

CITY OF LAREDO
CITY COUNCIL MEETING

M-2004-R-11

CITY COUNCIL CHAMBERS
1110 HOUSTON STREET

LAREDO, TEXAS 78040
JUNE 7, 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,
Alfredo Agredano,
Hector Garcia,
John C. Galo,

District III

Johnny Amaya,

IV

Johnny Rendon
Gene Belmares,
Jose A. Valdez, Jr.,
Juan Ramirez,

VIII

Gustavo Guevara, Jr.,
Larry Dovalina,
Cynthia Collazo,
Jaime Flores,

Mayor
Council Member, District I
Council Member, District II
Mayor Pro Tempore,

Council Member, District

Council Member, District V
Council Member, District VI
Council Member, District VII
Council Member, District

City Secretary
City Manager
Deputy City Manager
City Attorney

IV. MINUTES

Approval of the minutes of April 19, 2004.

Motion to approve.

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

Against: 0

Abstain: 0

Mayor Pro Tem Galo was not present.

V. COMMUNICATIONS AND RECOGNITIONS

Announcements

Cm. Agredano congratulated Council Members Jose A. Valdez, Jr. and Juan Ramirez as they begin their second term and welcomed Cm. Johnny Rendon to the City Council. On Sunday, they placed flags for all the departed Veterans at the City Cemetery for the Memorial Day ceremony to be held on Monday. He thanked Cm. Amaya, Cm. J. Valdez, Jr., and City Manager Larry Dovalina for being present. He mentioned that everyone should pay tribute and give thanks to all veterans who fought and sacrificed for all of us in order to enjoy the freedoms that we have. He asked that everyone present observe a few moments of silence for President Ronald Reagan.

Cm. Garcia congratulated Dr. Cecilia Moreno on her retirement from Laredo Independent School District. He mentioned that she has been an educator with the school district for many years and has done so much for the school district during her tenure. He wished her all the best in her new position as superintendent in Carrizo Springs. He also congratulated Horacio De Leon, Parks and Recreation Director, on his selection to attend a three week seminar on executive leadership at Harvard University. He thanked the past and present City Council, Webb County Commissioners Court, Engineering Department, Planning and Zoning Department, and the City Manager's Office on the Joint Colonias Improvement Project – Phase II. He attended the groundbreaking ceremony last week and he mentioned that the people on Hwy. 359 will have running water in a few months.

Cm. Amaya commented on the press conference held at noon today. He stated that he, together with George Beckelhymer, and Dr. Cecilia Moreno of Laredo Independent School District have been working together to resolve this issue with Laredo Independent School District. He added that logically it appears that the land belongs to the school district, but legally it is not clear whether they are the owners of the property at issue.

Cm. Rendon thanked all the voters of Laredo who entrusted their vote in him during this last election. He added that he is looking forward in working with Mayor Flores and City Council for the betterment of the community.

Cm. Belmares recognized Judge Oscar Martinez for his hard work and participation with the St. Patrick's Church Youth Group at their fundraiser. He stated that Judge Martinez has always been a pillar of the community and is always willing to help the youth of Laredo.

Cm. J. Valdez, Jr. mentioned the Memorial Day ceremony held at the City Cemetery in honor of all our veterans. He thanked the Cemetery staff did a great job in setting up for the event and the ceremony was well attended. He also thanked the City Manager's Office, Parks and Recreation Department, Community Development, Public Works Department, Public Library Non-Profit Section, Environmental Services, Traffic Department, and the Fire Department for the joint cleanup effort at the Indian Sunset

pond. He thanked Westwind Homes for the donation of \$600.00 to the project, as well as Southern Sanitation and Golden Corral for the assistance with this project. He thanked his wife and his children for the continued support they have provided throughout the four years that he has served District VII. He mentioned that he looks forward to the next four years in office.

Cm. Ramirez thanked all the constituents in District VIII for their hard work and their vote. He stated that in spite of the recount petition, the election results showed that the voters place their trust in him to continue to do good work for the district.

Mayor Flores mentioned that there is an article in the Laredo Morning Times Business Journal regarding the City's bond rating. She encouraged everyone to read the news article which mentions that Laredo received an A+ bond rating from Standard & Poors which reflects historically sound financial management, the diverse General Fund revenue streams, the aggressive direct debt amortization and the City's rapidly growing economic base. She also mentioned that she was saddened to learn of President Reagan's passing. She stated that he truly was one of the greatest Presidents our country has had. She mentioned that her family worked with his presidency under the Texas War on Drugs campaign at the time.

Invitations

None.

Recognitions

- a. Recognition of Malia Watson from the Laredo Public Library on her selection as April Employee of the Month.

Maria Soliz, Assistant Library Director, stated that Malia Watson is the Manager of the Technical Services Department. She mentioned that Ms. Watson not only makes the most of her tremendous technical services skills, but she also looks for the best way to serve the community with new library programs and services. She added that Ms. Watson approaches each task with a caring passion and recently worked closely with her co-workers to make National Library Week activities a big success.

- b. Recognition of Linda Xochitl Mora Garcia from the City Manager's Department Public Information Office on her selection as May Employee of the Month.

Mayor Flores and City Council publicly recognized Xochitl Mora as the May employee of the month.

- c. Recognition of Red Raiders football team.

Mayor Flores and City Council presented the players for an outstanding undefeated 2004 winning season and recognizing them as the Champions of the South Valley Division of the Texas United Football League.

- d. Recognizing Police Investigators Jorge Luna, Jr. and Martin J. Guerra for their completion of training from the United States Department of Justice/Federal Bureau of Investigation Basic Bomb Technician Accreditation Course. Both officers are now fully qualified as certified bomb technicians and will now be able to respond to any bomb threats received in the city.

Mayor Flores and City Council recognized and congratulated Jorge Luna, Jr. and Martin J. Guerra for their achievement. These officers have gone through 16 weeks of extensive training in bomb detection and disposal and are qualified as certified bomb technicians.

