

**CITY OF LAREDO  
CITY COUNCIL MEETING  
M2004-R-03  
CITY COUNCIL CHAMBERS  
1110 HOUSTON STREET  
LAREDO, TEXAS 78040  
FEBRUARY 17, 2004  
5:30 P.M.**

**I. CALL TO ORDER**

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

**II. PLEDGE OF ALLEGIANCE**

Mayor Flores called the meeting to order.

**III. ROLL CALL**

In attendance:

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

**IV. MINUTES**

Approval of the minutes of February 2, 2004.

Motion to approve.

Moved: Cm. Agredano  
Second: Cm. E. Valdez  
For: 8

Against: 0

Abstain: 0

## V. COMMUNICATIONS AND RECOGNITIONS

### Announcements

None.

### Invitations

None.

### Recognitions

- a. Recognition of the “Mayor’s Cup Softball Tournament” winners.

Mike Pescador, Assistant Parks & Recreation Director, announced the winners as follows:

#### “A” Division

1<sup>st</sup> Place Fire Fighters Department  
2<sup>nd</sup> Place Parks & Recreation Department

#### “B” Division

1<sup>st</sup> Place City Hall  
2<sup>nd</sup> Place Health Department I

Greatest Participation Award	Public Works (Outsiders) Roberto Leza
Most Memorable Play	Health Department I
Most Valuable Player	Francisco Meza
Sportsmanship Award	Administration Services (Dare Devils)
Most Spirited Team Award	Health Department (All girls team – Wicettes)
Greatest/Extra Effort Award	John Guerrero
Butterfingers Award	Fernando Valdez (Fleet Department)

- b. Recognition of the Solid Waste Department employees for their completion of the Caterpillar Heavy Equipment Training.

Oscar Medina, Solid Waste Director, acknowledged that a group of employees from the Solid Waste Department has finished an intensive, heavy equipment training course which specializes in the landfill equipment. He introduced James Mulkeroy, Holt Training Coordinator, who administered the training to the City employees. Mr. Mulkeroy gave a brief description of the training and stated that the City of Laredo Solid Waste employees are the first employees in the State of Texas to receive their Certificate of Registry.

The following employees were presented a Certificate of Registry and a belt buckle.

Juan Garza  
Natividad Valadez  
Rodolfo Garcia  
Paz Vedarte

Antonio Estevis  
Jose Claudio  
Geronimo Lopez  
Adan Rivera

- c. Recognition of Hilda Negrete, of the Office of the City Secretary, on her selection as  
January 2004 Employee of the Month.

Mayor Flores and City Council recognized Ms. Hilda Negrete on her selection as January 2004 Employee of the Month.

Gustavo Guevara, Jr., City Secretary, said that Hilda Negrete received her Bachelor's Degree in Political Science while in her first year in the City Secretary's Office. He noted that she received assistance through the Tuition Assistance Program for City employees. He added that she, along with the Convention and Visitor's Bureau staff, made a great effort in assuring the success of the Sister's City Festival; unfortunately, only one person could accept the title of January employee of the month. He said that she came through with the expedience necessary to prepare the documentation that schedules the telephone calls from both the regular office work and the Sister Cities Festival arrangements. She also had to double her work to cover for one of the employees that was out the entire month of January. She is cited for her excellent work in preparing letters to the United States Embassies in Mexico City, Monterrey, Monterrey, Guadalajara, and Nuevo Laredo in assisting the participants to acquire their temporary exhibitor's permit. She followed up with the embassies to authenticate these documents with embassy personnel. Finally, he said that she has proven to be very professional and extremely timely in her work.

### **Communiqués**

- a. Presentation by Vaswani Soccer Ventures, LLC regarding the United Soccer League's  
newest Premier Development League member franchise from Laredo, Texas.

This item was postponed.

Cm. Agredano thanked the City Manager, Fire Chief Sosa, the Laredo Fire Department, the Laredo Fire Department's Color Guard, Cigarroa High School Band, and several employees from the City of Laredo for attending the ground breaking for the Cielito Lindo Fire/Cops Station. He noted that on February 1, 2004 he donated tickets to the 5<sup>th</sup> Grade Basketball team from Salinas Elementary so they could enjoy the performance of the Globe Trotters at the Laredo Entertainment Center. He went

on to say that on February 11, 2004 he and Mayor Pro Tempore Galo were able to donate twenty Buck tickets to special education students from Santa Nino and Kawas Elementary School. Finally, he thanked Roy Garcia, Property Code Enforcement Supervisor from the City of Laredo, and his students for picking up all the trash along Highway 83 to Loop 20 and from Loop 20 to Bob Bullock Loop. He noted that they did a fantastic job cleaning the City of Laredo.

Cm. Garcia congratulated Roberto Murillo, Director of the Traffic Safety for the City of Laredo, who was recently elected President of the South Texas Section of Texas Institute Transportation Engineers. TexITE is a professional organization of individuals employed in the field of transportation who share a common interest in improving the quality of the surface transportation system in the State of Texas. He also congratulated Elsa Pena Cass, the President of Pocahontas, and her daughter Ashley Cass, who reigned as Miss Pocahontas for 2004. He said the Pocahontas Council was a beautiful event. He congratulated the Pocahontas Organization on a job well done. He also congratulated the Laredo Elk's Lodge on their grand opening. He encouraged the viewing public to join the Elk's Lodge. He mentioned that the new soccer team named Laredo Heat will be giving a presentation at the next Council meeting. Lastly, he invited individuals to attend the Border Olympic to be held on February 26<sup>th</sup>, 27<sup>th</sup>, and 28<sup>th</sup> and March 5<sup>th</sup> and 6<sup>th</sup>.

Mayor Pro Tempore thanked and congratulated all the volunteers that are helping with different George Washington Celebration events throughout the City. He advised that attendance has been very good at all the events. He mentioned that Roberto Murillo, Traffic Director, will be conducting another traffic study on Prada Machin. He acknowledged the Parks and Recreation Department for the hard work they have been doing at the Benavides Park. He also congratulated Roy Garcia and his work with the children to clean up trash in different areas throughout the City.

