

**CITY OF LAREDO
CITY COUNCIL MEETING
M2002-R-03
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
FEBRUARY 11, 2002
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,
Louis H. Bruni,
John C. Galo,

Mayor
Council Member, District I
Council Member, District II
Council Member, District

III

Johnny Amaya,
IV
Eliseo Valdez, Jr.,
Joe A. Guerra,
VI

Council Member, District

Mayor Pro Tempore, District V
Council Member, District

Jose A. Valdez, Jr.,
Juan Ramirez,
VIII

Council Member, District VII
Council Member, District

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

City Secretary
City Manager
Assistant City Manager
City Attorney

IV. MINUTES

Approval of the minutes of December 3, 2001 and December 17, 2001.

Motion to approve.

Moved: Cm. Agredano

Second: Mayor Pro Tempore Valdez

For: 5

Against: 0

Abstain: 0

Cm. Bruni, Cm. Galo and Cm. Guerra were not present.

V. COMMUNICATIONS AND RECOGNITIONS

Announcements

None.

Invitations

- A. Presentation by Mr. Ito Deutch, President of the Washington's Birthday Celebration Association.

Aladar "Ito" Deutch, President of the George Washington Celebration, personally invited the City Council to the festivities. He thanked City staff for their hard work in creating a perfect event. He presented the Mayor and the Council with tokens of appreciation from the Washington's Birthday Celebration. He recognized the following Executive Board members of the Washington's Birthday Celebration Association:

Melissa C. Cigarroa	President Elect
Robert H. Summers	First Vice-President
Thomas Gates	Second Vice-President
Linda LaMantia	Treasure

Cm. Ramirez invited the public to attend the Jamboozie Festival to be held in his District on February 16, 2002.

Recognitions

- A. Recognizing the generous contribution of Cincinnati Red Freddie Benavides, Jr. and high school baseball coaches: Tim Bertholf - Alexander High School, Javier Sanchez - Cigarroa High School, Beto Aguilar-Cigarroa High School, Jorge Tijerina-Martin High School, Stan Kowalski-Martin High School, Pete Solis-Martin High School, Gilbert Gomez-Nixon High School, Arturo Contreras-United High School, Jesse Banda-United South High School, Tano Tijerina and Osbaldo Guzman for facilitating the inaugural little league baseball clinic at Veteran's Field on February 2, 2002. Nearly 100 boys and girls spent an afternoon absorbing a wealth of knowledge about the intricacies of America's pastime.

Motion to postpone.

Moved: Cm. Agredano

Second: Mayor Pro Tempore Valdez

For: 5

Against: 0

Abstain: 0

- B. Recognizing Mr. Daniel Mendoza for his 41 years of service to the U.S. Post Office.

Cm. Agredano presented Daniel Mendoza a Seven Flags Certificate of Recognition for 41 years of service to the U. S. Post Office.

Communiqués

Cm. Valdez noted the International Youth Soccer League is underway at the Father McNaboe Park. He also thanked staff for the improvements that are underway in District VII.

Mayor Pro Tempore Valdez thanked staff for the work they are doing on the widening of McPherson. He thanked the Parks and Recreation Department and the Community Development Department for their work at the Raquel Gonzalez Park. Finally, he thanked Public Works for keeping his district clean.

Cm. Amaya mentioned that he visited the Buena Vista area to hear concerns and complaints from his constituents. He said that he submitted the complaints to the City Manager's Office.

Cm. Agredano announced that two parks in his district would be completed in 90 days.

Cm. Galo said that there was a sign-in with Tex-Mex on Monday. He stressed the importance of the project and mentioned several ways that the construction will help the traveling citizens of Laredo. He also expressed his opinion of the customer service that he received from Priceline and American Airlines.

Mayor Flores expressed her condolences to Cm. Bruni on the loss of his mother. There was a moment of silence for of Cm. Bruni's mother.

VI. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

- A. Appointment by Council Member John C. Galo of Gloria Canseco to the Third Party Funding Committee.

Motion to approve.

Moved: Cm. Agredano

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

- B. Appointment by Council Member Johnny Amaya of Juan Calderon to the Cemetery Advisory Committee to replace Francisco Llanes.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

VII. PUBLIC HEARINGS

1. Public hearing and introductory ordinance amending Section 24.63.2, Permitted Land

Uses of the Laredo Land Development Code to designate an auto auction as an allowable land use in a B-4 (Highway Commercial District).

