webb County Appraisal change of value certified by the Appraisal Review Board for property that did not exist. Account #801-03023-135.
- h. A refund in the amount of \$578.90 payable to Robert Ray and Amy Isabel Marshall, due to a Webb County Appraisal District change of value certified by the Webb County Appraisal Review Board for split property. Account #900-90221-214.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

56. Consideration to award contract number FY04-026, to the low bidder, JJJ Int'l Safety

Equipment, Laredo, Texas, in the estimated annual amount of \$24,601.35, for the purchase of thirty different types of traffic signs. These signs which will be used to replace damaged or faded signs. The bid pricing will be firm for one year. Funding is available in the Traffic Safety budget.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

57. Consideration to award contract number FY04-024 to the low bidder, AI & Rob Sales,

Laredo, Texas, in the estimated amount of \$54,582.55 for the purchase of uniforms for Bridge Department personnel. The contract pricing is approximately 2% less than the previous contract amount. The uniforms will be delivered thirty days after measurements have been completed. Funding is available in the Bridge Fund.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

58. Consideration to ratify the emergency purchase of 42" wastewater pipe from Hobas

Pipe USA, Inc. Houston, Texas, in the amount of \$46,096.60. This pipe will be used to repair the Zacate Wastewater Treatment influent raw wastewater line which sustained a major failure on October 13, 2003. The City Manager has authorized the emergency purchase of this pipe to facilitate the necessary repairs. Funding is available in the Utilities Department-Wastewater Construction Project budget.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

59. Ratify and approve action taken by the City Manager on December 5, 2003 to authorize

an emergency contract to Grant Brothers, L.L.C. in the amount of \$579,193.00 for the repair of the collapsed 42" raw wastewater line into the Zacate Creek Wastewater Treatment Plant.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

60. Authorization of the selection of the firm Ferris and Flinn of Harlingen, Texas to update the Utilities Department's Capital Improvements Program for calculation of the impact fees. This project consist of updating the CIP, providing a hydraulic model of the water system, wastewater model and a master plan for both water and wastewater improvements.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

61. Consideration to award contract FY04-023 to the sole bidder, G.H. Construction, Inc.,

d/b/a G.H. Pools, Laredo, Texas, in the amount of \$49,558.00 for the rehabilitation of the Del Mar swimming pool. The scope of work includes removing and installing new borders, coping, wall steps, lane anchors, and

depth markers along with the replastering of the entire pool. Funding is available in the Capital Improvement Project budget.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

62. Consideration to award of supply contract number FY04-027 to the following low

bidder: Libcon Inc. d/b/a Leyendecker Materials, Laredo, Texas in the estimated amount of \$1,102,500.00, for the purchase of asphalt, black base, flexible base, sand, and gravel; City Ready Mix, Laredo, Texas in the estimated amount of \$184,000.00, for the purchase of ready mix cement; Martin Marietta, Corpus Christi, Texas in the estimated amount of \$118,250.00 for the purchase of Type A Flexible Base; Marlin Asphalt, Corpus Christi, Texas in the estimated amount of \$13,811.50 and GSAC, Houston, Texas in the estimated amount of \$4,200.00 for the purchase of asphalt oils. These will be the primary vendors for the purchase of materials required for all city paving and construction projects. The contract pricing for asphalt is approximately 0.5% higher than the previous contract price. Funding is available in the Engineering Department - Public Works Division budget and construction project budgets.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

63. Consideration to award contract number FY04-034 to the low bidder, RM Personnel,

Inc., Laredo, Texas in the estimated amount of \$64,220.00 for providing contract employees for the Police Department and lots must be drawn, pursuant to provisions of Section 271.901 of the Local Government Code, to determine the low bidder for the contract employees requested by the Traffic Safety and Convention and Visitors Bureau Departments for an estimated contract amount of \$26,160.40. RM Personnel and Staff Force bid the same hourly rate for these two departments. Temporary contract employees have been requested for office and custodial positions. Funding is available in the respective departmental budgets.