Cm. Amaya thanked John Orfila, Recycling Program Coordinator, and his staff for the work they have done with the Bartlett/Malinche Sidewalk Project. He mentioned the committee meetings that he had attended throughout the week which included the Transit Committee, the Water Issues Committee, the Audit Committee, and the Firefighters' Retirement System Board of Trustees. He acknowledged that he has been very busy and is looking forward to attending the events for the George Washington Celebration.

Cm. E. Valdez said that he had attended a meeting at the Noon Lion's Park with Commissioner David Cortez and other individuals to hear their suggestions and recommendations for the park. He added that he was thrilled when the people started praising the City of Laredo employees, specifically the Parks and Recreation Department. He noted that the Park's staff made him look good to his constituents. He also thanked the Engineering and Public Works Department for going out of their way to assist the owners of the Mission Viejo Condominiums. He praised the Finance Department for continuing to do a fantastic job for the City of Laredo.

Cm. Belmares congratulated the Washington Birthday Celebration Association and Airport Director, Jose Flores, for a spectacular Air Show which was held at the Laredo Airport on the previous Sunday. He also congratulated Sergio Escobedo, employee of West Wind Homes, for receiving his citizenship. He congratulated Roli Ortiz, Board Member for Laredo Builder's Association and Golf Chairperson, for holding a phenomenal golf tournament which is held to raise monies for scholarships.

Cm. Ramirez announced that on February 19, 2004, the Library staff will have an exhibition on videos and books that they have acquired from the general public. Also, he announced that he will be running for re-election as Council Member District VIII in the 2004 Elections. He congratulated the cadets and their families for graduating from the Police Academy.

Mayor Flores also congratulated the Laredo Cadets and their families for the service they are about to embark on by protecting the City of Laredo and serving the citizens. She also thanked Cm. Amaya for attending the Cadet's graduation. She praised the Chief of Police for creating a very memorable graduation for the cadets and their families. She invited everyone to attend a seminar called the "Texas Watch Seminar" that will be held at the City of Laredo's Public Works Service Center on February 28, 2004 at 9:00 a.m. Those present will be the City of Laredo Environmental Department, The Texas Watch, The Texas State University San Marcos, The Texas Commission on Environmental Quality, The International Boundaries and Water Commission, and the United States Environmental Protection Agencies. She said that for centuries the Rio Grande River has provided an abundance source of clean and affordable drinking water. Today this legacy faces significant changes because of rapid population growth accompanied by and expansion of cities that creates non point source pollution. Non point source pollution accrues when storm waters carries oil, grease, pesticides, and other pollutants to creeks and rivers. NPS threatens water quality and potential increases the cost. She added that the good news is that NPS is caused by people and people can help reduce it. She noted that the seminar will provide lunch and will be free of charge.

Mayor Flores also congratulated the Washington's Birthday Association and the Pochontas Council for a wonderful pageant. She said that the dresses were wonderful and it was a great event to attend. She continued by saying that the Air Show was fantastic. She congratulated and thanked the Airport Director, Jose Flores, and his staff for such a huge success at the Air Show. She also noted that the Fun Fest and other events have been very successful.

Mayor Flores continued by saying that she and Congressman Ciro Rodriguez had extended an invitation to Congressman Jim Turner to visit Laredo because he is the ranking Democrat on the Homeland Security Committee. She said that Congressman Rodriguez has really embraced his new district to understand the concerns that the City of Laredo has with policy decisions that are being made in Washington with regards to Homeland Security. More specifically, the business community met with the Congressmen and the key item for discussion was the US VISIT. The community expressed their concerns over the unknown

implantation of US VISIT. The purpose of the US VISIT was to trace people when they arrive and when they depart, but the tracking is not working. On December 31, 2004 they will implement tracking on the land ports but are not sure how they are going to do that. The last cost estimate given to Congress for the US VISIT was in the neighborhood of 22 billion dollars that will go down the drain because studies have shown that it does nothing to protect our homeland. She said the US VISIT will hurt the United States employment and the economy. She thanked Congressman Jim Turner who is from Crockett, Texas. She added that his district has been wiped out with the new districting; however, he will advocate and make noise for the City of Laredo until December. She also thanked Ciro Rodriguez for visiting the City of Laredo.

Finally, the Mayor advised that one of the local media professionals called her and asked her if she could do something about a government entity that is lying to the people of Laredo. The Mayor expressed her concerns about elected officials from Webb County deceiving the people of Laredo. She stated that the officials from the City of Laredo do not lie. She added that sometimes the truth hurts and the City speaks with the truth. The City's budget number shows that officials cannot do everything that the public would like for the City to do, but they try to do everything they can. She went on to say that Webb County has refused to deal with the truth and has released a falsified statement. She noted that she was called by the Consul Joseph Hernandez who was very upset because he had to deal with Mexico City over newspaper articles that were reportedly saying the Mexico City has decided to partner with Webb County for the 5<sup>th</sup> Bridge. The Consul was very upset because he obtained a copy of the diplomatic notes and they did not reflect the statement released by Webb County. She was angered because the Consul had to stop the function of his office to deal with the politics of Webb County and the erroneous information they gave to the public through a press release. She said that she could not believe that the Government of the United States would allow this to happen to our Consul and to our Consuls' office. She stated that it is embarrassing to live in Webb County. The Mayor advised the viewing public to protest because of the way Webb County officials are squandering the people's money. She added that TxDOT did not approve the City's application for three reasons of which the City spent \$17,000 to bring the application to TxDOT's standards. On the other hand, the County has recently hired new consultants for and additional \$500,000.

## **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 rezoning 34.28 acres, as further described by metes and bounds on attached Exhibit "A" located east of Highway 83 and north of La Pita-Mangana Road, from AG (Agricultural 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  
0

Against: 0

Abstain:

Motion to close the public hearing and introduce.

Rick Martindale, Project Manager for Wal-Mart Store, asked for a favorable zone change by City Council on the project development.

Moved: Cm. Agredano

Second: Cm. Ramirez

For: 8  
0

Against: 0

Abstain:

Ordinance Introduction: Cm. Agredano

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

City of Laredo by rezoning 20.82 acres, as further described by metes and bounds on attached Exhibit "A", located west of Highway 83, from R-1 (Single Family Residential District) to M-1 (Light Manufacturing 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. Amaya

For: 8  
0

Against: 0

Abstain:

Rolando Ortiz, representing Killam Industry, said that Killam owns property that abuts the parcel on three sides. He advised that Killam Industry is opposed to the zone change from R-1 to M-1 because they have a Master Plan that has been submitted to the City of Laredo showing R-1 Residential around the tract. The City of Laredo Planning and Zoning staff has already opposed this said zone change. It would not be consistent with the City of Laredo Master's Plan or Land Use Plan. Finally, he said the proposed site of a flea market would be unsightly for the area.