Motion to open the public hearing.

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

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

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

Against: 0

Abstain: 0

Ordinance Introduction: City Council

2. Public hearing and introductory ordinance accepting a grant awarded by the Texas Department of Public Safety, Governor's Division of Emergency Management for the amount of \$19,200.00 and amending the City of Laredo's FY 2001-2002 Annual Budget for the NPDES Fund by appropriating the said grant revenue to the appropriate expenditure accounts. The grant monies will be used for educational materials in Spanish on hazardous materials.

Motion to open the public hearing.

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

Against: 0

Abstain: 0

Ordinance Introduction: City Council

VIII. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

3. A. Request by Council Member Louis H. Bruni

1. Staff update on the environmental status of the Rio Grande, including pollution levels and other contaminants affecting the river, with discussion and possible action.

Dr. Hector Gonzalez, Health Department Director, read excerpts from the following letter:

As per your request we have prepared a short summary of the Rio Grande River environmental status and its health impact in coordination with Mr. Gerardo Pinzon, Regional Director from our sister agency, The Texas Natural Conservation Commission. (TNRCC)

Mr. Gerardo Pinzon will present an overview of the responsible parties for monitoring and intervention as well current findings for the Region 16 - Laredo area. After a careful review of the data from the City of Laredo Health Department, International Boundary and Water Commission (IBWC) and the TNRCC, we can state that the Rio Grande water quality meets the Texas Surface Water Quality Standards with the exception of bacteria (fecal coliforms).

What this means is that because of the great strides conducted by the City of Laredo wastewater treatment efforts, discharge into the Rio Grande has greatly reduced the threat of any significant adverse health effects. In addition the purification and treatment process for safe drinking water rates Laredo in the superior category for potable water. In other words we have safe superior drinking water due to the high level of standards for potable water.

Even though coliforms (bacteria) in the Rio Grande continue to pose a concern, here too, great strides have been made to reduce discharge of untreated water on both sides of the border. Surveillance to reduce illegal dumping has also made a difference and as well the continued efforts to assure clean natural water.

In fact good news is about to be released from the Texas Department of Health and the Agency for Toxic Substances and Disease Registry (ATSDR) based on the 1999 study they conducted which analyzed fish both upstream and down stream. The results will disclose no health threats by fish consumption of the Rio Grande. However, we continue to recommend no recreational use (swimming, wading and boating) of the Rio Grande.

We also want to state that the City of Laredo Health Department has been collecting and analyzing water samples from the Rio Grande throughout Webb County from the bridge at Colombia to the City of Rio Bravo. We have data since before the Nuevo Laredo sewer plant was built. Therefore, we can attest to the significant decrease in bacterial discharge into the Rio Grande. Furthermore, through rigorous and stringent wastewater treatment efforts and high standards for safe drinking water we have greatly reduced the serious threat of gastroenteritis and other waterborne diseases such as cholera that

we encountered in the past. Today, we continue to sample and test water and provide the results to the Texas Clean Rivers Program as a subcontractor to the IBWC. Since 1998, TNRCC has also contracted with IBWC to analyze data, collect samples and to coordinate with other agencies and organizations that sample the Rio Grande in order to prevent duplication of efforts and to maintain a high level of vigilance and monitoring. Currently, the City of Laredo Health Department collects samples at the Columbia Bridge, Del Mar plant intake, Jefferson Plant, Bridge 2, Zacate Creek, Masterson Plant, Quintero Ranch and at the City of Rio Bravo.

In summary, the City's efforts to maintain a high standard of potable water quality, excellent purification and treatment systems are to be commended. Its commitment to a high maintenance level of wastewater treatment, surveillance, testing and monitoring has made a difference in reducing adverse health risks from the Rio Grande as well to protect the environment. We must continue to maintain this high quality of wastewater treatment and safeguard our water plant. Finally, the City of Laredo Health Department will continue to be vigilant, monitor and test for any abnormal health risks and consequent adverse health effects due to any waterborne disease both as the health department and in coordination with other sister city, state, federal and international entities/agencies.