- e. Recognition of City of Laredo employees and R.E.A.C.H. Committee members for their commitment to volunteerism in the community by supporting the American Cancer Society and in promoting awareness, prevention, education, and support in research to find a cure for cancer.

Dan Migura, Administrative Services Director, reported that the City was recognized by the American Cancer Society for the fine efforts of the City's employees. Pedro Soto, past president of the American Cancer Society reported that the Relay for Life is the most important fundraising event for the organization. He mentioned that the City of Laredo employees have literally rescued the local American Cancer Society chapter from extinction. He added that with the City's continued support, they are confident that this event will grow bigger and better each year. He presented a plaque to Mayor Flores and the R.E.A.C.H. Committee members for all their hard work throughout the year.

Communiqués

VI. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

- a. Appointment by Mayor Pro Tempore John C. Galo of Mary B. Wyers to the Citizens Environmental Advisory Committee.

Motion to approve.

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

Against: 0

Abstain: 0

- b. Appointment by Council Member Juan Ramirez of Dr. Michael Yoder to the Parks and Recreation Committee.

Motion to approve.

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

Against: 0

Abstain: 0

VII. PUBLIC HEARINGS

1. **Public hearing** regarding the proposed substantial amendment of the 24th, 25th, and 28th Action Year Community Development Block Grant (CDBG) One-Year Action Plans for the reprogramming of CDBG fund balances totaling \$132,000.00. The reprogrammed funds will be used for the acquisition of an open space/green-space recreational land.

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Ramirez

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: City Council

2. **Public hearing** concerning an appeal of the denial order issued on April 23, 2004, by the Historic District/Landmark Board regarding the installation of approximately fifty air conditioning window units on the two street-front facades of the Sames-Moore Building.

Location: Lot 8 E N ½ of 9-10 Block 70 W. D.

Commonly known as: 1219 Matamoros Sames-Moore Building

Petitioner: Jorge O. Gutierrez

Locally significant historic landmark

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Agredano

For: 7

Against: 0

Abstain: 0

Mayor Pro Tem Galo joined the meeting at 7:19 p.m.

Sally V. Zuck, resident of St. Peter's Historic District, spoke against the request denial of this petition. The historical buildings are part of Laredo's culture, character, and heritage. She added that these buildings are disappearing at an alarming rate. The Sames-Moore building is one of the most important historical buildings in Laredo and she urged the City Council to assist in preserving the city's past.

John Keck, Chairperson of the Historic District/Landmark Board stated that the prime responsibility of the board is to be involved in the requests for design and review for

demolition or alterations of structures in the three historic districts in Laredo. He asked that City Council deny the appeal of the denial order issued.

Keith Selman, City Planner, mentioned that the request was two-fold. He stated that the initial part of the request, which was ultimately approved, was the re-facing of the windows by detailing the window frames. The applicant requested to replace the current window frames with a metal-type material and it would be the same color, and the Landmark Board did approve that. He provided images for the City Council to see what the window units would look like. He added that in the department's e-mail to the Texas Historical Commission, they did outline to the applicants what was suitable and the owners stated that the units would not protrude outside the windows.

Tomas Yzaquirre, one of the building owners, distributed photographs of the window units they want to install in order to explain how the façade would look.

Elsa Ibarra Valdez, a resident of St. Peter's Historical District, spoke against the appeal approval. She stated that there is a nationwide drive and a renewed interest in restoring America and our old buildings. Laredo is falling a bit behind in this effort and this would be another step back. The air conditioning units that they plan to install would totally change the building's façade.

Motion to permit the building owners to modify the windows as shown on the photographs provided to City Council.

Moved: Cm. Ramirez

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

Motion to close the public hearing and introduce.

Moved: Cm. Ramirez

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

- Public hearing and introductory ordinance** authorizing the City Manager to execute two (2) year lease agreements for retail space at "El Mercado" located on Hidalgo and Lincoln Street with the following retail Lessors; Chez Mauricette, Helados La Playa and Hot Dog Express; copies of which are provided as Exhibits "A" through "C"; and providing for effective date.

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. J. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Ramirez

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

4. **Public hearing and introductory ordinance** amending the City of Laredo FY 2003-2004 annual budget by decreasing revenues and expenditures in the amount \$20,000.00 in funds from the Texas Department of Health for the Maternal and Child Health (MCH-Title V) Program of the City of Laredo Health Department for the period beginning September 1, 2003, through August 31, 2004.

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Agredano

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

5. **Public hearing and introductory ordinance** amending the City of Laredo FY 2003-2004 annual budget by increasing revenues and expenditures in the amount \$20,000.00 in funds from the Texas Department of Health for the Family Planning Services of the City of Laredo Health Department for the period beginning September 1, 2003, through August 31, 2004.

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Agredano

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

6. **Public hearing and introductory ordinance** adding new Article II [regulation of private premises vendors] to Chapter 18 of the Code of Ordinances; said Article II defining “private premises vendors”, regulating them, requiring permits, setting duration of permit, setting fee of \$100.00 for a permit on land owned by permittee and of \$500.00 for a permit on land not owned by permittee, and providing for penalty for violation of any provision of the regulations; providing for publication and effective date.

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

Carlos Blanco, Jr. asked whether this would affect the minimum wage earners in the community by requiring that they pay a fee to require a permit from them.

Cm. Belmares stated that this ordinance is not meant to drive the individuals out of business but it is meant to protect them. He stated that they created an ordinance that would allow these types of businesses to prosper.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 6

Against: 2

Abstain: 0

Cm. J. Valdez, Jr.

Cm. Ramirez

Ordinance Introduction: City Council

7. **Public hearing and introductory ordinance** authorizing the City Manager to accept \$600.00 in donations and amending the City of Laredo FY 2003-2004 General Fund Annual Budget by appropriating revenues in the amount of \$600.00 in the form of a donation from Westwind Homes and appropriating expenditures in the amount of \$600.00 for the purchase of food and beverages for the Indian Sunset Pond Clean Up Campaign that was held Saturday, May 22, 2004.

Motion to open the public hearing.

Moved: Mayor Pro Tem 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, Jr.