Christobal Rodriguez, property owner, stated that he requested for an M-1 because of the proposed flea market. He spoke in favor of the zone change.

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

Moved: Mayor Pro Tempore Galo

Second: Cm. J. Valdez

For: 6  
0

Against: 2

Abstain:

Cm. Belmares  
Cm. Garcia

Ordinance Introduction: Mayor Pro Tempore Galo

3. Public hearing and introductory ordinance amending the Zoning Ordinance Map of the City of Laredo by rezoning 148.66 acres, as further described by metes and bounds on attached Exhibit "A" located south of Concord Hills Boulevard 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 approval of the proposed zone change.

Motion to open the public hearing.

Moved: Cm. Agredano

Second: Cm. J. Valdez

For: 8  
0

Against: 0

Abstain:

Edward Garza, representing Vaquillas Development, explained the development.

Motion to close the public hearing and introduce.

Moved: Cm. Garcia

Second: Cm. Agredano

For: 8  
0

Against: 0

Abstain:

Ordinance Introduction: Cm. Garcia

4. Public hearing and introductory ordinance amending the Zoning Ordinance Map of the City of Laredo by rezoning 1.26 acres, as further described by metes and bounds on attached Exhibit "A" located east of Country Club Drive and south of Del Mar Boulevard, from R-1 (Single Family Residential 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. Amaya

For: 8

Against: 0

Abstain:

0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. E. Valdez

Second: Cm. J. Valdez

For: 8

Against: 0

Abstain:

0

Ordinance Introduction: Cm. E. Valdez

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

City of Laredo by rezoning 0.56 acres, as further described by metes and bounds on attached Exhibit "A" located east of Country Club Drive and south of Del Mar Boulevard from R-1 (Single Family Residential 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. Agredano

For: 8

Against: 0

Abstain:

0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. E. Valdez

Second: Cm. J. Valdez

For: 8

Against: 0

Abstain:

0

Ordinance Introduction: Cm. E. Valdez

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

total of \$50,000.00 of the 29th Action Year (AY) 2003 Community Development Block Grant (CDBG) funds by reducing the amount of funding for the San

Salvador Neighborhood Park Project, from \$300,000.00 to \$250,000.00 and utilizing the difference of \$50,000.00 to create a new activity, the Garcia Vela Little League Field Lighting Project.

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: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain:

0

Ordinance Introduction: City Council

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

annual budget by appropriating revenues and expenditures in the amount of \$2,500.00 from the University of Texas Health Science Center-Health Education Training Centers Alliance of Texas to conduct the tenth annual "Los dos Laredos" TB Conference by the City of Laredo Health Department for the period beginning October 1, 2003 through September 30, 2004.

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. Belmares

Second: Cm. Agredano

For: 8

Against: 0

Abstain:

0

Ordinance Introduction: City Council

8. Public hearing and introductory ordinance amending the FY 2003-2004 budget by

appropriating the amount of \$58,122.00 in unexpended program income from the FY 2002-2003 budget fund balance for the Maternal and Child Health Program grant of the City of Laredo Health Department for the period of September 1, 2003 through August 31, 2004.

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: Mayor Pro Tempore Galo

Second: Cm. J. Valdez

For: 8

Against: 0

Abstain:

0

Ordinance Introduction: City Council

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

annual budget by appropriating revenues and expenditures in the amount \$69,464.00 in additional funds for a grand total of \$138,928.00 from the Texas Department of Health for La Familia Health Care Program of the City of Laredo Health Department, and extending the grant period from September 1, 2003, through February 29, 2004, to September 1, 2003, through August 31, 2004.

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: Mayor Pro Tempore Galo

Second: Cm. Belmares

For: 8

Against: 0

Abstain:

0

Ordinance Introduction: City Council

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

annual budget by appropriating revenues and expenditures in the amount \$87,800.00 from the South Texas Development Council for the HIV/AIDS Housing Opportunities for Persons with AIDS Project (HOPWA) of the City of Laredo Health Department for the period beginning February 1, 2004, through January 31, 2005.

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. J. Valdez

Second: Cm. Ramirez

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

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

annual budget by decreasing revenues and expenditures in the amount of \$8,230.00 to reflect a reduction of grant funds from the Texas Department of Health for a new grant total of \$41,770.00 for the Breast and Cervical Cancer Control Project - Case Management of the City of Laredo Health Department for the period beginning July 1, 2003 through June 30, 2004; and amending the City of Laredo full-time equivalent positions by decreasing one Case Manager/Registered Nurse II position.

Motion to open the public hearing.

Moved: Cm. 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: City Council

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

### 12. A. Request by Council Member Alfredo Agredano

1. Status report on the number of plots available for veterans at the City of Laredo Cemetery.

Mike Pescador, Assistant Parks & Recreations Director, reported that there are 74 plots at the cemetery designated for veterans. He advised that staff has been working with legal to reacquire cemetery plots from defunct civic organizations. Through their efforts, staff has been able to extend the life of the cemetery to eight years for public plots. He added the process is lengthy, but staff would return to council with a request to reassign additional plots for veterans.

Larry Dovalina, City Manager, said that staff is in the process of reacquiring some old tracts from defunct organizations, which have just been brought to them, so they need an opportunity to sit down and re-deploy the cemetery.

2. Status report regarding the Cielito Lindo Fire/Police substation.

Rogelio Rivera, City Engineer, reported that Sepulveda and Associates, have been working on the plans and they are 35% complete. They are looking at the final construction document by the end of March. Bids will go out in April so the City will receive them in May. Staff should begin constructing the Cielito Lindo Fire/Police substation in late June. The contract should take nine months.

Larry Dovalina, City Manager, advised that staff will provide 8 1/2 x 11's in the Friday report so Council can see what the rendering will look like.