Jerry Pinzon, Regional Director for TNRCC, gave the following presentation:

**TNRCC
Region 16 Laredo**

The Primary standards:

water temperature
chlorides
sulfates
total dissolved solids
pH
dissolved oxygen
indicator bacteria

Jurisdiction:

Analyses

IBWC through the Clean Rivers Program

Corrective Action:

Point source - TNRCC
Non-point source - Tx State Soil Water Conservation

Texas Clean Rivers Act (Senate Bill 818)

Water quality assessments for river basin
Contract IBWC and TNRCC October 1998
To maintain and improve the quality of water
Using watershed management techniques:
Identify and evaluate water quality issues
establish priorities for corrective actions
work to implement those actions

Middle Rio Grande sub basin includes:

Segment 2304 Rio Grande below Amistad
Segment 2313 - San Felipe Creek
Segment 2303 - Falcon Reservoir

CRP participants:

USIBWC Amistad Field Office - collect in the upper 2304
City of Del Rio Water Dpt - collects at 3 sites on segment 2313
City of Laredo Health and Environmental Departments for segment 2304 at
manadas area
RGISC - collects at 7 sites in segment 2304 along the Laredo/Nuevo Laredo
TNRCC San Antonio Field Office - collects at 5 sites on segment 2304

Designated uses:

Contact recreation
High aquatic life
Public water supply
Fish consumption

Contact Recreation:

Swimming is never recommended on non-chlorinated pools

Public Water Supply:

Utilities must meet SWDA standards at all times
City of Laredo is considered Superior Water

Fish Consumption:

TDH analyzed fish tissue (1999):

Minute concentrations of Aroclor 1254
P,pDDE but not exceeded criteria
Fish poses no health concern

Overall the water quality is good based on the data collected, according to IBWC

E. Coli exceedance in and below the three major populated areas of our segment:

Primary cause of increased pathogens:

Discharges (Mexico and US)

Runoff during rain events

Lift station overflows

City of Laredo Utilities under NOV for lift station overflows

2. Staff update on efforts to curb illegal dumping into the Rio Grande, including number of citations issued and the enforcement of such ordinances prohibiting illegal dumping, with discussion and possible action.

Riazul Mia, Environmental Services Director, briefed the Council about current ordinances that address illegal dumping. He notified Council of new state laws that will amend the ordinances, which he will submit at a later date. He explained that in the last six months, 85 citations for illegal dumping were issued. He conveyed that he has two inspectors that work on illegal dumping issues; however, other departments such as Community Development and Health join force, to eradicate the City of illegal dumpers.

Cm. Bruni asked for copies of the ordinances that pertain to illegal dumping.

3. Staff update on the progress of the proposed nature trail the City is developing along the Rio Grande River and Zacate Creek, with discussion and possible action.

Erasmus Villarreal, Community Development Director, orientated the Council of properties along the Rio Grande River. He noted that staff is in the process of acquiring the necessary property and funding to be able to beautify the river. He mentioned a 10 million dollar project called El Portal that will allow the City to create biking, jogging, and nature trails. He noted that staff is working diligently to expedite the project.

Jessica Hein, Administrative Assistant to the City Manager, gave a brief history for Las Palmas Park. She pointed out that in October the City, in conjunction with the Rio Grande International Study Center, hosted "*Dia Del Rio*" to beautify the river front. She noted that on the following Saturday, the City hosted "Make a Difference" day. The events were spent collecting garbage, spreading mulch and completing the finishing touches to create a nature trail for Laredoans.

Cm. Bruni requested a copy of all projects and the proposed projects that are proposed for the riverfront.

Anita Stanley, spokesperson for the Leadership Class 2001, gave a status report on the Nature Quest Project which was assigned to them by the City Manager in December. She said the directive given was to extend the existing walking trail know as Las Palmas, which is located west of Zacate creek. She went on to say that the project is going to be located east of Zacate Creek and it is going to span approximately 1/2 mile. She mentioned that the group is working in conjunction with the Rio Grande International Study Center, Laredo Birding Association, and other City departments.

Carla Robles, Community Development Department employee, expanded on the project given to the Leadership Class. She relayed that the group is working with three different agencies including the International Boundary Water Commission, the U. S. Fish and Wildlife and the State Historic Preservation Office. She said the group is preparing packages to submit to the agencies for their approval and they are expecting a 30 day turn around.

4. Staff update on the City's progress regarding the search for a secondary water source, with discussion and possible action.