Lots were drawn by Mayor Flores and the winner chosen was Staff Force.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

64. Consideration to award contract number FY04-028 to the sole bidder,
Consolidated

Traffic Controls, Inc., Arlington, Texas, in the amount of \$36,245.00 for the purchase of microwave radios and pager programmable time switches. The microwave radios will be used for ongoing traffic signal upgrades, for replacements at damaged traffic signal locations and for new traffic signal installations. The equipment provides the necessary communication from the remote site(s) and the central computer located at the Traffic Safety Department Office. The pager programmable system allows for remote programming and activation of school flashing beacons throughout the city. Funding is available in the Traffic Safety Department Capital Improvement Project budget.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

65. Consideration for approval of change order no. 4 to the construction contract with

Brothers Paving, Inc., Laredo, Texas, for the San Francisco Xavier Road Street Improvements Project to add ninety (90) working days to the construction contract time to address erosion problems. Funding is available in the Capital Improvement Fund San Francisco Xavier Road Project.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. J. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

66. Consideration for approval of the selection of consultant Matrix Security Systems, Inc.,

Dayton, Ohio, for the Laredo International Airport Security Related Improvements (Design/Build) Project and authorization to negotiate a professional services contract. Funding is available in the Airport Construction Fund - FAA Grant #34.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. J. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

67. Consideration for approval of acceptance of the Laredo Entertainment Center

construction project. A one-year warranty walk-through inspection was held on November 13, 2003. "Punch-list" items, ADA/TAS (American with Disabilities Act/Texas Accessibility Standards) items, as well as outstanding warranty items were reviewed and discussed. Punch-list items in existence as of the date of substantial completion are completed with the exception of one ADA/TAS item. This item is the power door operators for the housekeeping and Zamboni rooms.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. J. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

68. Consideration to award contract FY04-030, to the low bidder, A Clean Portoco, Laredo, Texas, in the estimated amount of \$25,000.00 for providing portable restrooms for City parks, City sponsored events, and construction job sites. All services will be secured on an as needed basis. Contract pricing has been secured for daily, weekend, and monthly service. The bid pricing is the same as last year. Funding is available in the Public Works-Street Reconstruction and Parks and Recreation Departments budgets.

Motion to reject award and come back to Council with a 3% rule.

Moved: Cm. J. Valdez, Jr.

Second: Cm. Ramirez

For: 8

Against: 0

Abstain: 0

69. Authorizing the City Manager to submit a grant application and execute all required

documents resulting from this submission to the Federal Transit Administration (FTA) for the Individualized Marketing Demonstration proposal. The FTA is undertaking a research demonstration program aimed at increasing public transit ridership with a minimal need for capital investments and has proven successful in Portland, Oregon. Laredo will be competing with transit agencies throughout the U.S. Only four communities will be selected for the pilot marketing program.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. J. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

70. Consideration to authorize the City Manager to execute a contract with Petroleum

Solutions of San Antonio, Texas, in the amount of \$114,185.62 for the design/construction of an aboveground storage tank fueling station at the City

of Laredo Solid Waste Facility on Highway 359. Funding is available in the Solid Waste Fund.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. J. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

XII. STAFF REPORTS

71. A. Presentation by US Army Corps of Engineers regarding the creation of the Restoration Advisory Board (RAB) for the Former Laredo Air Force Base. The RAB is a forum of discussion and exchange of information about an installation's Restoration/Base Realignment and Closure (IR/BRAC) or Formerly Used Defense Sites (FUDS).

Dan Davis, representing the Army Corps of Engineers and who is a technical manager of environmental projects connected with the formally used Defense Site Program made the presentation. He asked for the Council's assistance in selecting members for the Restoration Advisory Board that will oversee and supervise the clean-up of the site.

He submitted the following procedures for the record:

Draft

Operating Procedures for Former Laredo AFB Restoration Advisory Board.

1. Mission Statement of Former Laredo AFB Restoration Advisory Board

(RAB).

The mission of the Former Laredo AFB RAB is to establish and maintain a forum with all stakeholders for the exchange of information in open and interactive dialogue concerning the environmental restoration activities on the former AFB property. The RAB will review technical documents and provide comments and advice to the U. S. Army Corps of Engineers, Fort Worth District ("the Corps") on the proposed environmental restoration activities.

2. Responsibilities of the RAB. Responsibilities of the RAB are as follows:

- a. Provide advice on environmental restoration issues to the Corps and regulatory agencies.
- b. Hold regularly scheduled meetings that are open to the public and held at convenient times and locations, normally on weekday evenings.