3. Status report regarding street lights in Century City.

Roberto Murillo, Traffic Director, reported that staff has inspected the street lights in Century City and noticed that several lights had 7,000 lumens rather than the 16,000 that the City uses for residential areas. Staff submitted a request for proposal to find out how much it would cost to upgrade the area. Staff is currently waiting for the proposal and will return to Council with recommendations.

### B. Request by Council Member Juan Ramirez

1. Discussion with possible action regarding repairs to the water fountain at Bruni Plaza.

Cm. Ramirez expressed his desire to restore the water fountain at Bruni Plaza. He went on to say that Judge Louis Bruni would be willing to donate a pump for the fountain.

Mike Pescador, Assistant Parks and Recreation Director, advised that staff has inspected the water fountain for repairs and noted that the fountain needs new piping, a new pump, and work on the existing tile.

Larry Dovalina, City Manager, said that three years ago, he personally looked into the cost of repairing the fountain and advised that the estimated cost would be \$45,000. He stated that the fountain needs more than a new pump. He said that the fountain has a housing unit that needs new pipes that must match up with the tiles. He added that he had seen some matching tiles at a Sister City in Mexico and they may be able to provide some tile for the fountain at a minimal cost. He added that additional features such as music and colors may be purchased for the fountain.

Mike Pescador, Parks and Recreation Assistant Director, added that staff has been researching the project and noted that five years ago the Heritage Foundation submitted an estimate of \$200,000 to rehabilitate the fountain back to its original condition. He said that he would continue to research the issue and would return back to Council with further recommendations.

2. Discussion with possible action regarding the availability of city owned buildings for use by the CAA Azteca Neighborhood Program.

Larry Dovalina, City Manager, said that the City is allowing these structures to be used for a minimal amount of rent with the understanding that the lessee should maintain the structure. He said the lessee has allowed the building to run down and instead of doing the repairs they are requesting another building.

Cm. J. Valdez acknowledged that he was surprised when he was informed that a city owned structure, which was being used by the elderly, was severally damaged. He added that there has been no attempt by the lessee to repair the damage. He said the structure had a small leak and no one replaced any tiles; therefore, the structure continued to decay which will now cost the city an estimated \$30,000 to repair. He said that he read the contract which specifically instructs the lessee to maintain the structure. He added that he has included an addition to the Farias Park to accommodate the elderly.

Cm. Garcia asked the City Manager if the City has an instrument in place where city buildings are inspected to see if the lessee is in compliance with the contract.

Larry Dovalina, City Manager, stated no.

Cm. Garcia advised that staff should visit the city owned buildings to assure that the lessee is in compliance.

Larry Dovalina, City Manager, said that the City would be forced to evict the clients if the buildings were not in compliance for breach of contract.

Cm. Garica asked for a list of properties/houses by district that are be leased out.

## **IX. INTRODUCTORY ORDINANCES**

13. Amending Ordinance 2002-O-047 adding voting Precincts 254 and 353 to District IV;  
adding voting Precinct 452 to District VIII,; adding voting Precincts 255 and 451 to District V; redefining boundary lines for Precincts 218 and 313 in District IV, redefining boundary lines for Precincts 239 and 308 in District V; and redefining boundary lines for Precinct 414 in District VIII; providing for publication and effective date.

Ordinance Introduction: City Council

14. Authorizing the City Manager to convey to the Laredo Independent School District for  
the consideration of \$18,500.00 for a tract of land being the section of Canada Avenue between Palo Blanco Street and Thurman Street, with reservation of the tract utility easement; and providing for an effective date.

Ordinance Introduction: City Council

## **X. FINAL READING OF ORDINANCES**

15. Motion to waive the final readings of Ordinances # 2004-O-006, # 2004-O-026, # 2004-O-027, # 2004-O-028, # 2004-O-029, # 2004-O-030, # 2004-O-031, # 2004-O-032, # 2004-O-033, # 2004-O-034, # 2004-O-035, #2004-O-036, # 2004-O-037, # 2004-O-038, and # 2004-O-039.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

2004-O-006 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-1 (Limited Commercial District); providing for publication and effective date. (As amended)

Motion to adopt Ordinance 2004-O-006.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

2004-O-026 Amending the Zoning Ordinance Map of the City of Laredo by rezoning Lot 2

and the east 23 feet of Lot 1, Block 848, Eastern Division, located at 1509 East San Pedro Street from R-3 (Mixed Residential District) to B-1 (Limited Commercial District); providing for publication and effective date.

Motion to adopt Ordinance 2004-O-026.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

2004-O-027 Amending the Zoning Ordinance Map of the City of Laredo by rezoning 37.34

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), B-4 (Highway Commercial District) and M-1 (Light Manufacturing District) to B-3 (Community Business District); providing for publication and effective date.

Motion to adopt Ordinance 2004-O-027.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

2004-O-028 Amending the Zoning Ordinance Map of the City of Laredo by rezoning 10.06

acres, as further described by metes and bounds on attached Exhibit "A", located east of Country Club Drive and south of Del Mar Boulevard from R-1 (Single Family Residential District) to R-2 (Multi-Family Residential District); providing for publication and effective date.

Motion to adopt Ordinance 2004-O-028.

Moved: Mayor Pro Tempore Galo



Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

2004-O-029 Authorizing the City Manager to amend the City of Laredo FY 2003-2004

Full Time Equivalent positions of the General Fund Parks and Recreation Department – Recreation Center Division from 27 to 28 to appropriate the monies to be received from the Community Development Block Grant Program, for one Recreation Specialist for the purpose of providing a Community Service Program at the Lamar Bruni Vergara Inner City Park, Technology Recreation Center.

Motion to adopt Ordinance 2004-O-029.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

2004-O-030 Authorizing the City Manager to accept a contribution in the amount of \$625,000.00 from Webb County through an Interlocal Government Agreement and amending the City of Laredo FY 2003-2004 annual budget by appropriating revenues and expenditures in the amount of \$625,000.00 for the acquisition and development of the North Central Laredo Park.

Motion to adopt Ordinance 2004-O-030.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

2004-O-031 Amending the City of Laredo fiscal year 2004 Parking Meter Fund by appropriating a draw down of \$400,000.00 from the opening balance and appropriating it for land acquisition. The project consists of construction improvements and demolition costs of a surface municipal parking lot in the downtown area. The Parking meter fund will be reimbursed from the proceeds of a proposed Parking Meter Fund Certificate of Obligation Bond.