Mike Anglea, spokesperson for CH2MHILL, reported that the company met with the Water Issues Committee Board, and he gave an overview of the events for the Secondary Water Project. He said that two firms submitted proposals, Montgomery Watts and Harza and U. S. Filter in conjunction with the Killiam water Company. The proposals have been evaluated by the Water Issues Committee. He noted that the City had begun the process with the hopes of risk sharing as a part of the ultimate development. The nature of the projects and the responses from the teams; however, are suggesting that both the development risk and the cost risk be placed on the City. He noted that both teams are proposing that once verification of the projects has been determined that implementation be on a design build basis, which is what was requested. Both teams are proposing that implementation ultimately be designed built. He said the next step is an action to proceed and move into the development of verification of contracts with both developers.

Motion to instruct City Manager to start negotiations with Montgomery Watson and Killiam/ Water U. S. Filter.

Moved: Cm. Bruni
Second: Cm. Galo

Cm. Amaya asked for a workshop on the secondary water source.

Motion to postpone.

Moved: Cm. Amaya
Second: Cm. J. Valdez

For: 6

Against: 2

Abstain: 0

Street Park, with possible action.

Miguel Pescador, Assistant Director for Parks and Recreation, reported that staff has ordered the skate park modules for the Lafayette Street Park.

Motion to instruct staff to proceed with ordering skate park modules for the Lafayette Street Park.

Moved: Cm. J. Valdez

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

E. Request by Council Member Juan Ramirez

- and
1. Discussion with possible action regarding the agreement between the City and Tex-Mex on the closing of Davis, Juarez and San Jorge Streets.

Cm. Ramirez stressed his desire to be notified of agreements with Tex-Mex on street closings. He further expressed his desire to be notified of all decisions that might affect his district.

Larry Dovalina, City Manager, said that he would take responsibility for not notifying the Council Member about the closing of Davis, Juarez and San Jorge Streets. He said the issues were brought by Tex-Mex to officially close the portions. The city did not close or commit to close. He noted that he would contact Tex-Mex and ask them to notify the Council Member in reference to street closings.

2. Discussion with possible action regarding the synchronizing of traffic lights downtown due the closing of Bridge I.

Roberto Murillo, Traffic Director, reported that TxDOT had made some changes regarding the synchronizing as vehicles approach Bridge II. He said the City is working in conjunction with TxDOT for a smoother coordination of vehicular traffic.

3. Discussion with possible action regarding recreation on the west section of District VIII.

Miguel Pescador, Assistant Director for Parks and Recreation, said that the west section of District VIII has the Ladrillera area for soccer, picnicing, skating, and baseball practice. He noted that further south the City has a Master Plan called El Quatro Park which has been allowed \$250,000 in funding, but is in the land acquisition stage.

Mayor asked staff to meet with the Council Member on his desire to improve West Martin Field and other park areas.

4. Status report on the parking lot on Ventura by River Drive Mall.

Larry Dovalina, City Manager, said that he sent a letter to River Drive Mall in reference to the parking lot on Ventura; however, there has been no reply. He noted that he would contact them and bring the item back to the Council.

IX. INTRODUCTORY ORDINANCES

4. Authorizing the City Manager to execute an Assignment of the Lease Agreement entered

into between the City of Laredo, as Lessor, and Dr. E. H. Borchers, Jr., as Lessee, by Ordinance No. 98-O-310 dated December 7, 1998. The Lease Assignment is to Johnny C. Cavazos, D.D.S., Assignee, for approximately 4,272 square feet constituting Building No. 910 located at 4403 North Daugherty Avenue, at the Laredo International Airport. Lease term may be extended until October 31, 2010. Monthly rent shall be \$1,676.67 until October 31, 2002 and will be adjusted annually according to changes in the Consumer Price Index; providing for effective date.

Ordinance Introduction: City Council

5. Authorizing the City Manager to execute a Scheduled Airline Operating Agreement and

Terminal Building Lease with Compañía Mexicana de Aviación, S.A. de C.V. for exclusive and non-exclusive joint use space located at the Laredo International Airport passenger terminal for the purpose of conducting commercial air transportation services. The term of the agreement is for one (1) year effective March 1, 2002 with two (2) consecutive one- (1) year renewal options ending on February 28, 2005. The monthly rent including landing fees is waived for the first twelve (12) months commencing on the date airline initiates commercial air transportation services at the Laredo International Airport. The proposed route is Mexico City/ Laredo, Texas /Mexico City; providing for an effective date.