Second: Cm. Agredano

For: 7

Against: 0

Abstain: 1

Cm. Belmares

Ordinance Introduction: City Council

(Recess)

(Press Availability)

VIII. INTRODUCTORY ORDINANCES

8. Authorizing City Manager to convey on behalf of City of Laredo, as Trustee, Lots 7 and 8, Block 1299, Eastern Division, to City of Laredo, for its appraised fair market value of \$9,578.00 of which the net proceeds shall be disbursed to the creditor taxing entities in the proportion each entity holds of the tax judgment; and providing for effective date.

Ordinance Introduction: City Council

9. Authorizing City Manager to convey on behalf of City of Laredo, as trustee, Lots 4 and 5, Block 1299, Eastern Division, to City of Laredo, for its appraised fair market value of \$9,578.00 of which the net proceeds shall be disbursed to the creditor taxing entities in the proportion each entity holds of the tax judgment; and providing for effective date.

Ordinance Introduction: City Council

10. Authorizing the City Manager execute Easement Document WR# 2137814 with American Electric Power (AEP) for a 12' x 750' easement (9,000 square feet) and right-of-way out of the 1,259.09 acre tract of the Laredo International Airport recorded in Volume 478, Page 479-480 of the Webb County Deed Records for the purpose of installing underground electrical facilities to serve the Precision Approach Path Indicator (PAPI) to Runway 17L; and providing for an effective date.

Ordinance Introduction: City Council

11. Authorizing the City Manager to execute all necessary documents to effectively convey fee simple title to the "Surface Only", at its market value of \$7,583.18, for certain property described as a 5,924.36 sq. ft. (0.1360 of an acre) tract of land, more or less, out of that former section of the 2200 block of Lincoln Street between Eagle Pass Avenue and the Laredo Community College property line to Millco International, Inc.; said tract being situated in the Western Division, City of Laredo, Webb County, Texas being generally described in attached Exhibit "A"; and providing for an effective date.

Ordinance Introduction: City Council

IX. FINAL READING OF ORDINANCES

Motion to waive the final reading of ordinances # 2004-O-113; # 2004-O-114; # 2004-O-115; # 2004-O-116; # 2004-O-117; # 2004-O-118; # 2004-O-119; # 2004-O-120; # 2004-O-121; # 2004-O-122; # 2004-O-123; # 2004-O-124; # 2004-O-125; # 2004-O-126; # 2004-O-127; # 2004-O-128; # 2004-O-129; # 2004-O-130; # 2004-O-131; and # 2004-O-132.

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

Against: 0

Abstain: 0

12.

2004-O-113

Amending the Zoning Ordinance Map of the City of Laredo by authorizing the issuance of a Conditional Use Permit for condominiums on 1.00 acres, as further described by metes and bounds on attached Exhibit "A" located north of the proposed Shiloh extension and east of Stone Creek Subdivision; providing for publication and effective date.

Motion to adopt Ordinance # 2004-O-113.

Moved: Cm. Agredano
Second: Cm. J. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

2004-O-114

Amending the Zoning Ordinance Map of the City of Laredo by authorizing the amendment of Ordinance 99-O-039, which authorized a Conditional Use Permit for major auto repair, on the south ½ of Lot 3 and Lots 4, 5 and 6, Block 197, Eastern Division, located at 4115 Sanders Avenue, by including tire repair as an additional allowed conditional use; providing for publication and effective date. **(As amended)**

Motion to adopt Ordinance # 2004-O-114.

Moved: Cm. Agredano
Second: Cm. J. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

2004-O-115

Amending the Zoning Ordinance Map of the City of Laredo by rezoning Lots 10, 11 & 12, Block 1704, Eastern Division, located at 2802 Guadalupe Street, from B-1 (Limited Commercial District) to B-3 (Commercial Business District); providing for publication and effective date. **(As amended)**

Motion to adopt Ordinance # 2004-O-115.

Moved: Cm. Agredano
Second: Cm. J. Valdez, Jr.
For: 8 Against: 0 Abstain: 0

2004-O-116 Amending the Zoning Ordinance Map of the City of Laredo by rezoning Lot 11, Block 3, Hilltop Subdivision, Phase II, located approximately at the intersection of Michigan Avenue and Huron Court, from R-3 (Mixed Residential District) to R-2 (Multi-family District); providing for publication and effective date.

Motion to adopt Ordinance # 2004-O-116.

Moved: Cm. Agredano
Second: Cm. J. Valdez, Jr.
For: 8 Against: 0 Abstain: 0

2004-O-117 Amending the Zoning Ordinance Map of the City of Laredo rezoning Lot 7, Block 1, Alexander Commercial Subdivision, Phase I, located southeast of the intersection of Del Mar Boulevard and Rocio Drive from B-1 (Limited Commercial District) to B-3 (Community Business District); providing for publication and effective date.

Motion to adopt Ordinance # 2004-O-117.

Moved: Cm. Agredano
Second: Cm. J. Valdez, Jr.
For: 8 Against: 0 Abstain: 0

2004-O-118 Amending City of Laredo FY 2003-2004 budget by appropriating an increase in revenues and expenditures in the amount of \$24,672.00 which resulted from the increase in fee for the flu vaccine approved by City Council on October 6, 2003, for the Immunization Program of the City of Laredo Health Department for FY 2003-2004.

Motion to adopt Ordinance # 2004-O-118.

Moved: Cm. Agredano
Second: Cm. J. Valdez, Jr.
For: 8 Against: 0 Abstain: 0

2004-O-119 Authorizing the City Manager to amend the FY 2003-2004 budget by appropriating revenues and expenditures in the amount of \$12,926.00 for the Medicaid Administrative Cost (MAC) Project of the City of Laredo Health Department. This amount consists of program surplus funds from FY 2002-2003.

Motion to adopt Ordinance # 2004-O-119.

Moved: Cm. Agredano

Second: Cm. J. Valdez, Jr.