Motion to adopt Ordinance 2004-O-031.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

2004-O-032 Amending the City of Laredo FY 2003-2004 annual budget by appropriating a

draw down of \$5,925,000.00 from the opening balance and appropriating it for equipment acquisition. The project consists of twenty-five (25) automated refuse trucks and 45,000 trashcans. The Solid Waste Fund will be reimbursed from the proceeds of a proposed Solid Waste Fund Certificate of Obligation Bond.

Motion to adopt Ordinance 2004-O-032.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

2004-O-033 Setting the maximum speed limit on that portion of IH 35 main lanes within

the city limits of Laredo, Webb County, Texas, as 55 mph from mile point 3.387 to mile point 7.091 as defined in the Texas Department of Transportation Control Section Map 0018-06-152, to be in effect during reconstruction providing for the installation of appropriate signs to indicate speed changes in the designated areas and providing for publication and effective date.

Motion to adopt Ordinance 2004-O-033.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

2004-O-034 Approving the public sale of airport non-aeronautical use land located at the

Laredo International Airport to Lawrence Friedman, Trustee, sole bidder, meeting all bid specifications being: Block No. 34 of the Subdivision Plat of Laredo Airport consisting of approximately 3.30-acres and Block No. 35 of the Subdivision Plat of Laredo Airport consisting of approximately 0.56-acres in the amount of One Million Ninety Two Thousand Nine Hundred Twenty One Dollars and Eighteen Cents (\$1,092,921.18); and authorizing the City Manager to execute all necessary conveyance documents; providing for effective date.

Motion to adopt Ordinance 2004-O-034.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

2004-O-035 Amending Chapter 2, Administration, Article I, In General, Section 2.5 of the

Code of Ordinances by amending subparagraph (b) entitled Agenda Order of Business, and providing for publication and effective date.

Motion to adopt Ordinance 2004-O-035.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

2004-O-036 Authorizing the City Manager to execute a lease with the Washington's

Birthday Celebration Association, Inc., (WBCA) for approximately fifteen (15.0) acres of concrete ramp located on the southwest cargo ramp of the Air Operations Area to include City owned vacant non-aeronautical use land located at the Laredo International Airport for event parking use. Lease term in for three (3) days commencing on February 13, 2004 and ending on February 15, 2004. City Council finds and declares that a valid public purpose would be served in setting the daily rental fee at \$1.00; providing for an effective date.

Motion to adopt Ordinance 2004-O-036.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

2004-O-037 Amending chapter 19. Motor Vehicle and Traffic, Article XI, Truck Traffic,

Section 19-415 (a)(1)(e) of the Code of Ordinances, City of Laredo: deleting Section (e) that will now prohibit departing from a designated truck route for the purpose of obtaining lodging, providing for effective date and publication.

Motion to adopt Ordinance 2004-O-037.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

2004-O-038 Authorizing the City Manager to execute a lease with Webb County Juvenile

Board for approximately 100,357 square feet of land located at 4602 North Bartlett Avenue. Lease term is for three (3) years commencing on January 1, 2004 and ending on December 31, 2006; lease may be terminated by either party upon giving a one hundred and eighty (180) day written notice. Monthly rent shall be \$2,137.35 and will be adjusted annually according to changes in the Consumer Price Index; providing for an effective date.

Motion to adopt Ordinance 2004-O-038.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

2004-O-039 Authorizing the City Manager to execute a lease of blocks 08, 08-A, X, Y, and

an additional 14,333 square feet between the said blocks, and excluding 1,225 square feet within the block 08-A, Western Division, City of Laredo, to Morgan Stern Realty Holdings, L.L.C., a California Limited Liability Company, Cathy Associates L.L.C, a Colorado Limited Liability Company, and Mary Associates, L.L.C, a Colorado Limited Liability Company, in accordance with the terms of the negotiated lease attached as Exhibit A, including commencing monthly rental of \$5,109.00 with annual adjustment thereof based on any change in the Consumer Price Index; and providing for effective date.

Motion to adopt Ordinance 2004-O-039.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

## **XI. RESOLUTIONS**

16. 2004-R-015 Accepting the donation of one utility easement for the Pueblo Nuevo

Subdivision easement acquisition project. This being a 0.0344 acre parcel from Mario J. Renteria and wife Maria A. Renteria, which is out of lot 1, block 10, Pueblo Nuevo Subdivision, described by metes and bounds and survey attached as Exhibits A and B.

Motion to approve Resolution # 2004-R-015.

Moved: Mayor Pro Tempore Galo

Second: Cm. J. Valdez

For: 8

Against: 0

Abstain: 0

17. 2004-R-016 Accepting the donation of two utility easements for the Pueblo Nuevo

Subdivision easement acquisition project, these being:

(a) A 0.0503 acre parcel from Homero D. Gonzalez and wife San

Juanita Gonzalez, out of Lot 1, Block 9, Pueblo Nuevo Subdivision, described by metes and bounds and survey attached as Exhibits A and B; and

(b) A 0.0744 acre parcel from Homero D. Gonzalez and wife San

Juanita Gonzalez, out of Lot 2, Block 9, Pueblo Nuevo Subdivision, described by metes and bounds and survey attached as Exhibits C and D.

Motion to approve Resolution # 2004-R-016.

Moved: Mayor Pro Tempore Galo

Second: Cm. J. Valdez

For: 8                      Against: 0                      Abstain: 0

18. 2004-R-017 Accepting the donation of the "Surface Only" of a 0.1331 of an acre

(5,798.61 sq. ft.), more or less, parcel of land from Diversified Investors of Laredo, a Texas General Partnership, for the Upper Zacate Creek Improvements Project. Said parcel of land being situated in Survey 1020, Abstract 780, Northern Division, City of Laredo, Webb County, Texas.

Motion to approve Resolution # 2004-R-017.

Moved: Mayor Pro Tempore Galo

Second: Cm. J. Valdez

For: 8                      Against: 0                      Abstain: 0

19. 2004-R-018 Consideration to authorize the City Manager to accept the donation of two

(2) forty feet trailer boxes from Southwestern Motor Transport Lines, Incorporated (SMT) with an estimated value of \$2,400.00 each. This equipment will be used as hazardous material training props at the Laredo International Fire/Law Enforcement Training Center.

Motion to approve Resolution # 2004-R-018.