- c. Prepare public notices to promote public participation in RAB meetings.
- d. Prepare meetings agenda specifying discussion topics for each meeting.
- e. Review, evaluate, and provide comments to the Corps, on documents relating to environmental restoration activities.
- f. Recommend priorities among FUDS projects.
- g. Record minutes of RAB meetings and make them available to interested parties.
- h. Develop RAB mission statement and operating procedures.
- i. Provide a public forum for all stakeholders to comment on and to discuss environmental restoration activities at the Former Laredo AFB.
- j. Run meetings in accordance with Robert's Rules of Order.

3. RAB membership will consist of members from the Corps, Federal and state agencies, local government, and the local community. RAB membership will reflect the diversity of the community.

a. Community members may be drawn from, but are not limited to, the local community (including residents; various local government agencies; businesses; school district; local environmental groups (including activist groups); civic/public interest organization; religious groups, local regulatory agencies; Homeowners Associations; the medical community; the economically disadvantages; African-American, Native American, Hispanic, and other minority groups; other state and Federal agencies; trustees; and local and tribal governments). Community members will provide information, seek independent technical advice when appropriate and feasible, communicate public concerns to the RAB, and provide information and progress reports to the public.

b. Other RAB members will be as follows:

- 1. The Corps Co-Chair: Responsibilities of the Corps Co-Chair (i.e. the project manager (PM) or some other, higher-level the Corps manager) are listed in paragraph 7a below.
- 2. State Regulatory Agencies. Responsibilities of state regulatory agency member (s) are listed in paragraph 7d below.
- 3. U. S. Environmental Protection Agency (EPA). Responsibilities of the EPA member (s) are listed in paragraph 7e below.

4. **RAB Formation.** General guidelines applicable to the formation of a RAB are as follows:

- a. A RAB will consist of no more than 20 members. Members may be added to or removed from the board at the discretion and approval of the RAB.
- b. A selection panel made up of community members will recommend RAB members to the Corps' District Commander.
- c. RAB members will serve a two-year term. RAB members may submit an application to serve another term (not to exceed 2 years) when their first term has been completed. Total service will not exceed 4 years.
- d. A Community Co-Chair will be elected by the RAB members. The procedures for conducting this election are specified in paragraph 6 below. The community Co-Chair will serve as 1 year term, with re-election limited to one additional term.
- e. A PM or some other, higher-level the Corps manager designated by the district Commander will serve as the Corps Co-Chair.

5. **RAB Meetings** RAB members will comply with the following meeting procedures:

- a. Each community member will have one vote on the RAB's operating procedures in RAB meetings. Minutes of each RAB meeting will be recorded for inclusion in the Administrative Record.
- b. Each RAB member will act individually in discussions, in providing comments on documents, and in providing advice to the Corps. The RAB is not an advisory committee, as that term is used in the Federal Advisory Committee Act. All advice will be offered by RAB members as individuals and is not to be construed as "consensus" advice.
- c. Regular, on-time attendance is a requirement for continued RAB membership. The RAB will meet once every three months, or any other period specified in the RAB operating procedures. Members are expected to attend every meetings. After a member has missed two meetings without appropriate explanation, the Corps, and Community Co-Chairs will send a 14-day written notice to the member requesting written explanation within 14 days, of these absences and indicating that after three issued meetings, the RAB will assume that the member is no longer interested and will terminate his or her membership.
- d. The RAB will encourage public participation. Co-Chairs, or other designated representatives, will respond to questions raised by the public. If sufficient information is not available to provide an accurate response at the meeting, the issue will be recorded to the meeting transcript. A written response to all issues raised will be provided. The response provided will be an agenda item for discussion at the next regularly

scheduled meeting. All public comments will be considered by the RAB and recorded in the meeting transcript.

- e. Normally, only RAB Co-Chairs will speak to the media on behalf of the RAB.

RAB community members must have prior approval of the RAB before speaking for the RAB during press interviews and other public relations activities.

- f. When a RAB member is no longer able to participate in RAB meetings, the

member should submit a written resignation or a RAB co-chairperson.

Resigning members may nominate new members to replace themselves. Replacement members will also be sought from those individuals who were notified of their non-selection when they initially completed the community interest forms. New members must continue to reflect the diversity of the community.