Ordinance Introduction: City Council

6. Authorizing the City Manager to execute a Scheduled Airline Operating Agreement and

Terminal Building Lease with Lineas Aereas Azteca S. A. de C. V. for exclusive and non-exclusive joint use space located at the Laredo International Airport passenger terminal for the purpose of conducting commercial air transportation services. The term of the agreement is for one (1) year and seventeen (17) days effective February 11, 2002 with two (2) consecutive one (1) year renewal options ending on February 28, 2005. The monthly rent including landing fees is waived for the first twelve (12) months commencing on the date airline initiates commercial air transportation services at the Laredo International Airport. The proposed route is Mexico City/ Laredo, Texas /Mexico City; providing for an effective date. Ratifying Motion approved by City Council on February 11, 2002 regarding a 30-day Scheduled Airline Operating Agreement and Terminal Building Lease with Lineas Aereas Azteca, S.A. de C.V.

Ordinance Introduction: City Council

X. FINAL READINGS OF ORDINANCES

Internet availability: www.ci.laredo.tx.us

Motion to waive the final readings of Ordinance # 2002-O-025, 2002-O-027, 2002-O-028, 2002-O-030, 2002-O-031 and 2002-O-032.

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

Against: 0

Abstain: 0

7. 2002-O-025 Amending section 24.80 of the Laredo Land Development Code by revising citations to the Texas Administrative Code in Section 42.80.2 (D), creating Section 24.80.3 requiring improvements and a plat to be filed for the subdivision of a parcel of land into two or more lots five acres or less which is intended for residential purposes within the corporate limits of the City of Laredo, creating Section 24.80.4 (D) requiring all water supply systems to be consistent with the standards developed by the TNRCC and as set out in 30 TAC Chapter 290, creating Section 24.80.4 (E)(2)(i) prohibiting pit privies, portable toilets, and on-site sewage facilities that do not meet the wastewater treatment standards developed by TNRCC and set out in 30 TAC Chapter 285; and providing for publication and effective date.

Motion to adopt Ordinance # 2002-O-025.

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

Against: 0

Abstain: 0

- 2002-O-026 Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing the issuance of a Conditional Use Permit for a gift shop on Lot 4, Block 1653, Eastern Division, located at 2719 Clark Blvd.; providing for publication and effective date. (As amended)

Motion to adopt Ordinance # 2002-O-026.

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

Against: 0

Abstain: 0

- 2002-O-027 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning

Lot 5, Block 1108, Western Division, located at 102 Matamoros St., from B-1 (Limited Commercial District) to B-3 (Community Business District); providing for publication and effective date.

Motion to adopt Ordinance # 2002-O-027.

Moved: Cm. Agredano

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

2002-O-028 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning

49.95 acres, as further described by metes and bounds on attached Exhibit "A", located west of Bob Bullock Loop and south of the proposed Jacaman Road extension, from AG (Agricultural District), R-1 (Single Family Residential District), and M-1 (Light Manufacturing District) to B-4 (Highway Commercial District); providing for publication and effective date.

Motion to adopt Ordinance # 2002-O-028.

Moved: Cm. Agredano

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

2002-O-029 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning

6.19 acres, as further described by metes and bounds on attached Exhibit "A", located north of Kimberly Drive and east of Chris Lane, from R-1 (Single Family Residential District) to R-1A (Single Family Reduced Area District); providing for publication and effective date.

Motion to adopt Ordinance # 2002-O-029.

Moved: Cm. Agredano

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

2002-O-030 Authorizing the City Manager to amend the FY 2001-2002 annual budget

in the amount of \$13,147.00 in additional funds for the Medicaid Administrative Cost (MAC) Project of the City of Laredo Health Department for the period beginning October 1, 2001, through September 30, 2002.

Motion to adopt Ordinance # 2002-O-030.

Moved: Cm. Agredano

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

2002-O-031 Amending the City of Laredo Fiscal Year 2001-2002 General Fund annual

budget and Contractual Obligations Fund annual budget by transferring \$2,202,940.00 from the General Fund balance and appropriating it in the Contractual Obligations Fund. The amendment will draw down \$2,202,940.00 from the General Fund opening balance and appropriate a transfer out of \$2,202,940.00 to the Contractual Obligations Fund. Amending the Contractual Obligations Fund to appropriate \$2,202,940.00 for the Personal Property Finance Contractual Obligation for acquisition of machinery and equipment, automotive equipment and building improvements.

Motion to adopt Ordinance # 2002-O-031.