For: 8 Against: 0 Abstain: 0

2004-O-120

Amending the City of Laredo 2003-2004 budget by increasing the Texas Department of Health's share of program income and expenditures for the Tuberculosis Elimination Program of the City of Laredo Health Department in the amount of \$10,000.00 for the period beginning September 1, 2003 through August 31, 2004.

Motion to adopt Ordinance # 2004-O-120.

Moved: Cm. Agredano

Second: Cm. J. Valdez, Jr.

For: 8 Against: 0 Abstain: 0

2004-O-121

Amending the City of Laredo FY 2003-2004 budget by increasing the Texas Department of Health's share of program income and expenditures generated by the La Familia Health Care Program of the City of Laredo Health Department in the estimated amount of \$5,000.00 for the period beginning September 1, 2003 through August 31, 2004.

Motion to adopt Ordinance # 2004-O-121.

Moved: Cm. Agredano

Second: Cm. J. Valdez, Jr.

For: 8 Against: 0 Abstain: 0

2004-O-122

Amending the City of Laredo FY 2003-2004 budget by appropriating revenues and expenditures in the amount of \$35,450.00 in additional funds from the Texas Department of Health for the Bio Terrorism Preparedness Program of the City of Laredo Health Department specifically to enhance laboratory capabilities and smallpox vaccinations for the period beginning September 1, 2003 through August 31, 2004.

Motion to adopt Ordinance # 2004-O-122.

Moved: Cm. Agredano

Second: Cm. J. Valdez, Jr.

For: 8 Against: 0 Abstain: 0

2004-O-123

Amending the City of Laredo FY 2003-2004 budget by appropriating additional estimated revenues generated by the Women, Infants and Children's Program and Nutrition Services

of the City of Laredo in the amount of \$195,000.00 for the period beginning October 1, 2003 through September 30, 2004.

Motion to adopt Ordinance # 2004-O-123.

Moved: Cm. Agredano

Second: Cm. J. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

2004-O-124

Amending the City of Laredo 2003-2004 Ryan Street Railroad Bridge Fund by increasing estimated revenues and appropriations in the amount of \$15,000.00 and authorizing the City Manager to implement said budget amendment and providing for publication and effective date.

Motion to adopt Ordinance # 2004-O-124.

Moved: Cm. Agredano

Second: Cm. J. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

2004-O-125

Approving the public sale of one (1) tract (surface only) of airport non-aeronautical use land located at the Laredo International Airport being Tract "B" consisting of approximately 5.46 acres in the amount of \$1,724,423.00 to Dr. Ricardo Cigarroa, a Limited Liability Company, providing for effective date and amending the City of Laredo Airport FY 2003-2004 annual budget by appropriating revenues and expenditures in the amount of \$1,724,323.00 for the deletion of the initial bid offer by Dr. Ricardo G. Cigarroa.

Motion to adopt Ordinance # 2004-O-125.

Moved: Cm. Agredano

Second: Cm. J. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

2004-O-126

Authorizing the issuance of City of Laredo, Texas, Waterworks and Sewer System Revenue Bonds, Series 2004A, for the purpose of improving and extending the City's combined Waterworks System and Sewer System, approving an official statement, authorizing the execution of a purchase contract, and making provisions for the security thereof, combining the waterworks system and the sewer system and authorizing amendment to the city's budget to appropriate such proceeds for purposes authorized herein, and ordaining other matters relating to the subject.

Motion to adopt Ordinance # 2004-O-126.

Moved: Cm. Agredano

Second: Cm. J. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

2004-O-127

Authorizing the issuance of City of Laredo, Texas International Toll Bridge System Taxable Revenue Bonds, Series 2004, for the purpose of constructing and improving the pedestrian way for Bridge of the Americas Bridge No. 1, by constructing building E as entrance to pedestrian way, the overhead pedestrian way to the administration building B100 and the entrance to the toll bridge by pedestrians, together with necessary land acquisition, and other improvements in connection therewith, approving an official statement, authorizing the execution of a purchase contract, and authorizing amendment to the City's budget to appropriate such proceeds for purposes authorized herein, and authorizing and ordaining other matters related to the subject.

Motion to adopt Ordinance # 2004-O-127.

Moved: Mayor Pro Tem Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

2004-O-128

Authorizing the issuance of City of Laredo, Texas combination Tax and Revenue Certificates of Obligation, Series 2004, for the purpose of paying all or a portion of the City's contractual obligations for the purpose of constructing, repairing and maintaining city streets for the benefit of the municipal transit department, acquiring, constructing, improving and equipping surface municipal parking lots in the city's downtown area, including demolition of existing facilities, and purchasing refuse trucks and trash cans and other improvements for the Solid Waste Department, and for the payment of legal, fiscal, architectural and engineering fees in connection with such projects; authorizing amendment to the city's budget to appropriate such proceeds for purposes authorized herein; and approving an official statement; authorizing the execution of a purchase contract and ordaining other matters relating to the subject.

Motion to adopt Ordinance # 2004-O-128.

Moved: Mayor Pro Tem Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

2004-O-129

Authorizing the issuance of City of Laredo, Texas Waterworks and Sewer System Revenue refunding bonds, Taxable Series 2004B, for the purpose of refunding Waterworks System Revenue Refunding Bonds, new series, approving an official statement, authorizing the execution of a purchase contract and the execution of an escrow agreement, and making provisions for the security thereof, combining the Waterworks and Sewer System and authorizing amendment to the city's budget to appropriate such proceeds for purposes authorized herein; and ordaining other matters relating to the subject.

Motion to adopt Ordinance # 2004-O-129.

Moved: Mayor Pro Tem Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

2004-O-130

Authorizing the City Manager to execute a one (1) year lease agreement between the City of Laredo Parks and Recreation Department and the South Laredo Girls Softball League for use of a softball field at Mario B. Tijerina Park located at 2300 Saltillo for a fee of \$1.00 per year. The primary purpose of this agreement is to conduct a girl's softball program for the youth of Laredo.

Motion to adopt Ordinance # 2004-O-130.