- g. A Procedures Committee will be established to resolve issues regarding compliance with the operating procedures and to accept proposals from RAB members to change the procedures. This committee will be composed of the two Co-Chairs and one RAB member appointed by the RAB.

- h. A Nomination Committee will be established to accept nominations for election

of the Community Co-Chair. The procedures for conducting the election are listed in paragraph 6 below.

- i. Disputes within the RAB will be resolved by means of a three-step process.

First, the RAB Co-Chair will attempt to resolve the issue. When these efforts are not successful, an independent facilitator may be brought in to resolve the issue. Disputes which cannot be resolved by the Co-Chairs or facilitator may be formally presented to the Corps District Commander for resolution.

- j. A quorum of RAB member must be present in order to hold a RAB meeting. A

quorum is defined as both Co-Chairs, one regulatory agency member, and 51 percent of the remaining RAB members.

- k. Member participation will follow a process similar to that presented to Robert's

Rules of Order. An agenda will be followed at RAB meetings, with full and open discussions encouraged. Public comments or questions from the public will be held at the end of the meeting. No time limit will be specified for the meetings. RAB meetings will begin at 6:30 p.m. A co-chair will ask the members for a motion to adjourn and approval of such a motion in order to end each meeting.

- l. The RAB will encourage public participation. Co-Chairs, or other designated

representatives, will respond to questions raised by the public. If sufficient information is not available to provide an accurate response at the meeting, the issue will be recorded in the meeting transcript. A written response to all issues raised will be provided. The response provided will

be an agenda item for discussion at the next regularly scheduled meeting. All public comments will be considered by RAB and recorded in the meeting transcript. Meeting transcripts will be published on the project web site.

6. Election of Community Co-Chair. An election will be held at the first meeting

to elect the Community Co-Chair, and bi-annually thereafter. Candidates may nominate themselves, be nominated from the floor at the meeting, or be presented by the Nominating Committee (note – since the Nominating Committee will not be formed at the first meeting, there will be no candidate from this source for the first election.) The Community Co-Chair will be elected by a majority of the community RAB members, by written ballot. If no candidates achieve a majority of votes in the first round of voting, there will be a run-off election between the two (or more in case of ties)top vote getters. Results will be announced at the same meeting. The new community Co-chair will assume his/her responsibilities immediately upon election.

7. RAB Member Responsibilities.

a. Responsibilities of the Corps Co-Chair are as follows:

1. Coordinate with the Community Co-Chair to prepare and distribute an agenda prior to each RAB meeting.
2. Communicate with all RAB members regarding Environmental restoration actions at the Former Laredo AFB.
3. Publicly announce RAB meetings at least twice in the 15 days prior to the meeting date. In addition, agendas will be mailed to all persons on the mailing list seven to fifteen days prior to the meeting.
4. Ensure that the Corps participates in an open and constructive manner.
5. Ensure that RAB members are educated and trained regarding their responsibilities as a member of the RAB.
6. Ensure that the RAB is provided access to documents for its review and comment. Ensure that an adequate review period is allowed for the RAB members. Ensure that documents distributed to RAB are also made available to the public in the Information Repository in the Gainesville Public Library and on the project web site.
7. Maintain a mailing list of interested and affected parties in the Environmental restoration activities at the Former Laredo AFB. Ensure that adequate administrative and technical support is provided to the RAB.

8. Ensure that adequate administrative and technical support is provided to the RAB.
9. Ensure that community issues and concerns related to Environmental restoration actions are addressed when raised.
10. Ensure that the RAB is fully informed during all phases of the Environmental restoration process and that it has opportunities to participate in advising decision makers before final decisions are made.
11. Provide all relevant guidance documents to the RAB to enhance the operation of the RAB.
12. Report back to the Corps and refer issues not related to Environmental restoration action to appropriate officials for action.

b. Responsibilities of the Community Co-Chair are as follows:

1. Coordinate with the Corps Co-Chair and the RAB members to prepare and distribute an agenda prior to each RAB meeting.
2. Coordinate, as required, with the Corps Co-Chair to ensure that RAB questions and concerns are answered in an appropriate and timely manner.
3. Encourage open and constructive community participation at RAB meetings.
4. Ensure that RAB members are trained regarding their responsibilities as RAB members.
5. Communicated with RAB members regarding Environmental restoration actions.
6. Ensure that community issues and concerns related to Environmental restoration are adequately addressed and that relevant information is communicated back to the community.
7. Assist in the dissemination of information to the general public.
8. Serve without compensation.

c. Responsibilities of RAB community members are as follows:

1. Attend RAB meetings as required by the RAB operating procedures.
2. Provide advice on Environmental restoration actions to decision makers.
3. Communicate community interests and concerns to the RAB.
4. Serve as a conduit for the flow of information among the community, the Corps, and other involved Federal, state, and local agencies regarding the Environmental restoration issues as the Former Laredo AFB.
5. Review, evaluate, and provide comments on documents related to environmental

restoration activities.