Moved: Mayor Pro Tempore Galo

Second: Cm. J. Valdez

For: 8                      Against: 0                      Abstain: 0

20. 2004-R-019 Ordering and proclaiming a General City Election to be held on Saturday,

May 15, 2004; designating polling places; designating a run-off date; providing for publication; and authorizing the City Manager to enter into contract with the Webb County Elections Administrator for the purpose of conducting a joint election with the City of Laredo.

Motion to approve Resolution # 2004-R-019.

Moved: Mayor Pro Tempore Galo

Second: Cm. J. Valdez

For: 8

Against: 0

Abstain: 0

21. 2004-R-020 Authorizing the City Manager to submit a grant application to the Texas

Parks and Wildlife Department for consideration of the Community Outdoor Outreach Grant Reimbursement Program for an amount not to exceed \$30,000.00 for funding of summer outdoor recreational and educational programming for local school age children that participate in the Parks and Recreation Summer Program and certify that the City of Laredo is eligible to receive program assistance and that funding for this program is available through the Department of Parks and Recreation and further authorizing the City Manager to execute any and all documents pertaining to and resulting from this submission.

Motion to approve Resolution # 2004-R-020.

Moved: Mayor Pro Tempore Galo

Second: Cm. J. Valdez

For: 8

Against: 0

Abstain: 0

## XII. MOTIONS

22. Consideration for approval of the selection of consultant for the El Metro New Operational Building and authorization to negotiate a professional services contract. Funding is available in the Project Engineer Fees in the El Metro Budget.

Motion to approve Huitt-Zollars of Fort Worth.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

23. Authorizing the selection of a consultant, Wilbur Smith Associates and authorizing

staff to enter into negotiations with the consultant for the preparation of the Laredo Metropolitan Plan Update. The MPO has budgeted \$200,000.00 for this project using federal planning grant (PL112) funds.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

24. Consideration for approval of the selection of consultants for the Laboratory Services:

Material Testing and Quality Control Project and authorization to negotiate a professional services contract. Staff recommends the selection of all three consultants and contracts to be awarded on a rotation basis as projects become available. Funding is available in the Infrastructure Maintenance Fund-Purchased Professional Services.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

25. Consideration for approval of amendment no. 3 an increase of \$5,000.00 to the professional services contract with Howland Engineering & Surveying Company, Laredo, Texas, for the Ejido Avenue Extension Project for additional services to design and prepare plans and specifications for an outlet structure for a detention facility located at the northeast section of Cielito Lindo Boulevard and Ejido Avenue intersection. Current contract amount to date is \$161,565.00. Funding is available in the 27th Action Year/2001 Grant-CD Projects Ejido Street Extension.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

26. Consideration for approval of Change Order No. 2, a decrease of \$22,575.25 for the

balance of quantities actually constructed in place, acceptance of the CDBG Sidewalks City Wide Project No. 22 (30 Blocks) and approval of final payment in the amount of \$37,153.85 to Gilmar Construction, Ltd., Laredo, Texas. Final contract amount is \$116,156.75. Funding is available in the 28th Action Year/2002 Grant-CD Projects/School Sidewalks.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

27. Consideration to award contract number FY04-050 to the low bidder, for furnishing the

prefabricated concrete rebar, wire mesh and other items needed for the McPherson Drainage Project-Phase II. The contract vendor will be required to provide the necessary rebar, precut and detailed, for the concrete channels, walls, and inlets as per construction plans. Funding is available in the 2003 Contractual Obligation Fund-McPherson Acres Drainage Project.

The item was awarded to Rob K Concrete Products for \$38,493.00.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

28. Consideration to amend the Habitat for Humanity-2000 HOME Program Community

Housing Development Organization (CHDO) contract to extend the period by which Habitat for Humanity must construct affordable housing on the lots purchased with HOME CHDO funds from January 2, 2004, to August 30, 2005.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

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

to reprogram a total of \$75,000.00 from the 2003 Community Development Block Grant (CDBG) funds by reducing the amount of funding for the South Laredo Cross Street 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 approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

30. Consideration for approval of the selection of the consultant for the former Southern

Hotel 1200 Block of Matamoros Street and authorization to negotiate a professional services contract. Funding is available in the 2002 CO Issue Former Southern Hotel.



Motion to table.

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

Against: 0

Abstain: 0

31. Consideration to extend the cellular contract with Cingular Wireless, for a period of three additional months, in the estimated monthly amount of \$15,366.63 for providing cellular phone services for all City departments. The monthly contract amount is approximately 20% less than the previous year contract amount. Funding is available in the respective departmental budgets.

Motion to approve.

Moved: Mayor Pro Tempore Galo  
Second: Cm. Amaya  
For: 8

Against: 0

Abstain: 0

32. Consideration to authorize the purchase of twenty, automated side loader refuse trucks through the Texas Local Government Purchasing Cooperative (Buy Board) contract pricing in the total amount of \$3,301,240.00. Utilizing the Buy Board contract pricing, twenty auto side loader collection chassis trucks will be purchased from Rush Truck Center in the amount of \$2,036,220.00; and twenty McNeilus auto side loader collection units (31 cubic yard) will be purchased from McNeilus Truck & Manufacturing, Inc., in the amount \$1,265,020.00. The City has requested that these trucks be delivered on a staggered delivery schedule to fully automate the refuse collection system within a two-year period. 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

33. Consideration to reject all bids received for contract FY 04-029 for providing pool chemicals for the Parks and Recreation Department and authorizing the new bids be solicited. The City received three bids for the purchase of pool chemicals for the maintenance of the City's swimming pools however the bid specifications required that the chemicals be delivered in one shipment to the Parks and Recreation Department warehouse. Because of lack of storage space and safety concerns storing a high volume of chlorine, the Department is now requesting that the chemicals be delivered monthly to each swimming pool. The bid specification document will be modified to include these requirements.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

34. Award a construction contract to the lowest bidder, Lambda Construction Company,

New Braunfels, Texas, in the amount of \$606,050.00 for the construction of the SH 359 Work Order #5 Ground Storage Tank and Booster Station Project, subject to the approval of the TWDB. Work Order #5 consists of a Ground Storage Tank and Booster Station to provide potable water to the Colonias within SH 359 Planning Areas. The construction time is 240 calendar days. Funding is available in the Colonias Project.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