Moved: Cm. Agredano

Second: Cm. J. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

2004-O-131

Amending the City of Laredo FY 2003-2004 Capital Improvement Fund by appropriating revenues and expenditures in the amount of \$110,000.00 donated by the South Texas National Bank of Laredo in order to fund the installation and activation of a traffic signal on McPherson Road at Sterling Loop/Tiara Trail.

Motion to adopt Ordinance # 2004-O-131.

Moved: Cm. Agredano

Second: Cm. J. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

2004-O-132

Authorizing the City Manager to execute Lease No. DTFASW-04-L-00018 between the City of Laredo and the United States of America for a parcel of land within the boundaries of the Laredo International Airport for the purpose of installing, operating and maintaining a Precision Approach Path Indicator

(PAPI) on Runway 17L as well as the meter and transformer site together with a 10 foot wide cable easement. The term shall commence on May 1, 2004 and continue through September 30, 2019 inclusive; providing for an effective date.

Motion to adopt Ordinance # 2004-O-132.

Moved: Cm. Agredano

Second: Cm. J. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

X. RESOLUTIONS

13. **2004-R-045** Authorizing the City Manager to enter into and execute an Interlocal Government Agreement between the City of Laredo, Webb County Sheriff's Office, Texas Department of Public Safety, Texas Parks and Wildlife Parks Division, and the Texas Parks and Wildlife Law Enforcement Division for a three year period beginning June 1, 2004 and May 31, 2007. The purpose of the memorandum of understanding is to solidify the area's law enforcement agencies' commitment to assist Texas Parks and Wildlife in providing law enforcement response and services to Lake Casa Blanca State Park.

Motion to approve Resolution # 2004-R-045.

Moved: Mayor Pro Tem Galo

Second: Cm. Agredano

For: 7

Against: 0

Abstain: 1
Cm. Amaya

14. **2004-R-046** Authorizing the City Manager to submit a grant application with the Office of the 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. Funding will be used to pay salaries, direct operating expenses and purchase of equipment from June 1, 2004 through May 31, 2005.

Motion to approve Resolution # 2004-R-046.

Moved: Mayor Pro Tem Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

15. **2004-R-048** Amending the City of Laredo International Airport Noise Compatibility Program Policy Guide approved by the Laredo City Council as per Resolution No. 98-R-162 to include vacant rental residential structures and vacant residential zoned lots located within the 65 DNL sound level contour areas affected

by excessive aircraft noise levels, as being eligible for participation in one of the three noise mitigation alternatives.

Motion to approve Resolution # 2004-R-048.

Moved: Mayor Pro Tem Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

16. **2004-R-050** Confirming the Mayor's appointments to the Metropolitan Planning Organization (MPO) Policy Committee.

Motion to approve Resolution # 2004-R-050.

Moved: Mayor Pro Tem Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

17. **2004-R-051** Authorizing the acceptance of the water utility easement, dated May 20, 2004, of a 0.50 acre tract out of the 25.96 acre Diamond Shamrock plat from Valero Operations Logistics, L.P., and the acceptance of the 454,000 gallon water tank installed thereon by Valero Logistics Operations, L.P., for which the consideration is the operation and maintenance of said easement and water tank as part of the City's water system.

Motion to approve Resolution # 2004-R-051.

Moved: Mayor Pro Tem Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

18. **2004-R-052** Canvassing the results of the May 24, 2004 recount of the votes cast on the general election for the position of District VIII Council Member held on May 15, 2004, pursuant to petition filed by Canuta "Tita" Quintanilla in accordance with the provisions and procedures of the Texas Election Code; and approving the results of the recount.

Motion to approve Resolution # 2004-R-052.

Moved: Mayor Pro Tem Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

XI. MOTIONS

19. Motion to approve change of day for regular City Council meeting from Monday, July 5, 2004, to Tuesday, July 6, 2004, in observance of Independence Day holiday.

Motion to approve.

Moved: Mayor Pro Tem Galo

Second: Cm. J. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

20. Consideration to ratify and approve action by the City Manager authorizing the issuance of a purchase order to Aventis Pasteur, Inc., through the Texas Department of Health's federal contract pricing for the purchase of vaccines for the 2004 flu season in the amount of \$39,950.00. Funding is available in the Health Department budget through program income to compensate for the cost of the vaccine that will protect those vulnerable persons against the flu and pneumonia.

Motion to approve.

Moved: Mayor Pro Tem Galo

Second: Cm. J. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

21. Refund of property tax to the following taxpayers and companies:
- a. A refund in the amount of \$617.80 payable to Eva Garza and Fernando D. Laurel due to an over payment. Account # 553-01491-010.
 - b. A refund in the amount of \$717.16 payable to the International Bank of Commerce due to a double payment. Account # 104-00193-060.
 - c. A refund in the amount of \$651.63 payable to Wells Fargo Real Estate Tax Service, LLC due to a double payment. Account # 970-00005-116.
 - d. A refund in the amount of \$1,361.82 payable to Greg M. Jacobs due to a double payment for the years 2000 & 2001. Account # 946-42000-090.
 - e. A refund in the amount of \$778.78 payable to Wells Fargo Real Estate Tax Service, LLC due to a double payment. Account # 989-52001-010.
 - f. A refund in the amount of \$3,903.14 payable to Diamond Shamrock Refinery & Marketing due to a decrease in value certified by the Appraisal Review Board. Supplement #9 Case #2002CVQ001130-D2. Account # 9900005-9220911-0.
 - g. A refund in the amount of \$3,231.47 payable to Diamond Shamrock Refinery & Marketing due to a decrease in value certified by the Appraisal Review Board. Supplement #9 Case #2002CVQ000747-D2. Account # 9900005-9220911.
 - h. A refund in the amount of \$2,536.69 payable to Schwan's Sales Enterprises Inc. due to a decrease in value certified by the Appraisal Review Board. Supplement # 9, Case # 2003-5587. Account # 801-03099-121.
 - i. A refund in the amount of \$1,300.53 payable to Mercy Hospital of Laredo due to a total exemption certified by the Appraisal Review Board. Supplement # 10, Cause # Account # 335-00554-030.
 - j. A refund in the amount of \$618.21 payable to Vaquillas Development Ltd. due to a partial exemption certified by the Appraisal Review Board. Supplement # 10, Cause #Account # 900-90321-201.