6. Serve without compensation.

d. Responsibilities of state regulatory agency member (s) are as follows:

1. Attend RAB meetings as required by RAB operating procedures

2. Serve as an information, referral, and resource bank for the community, the

Corps, and other involved Federal, state, and local agencies regarding environmental restoration activities at the Former Laredo AFB.

3. Review and provide comments on documents and other materials related to

environmental restoration activities.

4. Ensure that state environmental standards and regulations are identified and

addressed by the Corps.

5. Facilitate flexible and innovation resolutions of environmental issues and concerns.

6. Assist in the training of RAB members.

e. Responsibilities of the EPA member (s) are as follows:

1. Attend RAB meetings as required by RAB operating procedures.

2. Serve as an information, referral, and resource bank for the community, the

Corps, and other involved Federal, state and local agencies regarding Environmental restoration actions at the Former Laredo AFB.

3. Facilitate flexible and innovative resolutions of environmental issues and concerns.

4. Ensure that Federal environmental standards and regulations are identified and

addressed by the Corps.

5. Assist in the training of RAB members.

8. **Amendments to RAB Operating Procedures.** Amendments to RAB operating

procedures may be made with a three-fourths majority vote of a quorum of all RAB members. Proposed amendments will be referred to a Procedures Committee for evaluation and recommendation. Proposals will be voted on by all RAB members after they receive the Procedures Committee's written recommendations. These recommendations will be provided to the RAB members at least 20 days prior to the meeting in which the proposed amendments will be addressed.

Cm. J. Valdez said that Cm. E. Valdez should be a part of the board. He added that E. Valdez should choose whomever he wants with the concurrence of the Council.

Cm. E. Valdez said that he would like to see the project through. He also said that he would like to see local residents that can be reasoned with as a part of the group. He went on to say that Dr. Gonzalez and Ria Mia would be great board members because of their commitment to the community. Finally, he said that the majority of the committee should be from the public sector so the people will trust the facts and studies.

Motion to always have Council Member or private citizen on that board and also include the council Member from that district.

Moved: Cm. J. Valdez

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

B. Staff report on park projects for District II, District V, and District VII, and District VIII, with possible action.

Motion to appropriate of discretionary funds in district V to include \$75,000 to Zacate Creek irrigation and landscaping and \$5,250 for Wyoming landscaping and irrigating.

Moved: Cm. E. Valdez

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

C. Status report on the Calle Iturbide Project.

Rogelio Rivera, City Engineer, noted that a report was submitted in Friday's packets. He added that staff is trying to finish the project by the end of January.

D. Presentation by Roberto Murillo, Traffic Safety Director, regarding implementation of a recommended plan of action for the taxicab industry that is consistent with some of the findings and recommendations identified in a recently conducted City of Laredo Taxicab Industry Study, with possible action.

This item was postponed.

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.

72. Executive Session pursuant to Section 551.071 of the Government Code to discuss with

City Attorney the pending case of Martin Villarreal et al. v. City of Laredo, et al. Cause No. L-03-11 in the U.S. District Court, Southern District of Texas, Laredo Division, and return to open session for possible action thereon.

Motion to go into Executive Session pursuant to Section 551.071 of the Government Code to discuss with City Attorney the pending case of Martin Villarreal et al. v. City of Laredo, et al. Cause No. L-03-11 in the U.S. District Court, Southern District of Texas, Laredo Division, and return to open session for possible action thereon.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

The Mayor announced that no formal action was taken during Executive Session.

Motion to direct the City's legal counsel to proceed with the dismissal of co-defendant Frank Architects as a party to the case, provided that all plaintiffs first settle with Frank Architects and dismiss their claims against the party.

Moved: Cm. E. Valdez, Jr.