35. Consideration to award a construction contract to the lowest bidder, Landmark Structures, Inc., Fort Worth, Texas in the amount of \$913,950.00 for the construction of the SH 359 Work Order #6 elevated Storage Tank Project, subject to the approval of the TWDB. Work Order #6 consists of an elevated storage tank to provide adequate pressure to Colonias within SH 359 Planning Areas. The construction time is 240 calendar days. Funding is available in the Colonias Construction Fees.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

36. Approving monthly adjustments to the tax roll. The amount to be adjusted for the month of January 2004 represents an increase of \$43,876.61. These adjustments are determined by Webb County Appraisal District and by court orders.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0:

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

- a. A refund in the amount of \$537.28 payable to Ocwen Federal Bank due to an over payment. Account #989-10003-530.
- b. A refund in the amount of \$1,274.47 payable to Daniel L. Bell due to a double payment. Account #909-00022-370.
- c. A refund in the amount of \$516.93 payable to Wells Fargo Home Mortgage due to an over payment. Account #968-00016-275.
- d. A refund in the amount of \$521.04 payable to Jesus M. and Enedina Reyes due to an over payment. Account #968-60004-100.
- e. A refund in the amount of \$960.65 payable to Chase Manhattan Mortgage Corporation due to an over payment. Account #989-10006-090.
- f. A refund in the amount \$682.12 payable to Lereta Corp/Lenders Real Estate Tax Service due to an over payment. Account #969-30015-030.
- g. A refund in the amount of \$522.00 payable to Lereta Corp/Lenders Real Estate Tax Service due to an over payment. Account #968-81001-012.
- h. A refund in the amount of \$740.07 payable to Lereta Corp/Lenders Real Estate Tax Service due to an over payment. Account #980-60002-030.
- i. A refund in the amount of \$947.04 payable to Lereta Corp/Lenders Real Estate Tax Service due to an over payment. Account #989-52002-090.
- j. A refund in the amount of \$1,268.63 payable to Lereta Corp/Lenders Real Estate Tax Service due to an over payment. Account #909-40002-170.
- k. A refund in the amount of \$675.00 payable to Lereta Corp/Lenders Real Estate Tax Service due to an over payment. Account #969-00009-100.
- l. A refund in the amount of \$572.64 payable to Lereta Corp/Lenders Real Estate Tax Service due to an over payment. Account #968-30002-050.
- m. A refund in the amount of \$796.04 payable to Lereta Corp/Lenders Real Estate Tax Service due to an over payment. Account #970-10001-270.
- n. A refund in the amount of \$524.63 payable to First American Real Estate Tax Service due to an over payment. Account #985-60009-080.
- o. A refund in the amount of \$2,052.28 payable to Laredo National Bank due to an over payment. Account #968-81001-020.

- p. A refund in the amount of \$6,358.77 payable to Laredo National Bank due to an over payment. Account #900-90221-219.
- q. A refund in the amount of \$634.63 payable to Neel Title Corporation/Escrow Account due to an over payment. Account #965-20002-014.
- r. A refund in the amount of \$727.17 payable to Countrywide Home Loans due to an over payment. Account #969-30006-120.
- s. A refund in the amount of \$556.15 payable to Countrywide Home Loans due to an over payment. Account #968-60011-370.
- t. A refund in the amount of \$555.18 payable to Countrywide Home Loans due to an over payment. Account #954-00001-048.
- u. A refund in the amount of \$556.98 payable to Countrywide Home Loans due to an over payment. Account #937-00021-406.
- v. A refund in the amount of \$587.98 payable to Countrywide Home Loans due to an over payment. Account #909-00038-645.
- w. A refund in the amount of \$509.30 payable to Countrywide Home Loans due to an over payment. Account #554-01511-030.
- x. A refund in the amount of \$820.49 payable to Countrywide Home Loans due to an over payment. Account #970-12006-200.
- y. A refund in the amount of \$784.10 payable to Countrywide Home Loans due to an over payment. Account #970-80001-060.
- z. A refund in the amount of \$1,063.26 payable to Countrywide Home Loans due to an over payment. Account #983-60005-310.
- aa. A refund in the amount of \$656.52 payable to Countrywide Home Loans due to an over payment. Account #985-60008-320.
- bb. A refund in the amount of \$875.93 payable to Countrywide Home Loans due to an over payment. Account #986-00007-091.
- cc. A refund in the amount of \$1,122.18 payable to Countrywide Home Loans due to an over payment. Account #987-21001-200.
- dd. A refund in the amount of \$1,037.34 payable to Countrywide Home Loans due to an over payment. Account #989-30002-060.
- ee. A refund in the amount of \$2,233.67 payable to Countrywide Tax Service Corp. due to an erroneous payment. Account #989-20001-040.

- ff. A refund in the amount of \$1,379.59 payable to IBOC-McAllen due to an over payment.  
Account #909-40003-270.
- gg. A refund in the amount of \$679.43 payable to IBOC-McAllen due to an over payment.  
Account #909-20003-130.
- hh. A refund in the amount of \$1,108.00 payable to IBOC-McAllen due to an over payment. Account #909-00481-061.
- ii. A refund in the amount of \$582.71 payable to IBOC-McAllen due to an over payment.  
Account #980-80004-010.
- jj. A refund in the amount of \$696.37 payable to IBOC-McAllen due to an over payment.  
Account #986-00007-200.
- kk. A refund in the amount of \$2,783.89 payable to IBOC-McAllen due to an over payment. Account #985-20001-080.
- ll. A refund in the amount of \$535.87 payable to IBOC-McAllen due to an over payment.  
Account #938-20001-210.
- mm. A refund in the amount of \$546.84 payable to IBOC-McAllen due to an over payment. Account #965-60002-017.
- nn. A refund in the amount of \$893.45 payable to IBOC-McAllen due to an over payment.  
Account #447-01157-070.
- oo. A refund in the amount of \$1,250.15 payable to IBOC-McAllen due to an over payment. Account #437-00697-010.
- pp. A refund in the amount of \$539.52 payable to IBOC-McAllen due to an over payment.  
Account #332-00417-010.
- qq. A refund in the amount of \$1,047.09 payable to IBOC-McAllen due to an over payment. Account #987-20003-090.
- rr. A refund in the amount of \$590.35 payable to IBOC-McAllen due to an over payment.  
Account #968-00007-071.
- ss. A refund in the amount of \$1,068.31 payable to IBOC-McAllen due to an over payment.  
Account #965-40001-001.
- tt. A refund in the amount of \$984.07 payable to IBOC-McAllen due to an over payment.  
Account #945-00921-060.
- uu. A refund in the amount of \$647.85 payable to Gonzalez Perales Family, Ltd. due to an erroneous payment. Account #216-00763-040.