Motion to approve.

Moved: Mayor Pro Tem Galo

Second: Cm. J. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

22. Consideration to authorize TREMCO Incorporated, San Antonio, Texas, through the Texas Cooperative Purchasing Network (TCPN) to furnish specified roofing and related components for replacing the roof in the Plaza Theatre totaling approximately 12,400 sq. ft. in the amount of \$185,463.47. Funding is available in the 26th Action Year-2000 Community Development Block Grant (CDBG).

Motion to approve.

Moved: Mayor Pro Tem Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

23. Consideration to award contract FY04-078 to U.S. Cellular, Laredo, Texas, for cellular phone service and Metrocall, Laredo, Texas, for cellular phone service with two-way radio capability. Funding is available in the respective departmental budgets.

These phones are assigned to public safety departments plus City issued cell phones that are paid with grants or are assigned as department pool phones. U.S. Cellular is providing the most advantageous proposal for regular cellular phone service, while Metrocall provided the most advantageous proposal for cellular phone service with two-way radio capability. The new contract pricing will be approximately 48% less than the previous contract period.

Motion to approve.

Moved: Mayor Pro Tem Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

24. Authorizing the City Manager to enter into a contract with Martinez Pharmacy in the amount not to exceed \$59,305.00 to provide public health services to clients of the HIV/AIDS Programs of the City of Laredo Health Department for the period beginning April 1, 2004, through March 31, 2005.

Motion to approve.

Moved: Mayor Pro Tem Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

25. Consideration to award contract FY04-040 to the current provider, JVA's Investigation & Security Company, Laredo, Texas in the estimated annual amount

of \$45,864.00 for providing airport security guard services for the Laredo International Airport. Funding is available in the Airport Fund.

Motion to approve.

Moved: Mayor Pro Tem Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

26. Consideration to award contract number FY04-042 to the low bidder, County Wide Security, Laredo, Texas, in the estimated yearly amount of \$193,168.30 for providing security guard services for the Bridge System, Civic Center, City Hall, Health Department and Veterans Field. Funding is available in the respective departmental budgets.

Motion to approve.

Moved: Mayor Pro Tem Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

27. Consideration to award contract number FY04-084 to the low bidder, Zertuche Construction, Laredo, Texas, in the base amount of \$60,282.00 for the construction of concrete islands at the Colombia Solidarity Bridge parking lot. Funding is available in the Bridge Fund.

Motion to approve.

Moved: Mayor Pro Tem Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

28. Consideration to exercise the renewal contract option for one (1) additional year for the following annual contracts for repair parts and service for the heavy equipment fleet, sweepers, motorcycle, and lawn maintenance: Rush Truck Center of Laredo, Laredo, Texas (FY02-078) in the estimated amount of \$50,000.00; Industrial Disposal Supply, San Antonio, Texas (FY02-080) in the estimated amount of \$25,000.00; Laredo Harley-Davidson, Inc, Laredo, Texas (FY02-079) in the estimated amount of \$25,000.00; and RPM Parts & Small Engine, Laredo, Texas (FY02-076) in the estimated amount of \$5,000.00. All parts will be purchased on an as needed basis. The contract vendor for motorcycle parts, Corpus Christi Harley-Davidson, recently opened a store in Laredo. All parts and services for our motorcycle fleet will be purchased from the Laredo store. Funding is available in the Fleet Maintenance budget.

Motion to approve.

Moved: Mayor Pro Tem Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

29. Consideration to award contract number FY04-086 to the low bidder, Rob K Concrete Products, Inc., Laredo, Texas, in the amount of \$49,920.00 for furnishing the prefabricated concrete rebar, wire mesh and other items needed for the Chacon Creek tributary drainage project. Funding is available in the 2003 Contractual Obligation Fund.

Motion to approve.

Moved: Mayor Pro Tem Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

30. Consideration to award contract to sole source vendor, Naztec, Inc., Sugar Land, Texas, in the amount of \$58,515.00 for the purchase of traffic signal controllers, cabinets, and other related components. Funding is available in the Capital Improvement and General Funds.

Motion to approve.

Moved: Mayor Pro Tem Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

31. Authorizing the City Manager to release the partial retainage of \$65,000.00 from the contract with Carter & Burgess, Inc., for the Chacon Creek Flood Mitigation Plan Project. The Master Plan was developed to alleviate the flooding problem on Chacon Creek Watershed. The project is 91% complete. Funding is available in the Environmental Services Department.

Motion to approve.

Moved: Mayor Pro Tem Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

32. Adopting a schedule of hearings and proceedings for voluntary and unilateral annexations for calendar year 2004 in accordance with Section 43.052 of the Texas Local Government Code.

Motion to approve.

Moved: Mayor Pro Tem Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

33. Ratifying the contract amendment with Recycle America Alliance for an additional \$8,821.27 for a total amount of \$29,137.27. This overage is due to an overwhelming response by the community for this service. A grant by EPA will pay \$20,316.00 and the additional \$8,821.21 will be paid by the City in matching funds.

Motion to approve.

Moved: Mayor Pro Tem Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

34. Authorizing the City Manager to execute an extension to the consulting contract between the City of Laredo and B.W. Zimmerman & Associates for additional consulting services to project manage and coordinate with the general contractor the installation of the toll equipment for the El Portal Project. Consulting contract will not exceed \$73,000.00. Funding is available in the Bridge System Fund.

Motion to approve.

Moved: Mayor Pro Tem Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

35. Consideration for approval of amendment No. 5 an increase of \$160,000.00 to the professional services contract with Crane Engineering Corporation, Laredo, Texas, for the West Laredo CP&L Road extension for additional A/E services to develop an environmental assessment document in accordance with the Texas Department of Transportation (TxDOT) and Federal Highway Administration (FHWA) guidelines. Funding is available in the Capital Improvements Fund - West Laredo CPL Road account.

Motion to approve.