Second: Cm. J. Valdez, Jr.

For: 9

Against: 0

Abstain: 0

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

order to deliberate on the possible purchase, lease, or value of the Camino Colombia Toll Road, because deliberation in an open meeting would have a detrimental effect on the position of the City Council in negotiations with third persons; and return to open session for possible action.

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

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

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

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

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

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

74. Consideration to award contract FY04-034 to the low bidder, RM Personnel, Inc.,

Laredo, Texas, in the estimated amount of \$25,000.00 for providing contract employees for the Noise Abatement Program. Three contract employees will be required to work on an as needed basis, as a groundskeeper, maintenance worker, and clerk. Funding is available in the Noise Abatement Lease Program budget administered by the Laredo Municipal Housing Corporation.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. J. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

XV. ADJOURN AS THE LAREDO MUNICIPAL HOUSING CORPORATION AND CONVENE AS THE LAREDO MASS TRANSIT BOARD

Motion to adjourn as the Laredo Municipal Housing Corporation and convene as the Laredo Mass Transit Board.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

75. Authorizing the City Manager to waive the parking fee for persons attending the

Jamboozie Festival and implementing a flat fee charge of \$200.00 to the Streets of Laredo Urban Mall Association for personnel costs, overtime and extra security for traffic and crowd control for the use of the parking facility at 9:00 p.m. on January 31, 2004 to 2:00 a.m. on February 1, 2004.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

76. Authorizing the City Manager to adjust the number of weekly service hours from

ninety-seven (97) to forty-two (42) on route 21 South Laredo TAMIU, effective January 19, 2004, by transferring 55 service hours to the following two routes

due to higher ridership. The transfer of forty-two (42) out of the fifty-five (55) service hours shall be added to route 14 Santa Rita upon the opening of the LCC South Campus, therefore increasing the number of weekly service hours from 93 to 135. The remaining thirteen (13) transferred service hours shall be added to route 16 TAMIU effective January 19, 2004, therefore increasing the number of weekly service hours from 91 to 104.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

77. Consideration to award contracts for providing group health insurance coverage, for a

period of twelve months, to Blue Cross Blue Shield of Texas in the estimated annual amount of \$1,042,748.00; life insurance with accidental death and dismemberment (AD&D), for a period of three years, in the estimated annual amount of \$14,889.00 to Mutual of Omaha; and short term disability insurance, for a period of two years, in the estimated annual amount of \$71,440.00 to Mutual of Omaha. The insurance agent for these policies will be Laurel Insurance Agency & Associates, Inc., Laredo, Texas. An evaluation of the numerous proposals was undertaken by staff, an independent consultant and an El Metro employee insurance committee. The collective agreement between the transit union and Laredo Transit Management Inc. requires the system to pay 100% of the employee cost and 50% of the dependent cost for the group health insurance plan and 100% of the cost for the life insurance and short term disability for eligible employees. The cost for the health insurance will be same as the previous twelve month period, but the group life and short term disability insurance annual cost to the transit system will be \$41,451.00 less. Funding is available in the Transit budget.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

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

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

Moved: Mayor Pro Tempore Galo

Second: Cm. Ramirez

For: 8

Against: 0

Abstain: 0

XVII. ADJOURNMENT

Motion to adjourn.

Time:

Moved:

Second:

For:

Against:

Abstain:

SUPPLEMENTAL AGENDA

I. COMMUNICATIONS AND RECOGNITIONS

- a. Recognition of the John B. Alexander High School Cheerleaders for winning the National Championship in Dallas, Texas. (Co-sponsored by Council Member Hector J. Garcia, Council Member Gene Belmares and Council Member Jose A. Valdez, Jr.)

Mayor Flores and City Council recognized the Alexander High School Cheerleaders for winning the title of National Championship in Dallas, Texas and presented each one with a Certificate of Recognition.

II. EXECUTIVE SESSION

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

III. ADJOURNMENT

Motion to adjourn.

Time: _____

p.m.

Moved: Cm. Agredano

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

I, Gustavo Guevara, Jr., City Secretary, do hereby certify that the above and foregoing is a true and correct copy of the minutes contained in pages 0 to 46 and they are true, complete, and correct proceedings of the City Council meeting held on January 12, 2004.

Gustavo Guevara, Jr.
City Secretary