Motion to approve.

Moved: Mayor Pro Tempore Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

### **XIII. STAFF REPORTS**

#### **38. A. Presentation of the fiscal year 2002-2003 Comprehensive Annual Financial Report**

(CAFR) prepared by the City of Laredo Financial Services Department and audited by the Independent Audit Firm of Garza, Martinez, & Company.

Rosario Cabello, Finance Director, said that the Audit Committee met last Thursday to discuss the 2002-2003 Comprehensive Annual Financial Report that was prepared by the Finance Department and audited by the Audit Firm of Garza, Martinez, & Company. She added that she was pleased with the results from the audit.

Raul Garza and Jorge Martinez, consultants from Garza, Martinez, & Company, gave a brief presentation to the Council. They notified Council that they have prepared different reports to the City of Laredo which includes financial statements, the compliance with federal, states, grants, and other regulations. He said that the Finance Department from the City of Laredo must be able to prepare its financial statements and comply with the federal and state contracts. He said the type of opinions that the Firm has issued are unqualified which means that the report is clean. He added that they agree with the financial statements as prepared by the City's Finance Department. He noted that they also agree with the fact that the City's Finance Department complies with the regulations set forth by the federal and state grants. The Finance Department has the adequate control in place to make sure it is able to prepare the financial statements that accept the federal and state monies. He said that the City does comply with granting regulations.

#### **B. Presentation by the City's Financial Adviser, Mr. Noe Hinojosa from Estrada Hinojosa & Company regarding City's Financial status.**

Noe Hinojosa, City Financial Advisor, gave a comprehensive report regarding the City's financial status. He noted that the City has done very well at setting up its enterprise funds in such a way that they are self supporting. He said that he wanted to point out from the cover page how the City's payments for 2004 fiscal year is under \$8,942,000. He said that the payment in 2005 drops by almost a million dollars. Basically, he noted that Council could either ignore or take advantage by addressing capital projects for this year because whatever the city borrows this year, will not impact the City until next year. He added that the last page of the pamphlet will show that over the next five years, the City can implement 60 million dollars in Capital Projects without having to impact the tax rate dedicated for debt service. However, he noted that he would like to present the other side of

the equation. He said that the tax rate is used for two purposes. One is to pay the City's debt and the other is to run the operating general fund. The general fund is more of a concern because there are two categories that take about 64% of the entire general fund. The City has required more expenses since 2001 which Council might attempt to take advantage of the above opportunity debt service side; however he said that it might behoove the City to hold back during the course of the year and monitor the expenditures and how they accumulate or continue to incur on at least two categories in the general fund. Most importantly, he suggested monitoring the most vulnerable revenues in the City which is the Bridge and the Sales Tax Revenues. Having said all that, he said that on February 17, 2004 the bridge revenues and the sales tax are exceeding last year's revenues. Although he presented the report which says Council can consider borrowing 60 million dollars there is another side of the equation that advises them to be concerned with the M & O side of the General Fund.

Larry Dovalina, City Manager, said the issue that is coming before Council is that the City of Laredo has enjoyed a seven or eight percent growth in most revenue figures and now they have come to a situation where the revenue producers are at one or two percent. He said that the expenses, because of the City's expansion, have caused a lot of pressure because of public safety. He said that the city has built four fire stations in a ring around the city adding physical infrastructure and human infrastructure. The new areas are not fully developed so what the City has done is taken an expenditure leap frog. The City has made it with the revenues now catching up to what is there. The economy has began to turn but is has been slow.

Mayor Flores noted that the Homeland Security monies that were promised have not come in; however, the City of Laredo has made security their first priority. She went on to say that the City will continue to protect the community even though the money has trickled in. She said that the additional protective measures have caused a strain across the country mentioning that border cities invest more because of the additional requirements. She said that she and the Council Members do a lot of advocating for homeland security monies. She is hoping that the promises from the President come to fruition and hopes that the cities will actually get funds so they can compliment the monies that have been spent towards public safety. She went on to say that when she ran for office the polls showed that the primary issue that people worried about was public safety and that continues today. That is why City Council continues to invest in public safety.

#### **XIV. EXECUTIVE SESSION**

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

39. Request for Executive Session pursuant to Texas Government Code Section 551.072 in order to deliberate on the value of, and the possible purchase of, real property in the South Laredo area, because deliberation in an open meeting would have a detrimental effect on the position of the City Council in negotiations with third person; and return to open session for possible action, and direction to staff.

Motion to go into Executive Session pursuant to Texas Government Code Section 551.072 in order to deliberate on the value of, and the possible purchase of, real property in the South Laredo area, because deliberation in an open meeting would have a detrimental effect on the position of the City Council in negotiations with third person; and return to open session for possible action, and direction to staff.

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.

Motion that the City Manager be instructed to negotiate and acquire the following property in an amount not to exceed \$2,500,000.

Slaughter Farm  
Property to be acquired

1. The East 25 feet of Blocks 020, 60,61, and 450 all situated in the Eastern Division.
  
2. All of Blocks 565, 566, 567, 568, 609, 610, 611, 612, 621, 620, 619, 618, 617, 704, 705, 706, 707, and 708 all situated in the Eastern Division.

Additionally, parts of Blocks 0, 614, 615, 709, and 710, all situated in the Eastern Division.

Moved: Mayor Pro Tempore Galo  
Second: Cm. Ramirez  
For: 8    Against: 0    Abstain: 0

**XV. ADJOURNMENT**



Motion to adjourn.  
p.m.

Time: 8:30

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

Against: 0

Abstain: 0

I, Gustavo Guevara, Jr., City Secretary, do hereby certify that the above minutes contained in pages 01 to 28 are true, correct, and complete proceedings of the City Council meeting held on February 17, 2004.

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Gustavo Guevara, Jr.  
City Secretary