Moved: Mayor Pro Tem Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

36. Consideration to approve acceptance of the CDBG sidewalks city-wide project No. 21 (30 blocks) and approval of final payment in the amount of \$29,845.92 to Triple A Concrete, Inc., Laredo, Texas. Final contract amount is \$149,874.60. Funding is available in the Community Development 28th Action Year/2002 Grant Sidewalks account.

Motion to approve.

Moved: Mayor Pro Tem Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

37. Consideration to approve acceptance of the CDBG sidewalks city-wide project No. 24 (30 Blocks) and approval of final payment in the amount of \$62,847.44 to Triple A Concrete, Inc., Laredo, Texas. Final contract amount is \$129,550.80. Funding is available in the Community Development 28th Action Year/2002 Grant Sidewalk account.

Motion to approve.

Moved: Mayor Pro Tem Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

38. Consideration to award construction contract to the lowest bidder, Triple A Concrete, Inc., Laredo, Texas, for the CDBG sidewalks city-wide project No. 25 (30 blocks) in the base bid amount of \$137,683.75. Funding is available in Community Development Project/School Sidewalks 28th Action Year/2002 Grant.

Motion to approve.

Moved: Mayor Pro Tem Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

39. Consideration to award a construction contract to the lowest bidder, Triple A Concrete, Inc., Laredo, Texas, for the CDBG sidewalks city-wide project No. 27 (30 Blocks) in the base bid amount of \$142,746.50. Funding is available in Community Development Projects/Sidewalks 27th Action Year/2001 Grant, 28th Action Year/2002 Grant & 29th Action Year/2003 Grant.

Motion to approve.

Moved: Mayor Pro Tem Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

40. Consideration to approve Change Order No. 1 a net increase of \$28,400.00 to the design construction contract with Petroleum Solutions of McAllen, Texas, for the fueling station at the City of Laredo Solid Waste facility. The change order is the result of engineer's specifications for concrete to meet existing soil conditions, to comply with the requirements for SPCC (spill prevention, control and countermeasures) plan, increase in the price of steel for tank rebar, etc., increase in price from manufacturers and include additional fencing and lighting. Funding is available in the Solid Waste Fund.

Motion to approve.

Moved: Mayor Pro Tem Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

41. Consideration for approval of the release of a partial retainage of \$170,108.47 from the total retainage amount of \$220,108.47 from the construction contract with TJ&T Enterprises, Inc., Laredo, Texas, for the Laredo International Airport passenger terminal and related airside/landside improvements Phase "E". An amount of \$50,000.00 is being retained for completion of punch list items. Funding is available in the Airport Construction Fund.

Motion to approve.

Moved: Mayor Pro Tem Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

42. Consideration for approval of amendment no. 1 an increase of \$82,319.65 to the contract with Freese and Nichols, Inc., Fort Worth, Texas, for the reconstruction of Taxiways A, D, and G for the Laredo International Airport. This amendment is for planned improvement on Taxiway "A" and "B" at the Laredo International Airport. Funding is available in Grant 38 Reconstruction of Taxiways.

Motion to approve.

Moved: Mayor Pro Tem Galo

Second: Cm. Agredano

For: 8

Against:

Abstain:

43. Consideration for approval to reject the sole bid submitted by Ramos Industries, Inc., Laredo, Texas, for the Laredo International Airport East Fuel Farm, due to bid amount being in excess of allocated budget, and to authorize staff to revise the scope of work and re-bid the project.

Motion to approve.

Moved: Mayor Pro Tem Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

44. Authorizing the City Manager to amend the 2002 Emergency Shelter Grant contract with Catholic Social Services by reducing the amount of shelter operation funds from \$60,000.00 to \$8,000.00 for a total decrease in the amount of \$52,000.00, and redirecting these funds toward the rehabilitation of the shelter. These changes pertain to the 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 Tem Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

45. Consideration to award annual contract number FY04-039 to the low bidder, JJJ International Safety, Laredo, Texas, in the estimated amount of \$25,000.00 for the purchase of safety products for all operations. These items will be purchased throughout the year by all departments on an as needed basis.

Motion to approve.

Moved: Mayor Pro Tem Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

XII. STAFF REPORTS

46.

- A. Report regarding camera surveillance system to deter illegal activity at City parks with possible action.

Mike Pescador, Assistant Parks and Recreation Director, stated that the department is providing a staff report to City Council as part of an update to Cm. Garcia's request for solution to the vandalism problem at the city's parks. He mentioned that they have done research on different types of surveillance systems available that will serve the City's needs. He stated that InterNetwork Experts based in San Antonio is one of the companies offering a video surveillance program which utilizes the existing data network.

Roderick Tanner, made the presentation before City Council. He explained that his company is based in San Antonio, Texas, and he introduced Burns Cleveland who explained that the system utilizes the existing data network and allows one to put video on the network and route the video from different locations to the central server. He also stated that virtually any desktop can become a viewing station if given the proper permission level.

Motion to use \$10,000.00 in discretionary funds for the initial investment for the purchase of a surveillance system.

Moved: Cm. Ramirez

Second: Cm. Garcia

For: 6

Against: 1

Abstain:

Cm. Belmares

Motion to direct staff to look at the next step to get funding for these cameras to be installed at the parks.

Moved: Cm. Garcia

Motion dies for lack of a second.

Larry Dovalina, City Manager, stated that city staff will look at the Certificates of Obligation that have had projects completed and determine if there is some money remaining and at least get a pilot project started. He suggested that they could purchase the initial startup system, but the department would need to go through bids because it is a purchase.

- B. Presentation regarding the 2004 property tax and debt survey for the State of Texas.

Larry Dovalina, City Manager, stated that they are prepared to make a presentation but the individuals that were in the audience earlier in the evening have left. He mentioned that he would like to make this presentation at the next council meeting when those individuals return for the following meeting. He prefers to make the presentation at that point in time to make sure those people are present to listen to the presentation to be made.

Motion to table.

Moved: Cm. Belmares

Second: Cm. J. Valdez, Jr.

For: 6

Against:

Abstain: 0

XIII. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

47.

- A. Request by Council Member Hector J. Garcia

1. Discussion with possible action on having a 4th of July fireworks display at Lake Casa Blanca State Park.

Horacio De Leon, Parks and Recreation Director, reported that the Parks and Recreation Department will work on relocating the fireworks show to Lake Casa Blanca. He mentioned that for the past four years, the fireworks display have been held at Veterans Field along with a range of activities around Veterans Field including the parade, mini festival, and a double header baseball game which culminates with the pyrotechnics show.

Mayor Flores inquired whether there was still ample time to move this pyrotechnics show to Lake Casa Blanca. She stated that she would like those activities to continue at Veterans Field and the Civic Center grounds but perhaps there is still time to have the fireworks at Lake Casa Blanca. She appointed Cm. Garcia, Mayor Pro Tem Galo, and Cm. J. Valdez, Jr. to work together with Horacio De Leon to coordinate this event.

Cm. Ramirez stated that the reason that this event is being held at Veterans Field because there was no celebration being held for the Fourth of July. He came up with the idea of distributing ice cream and apple pie to those attending the baseball game.

Cm. Garcia stated that he would like to consider moving the event for next year being that this fireworks display should be something to be enjoyed by everyone. By having the event at Lake Casa Blanca Park, everyone can enjoy the pyrotechnics show.

Motion to move the fireworks display this year to Lake Casa Blanca Park.

Moved: Mayor Pro Tem Galo

Second: Cm. Agredano

For: 7

Against: 1

Abstain: 0

Cm. Ramirez

B. Request by Council Member Gene Belmares

1. Discussion with possible action on amendments and enforcement of the City's sign ordinance.

Cm. Belmares stated that the first half of this item is an amendment to the ordinance. There is a move amongst communities to allow the small signs to announce open houses, weekend events, etc. without a need for a permit. He would like to see if the City would accommodate this amendment.

Keith Selman, City Planner, stated that it is possible to draft a revision to the ordinance in order to accommodate that request. He mentioned that they would need to define where and how these signs will be located on the public right-of-way. He explained that the department does not have a team designated towards sign enforcement, however, they do regulate signage through the issuance of permits and enforcement of non-conforming signs through citations.

Larry Dovalina, City Manager, inquired whether the City Council is suggesting that the City revise the ordinance and that they institute a mandatory fine without there being an allowance made. He suggested bringing a report to City Council at a later date in order to address the questions regarding violations and citations issued and fines collected.

2. Discussion with possible action to consider transferring the duties and charge of the AD HOC Cemetery Board to the Parks & Recreation Advisory Committee.

Motion to do away with the Cemetery Ad Hoc Board and to transfer the duties and charges of said ad hoc committee to the Parks and Recreation Advisory Committee.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

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

1. Discussion with possible regarding flooding situation at Indian Sunset.

Rogelio Rivera, City Engineer, reported that he has received a phone call from Danny Wyers, the developer, who stated that they will be working out there all this week. He explained that they are working on the retaining wall and the drainage wall at said location and he would make sure that everything is completed. He added that he would go by tomorrow to see the progress of the work at said location.

D. **Requests by Council Member Juan Ramirez**

1. Discussion with possible action in regards to railroad situation at La Ladrillera neighborhood.

Cm. Ramirez stated that the students and teachers at Dovalina Elementary have a serious problem with the railroad blocking the pass. He suggested that the train needs to cut the train so that pedestrians can go by on Sanchez and Jefferson. The other problem is that the conductors leave the engines stalled along the tracks and leave them running there all night. The residents have some health concerns due to the smell of the diesel is harmful to the health of the area residents.

Mayor Flores mentioned that the frequent question asked of her in Washington by the railroad commissioners is whether the community is willing to close off some streets to build some overpasses. She mentioned that the City has proposed to close off several streets in order to obtain the funding. She added that this is the only plan that will work because the trains are not going to disappear anytime soon.

Cm. J. Valdez, Jr. suggested that a Rail Committee meeting be scheduled soon to address the Cm. Ramirez's issues and other issues that anyone else may have.

Keith Selman, City Planner, stated that he is scheduling a Rail Committee meeting in the next few weeks. He added that they are getting the feasibility report on contract for the relocation.

2. Discussion with possible action regarding proposed water park.

Cm. Ramirez stated that the City needs to get in touch with the Webb County officials. He would like to send Webb County a letter to discuss the possible use of the property at Lake Casa Blanca.

Jaime Flores, City Attorney, mentioned that the County Attorney is working on developing several proposals which will be sent to the City Manager. He will probably have those different alternatives ready by next week to be delivered to the City Attorney or the City Manager.

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.

48. Request for Executive Session pursuant to Texas Government Code § 551.071 (1)(A) to consult with City Attorney regarding pending litigation, Martha Escamilla & Mariagloria Gonzalez v. the City of Laredo, Cause No. 2004CVQ000450-D-2 in the District Court 111th Judicial District Webb County, Texas, and return to open session for possible action.

Motion to go into Executive Session pursuant to Texas Government Code § 551.071 (1)(A) to consult with City Attorney regarding pending litigation, Martha Escamilla & Mariagloria Gonzalez v. the City of Laredo, Cause No. 2004CVQ000450-D-2 in the District Court 111th Judicial District Webb County, Texas, and return to open session for possible action.

Moved: Cm. Agredano

Second: Cm. J. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

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

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

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

Moved: Cm. Belmares

Second: Cm. J. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

49. Consideration to award contract FY04-041 to the low bidder, County Wide Security, Laredo, Texas, in the estimated annual amount of \$78,423.80 for providing security guard services for the Transit Center and Maintenance facility. Funding is available in the Transit Fund.

Motion to approve.

Moved: Mayor Pro Tem Galo

Second: Cm. J. Valdez, Jr.

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 Tem Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

- XVII. ADJOURNMENT

Motion to adjourn.

Time: 9:30 p.m.

Moved: Mayor Pro Tem Galo

Second: Cm. Garcia

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 01 to 30 and they are true, complete, and correct proceedings of the City Council meeting held on June 7, 2004.

City Secretary

Gustavo Guevara, Jr.