Moved: Cm. Agredano

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

XI. RESOLUTIONS

8. 2002-R-011 Declaring a public necessity to utilize the area under IH 35 between Park

Street and Sanchez Street as a parking staging area on February 14, 2002 and February 23, 2002 for the Annual Youth Parade and Washington's Birthday Parade, respectively and authorizing City Manager to enter into an agreement with Texas Department of Transportation for the use of said property.

Motion to approve Resolution 2002-R-011.

Moved: Cm. Guerra

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

9. 2002-R-013 Resolving to officially support all State and Federal Legislative efforts to stop and prevent the illegal practice committed by unscrupulous service providers of slamming and cramming unsuspecting telephone customers.

Motion to approve Resolution 2002-R-013.

Moved: Cm. Guerra

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

XII. MOTIONS

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

- a. A refund in the amount of \$7,644.40 payable to Countrywide Home Loans due to

a double payment on various accounts; however, these accounts had already been paid.

- b. A refund in the amount of \$966.65 payable to International Bank of Commerce due to a double payment. Both the bank and Border Abstract Title paid. Account # 970-90001-100.
- c. A refund in the amount of \$544.20 payable to International Bank of Commerce due to a double payment. Both the bank and Border Abstract Title paid. Account # 936-40004-070.
- d. A refund in the amount of \$2,119.61 payable to the International Bank of Commerce due to a double payment. Both the bank and Border Abstract Title paid. Account # 955-10010-280.
- e. A refund in the amount of \$1,167.76 payable to the International Bank of Commerce due to a double payment. Both the bank and Border Abstract Title paid. Account #985-20005-080.
- f. A refund in the amount of \$651.40 payable to the Laredo National Bank due to a double payment by the taxpayer and the bank. Account #985-10009-180.
- g. A refund in the amount of \$783.67 payable to the Laredo National Bank due to a double payment by the taxpayer and the bank. Account #970-20003-040.
- h. A refund in the amount of \$635.43 payable to the Laredo National Bank due to a double payment by the taxpayer and the bank. Account #980-70001-260.
- i. A refund in the amount of \$680.91 payable to the Laredo National Bank due to a double payment by the taxpayer and the bank. Account #946-42000-060.
- j. A refund in the amount of \$1,578.21 payable to the Laredo National Bank due to a double payment by the taxpayer and the bank. Account #438-00732-060.
- k. A refund in the amount of \$1,698.64 payable to the Laredo National Bank due to a double payment by the taxpayer and the bank. Account #438-00732-050.
- l. A refund in the amount of \$661.23 payable to Ileana Ramirez due to a Webb County Appraisal District Change of Value Certified by Appraisal Review Board. Did not exist on 1st of the year. Supplement #5 Cause #2001-1331-1329.
- m. A refund in the amount of \$549.21 payable to E I Du Pont De Nemours and Co. due to an Appraisal District Change of value, certified by the Appraisal Review Board. Supplement, 6, Cause #2001-2175.

Motion to approve.

Moved: Cm. Amaya

Second: Mayor Pro Tempore Valdez

For: 8

Against: 0

Abstain: 0

11. Authorizing the City Manager to enter into a contract with Laredo Independent School

District in an amount not to exceed \$212,842 in collaboration with the "Mi Futuro" Abstinence Education Program of the City of Laredo Health Department for the period beginning September 1, 2001, through August 31, 2002.

Motion to approve.

Moved: Cm. Amaya

Second: Mayor Pro Tempore Valdez

For: 8

Against: 0

Abstain: 0

12. Consideration to award a twelve month janitorial supply contract (FY 02-042) to the Low Bidders, Gulf Coast Paper, Corpus Christi, Texas, Pollock Paper Distributors, San Antonio, Texas, Star Janitorial Supplies, Laredo, Texas, and State Industrial Products, Cleveland, Ohio, for providing general janitorial supplies to all city departments. All items will be purchased on an as needed basis. This contract establishes the fixed base price for janitorial supplies most commonly utilized by city departments. These vendors offered contract pricing from their general catalogues.

Motion to approve.

Moved: Cm. Amaya

Second: Mayor Pro Tempore Valdez

For: 8

Against: 0

Abstain: 0

13. Consideration for approval of change order no. 2 a decrease of \$6,435.40 for the balance of quantities actually constructed in place, acceptance of the Bartlett Avenue extension (Hillside Road to Gale Street), and approval of final payment in the amount of \$34,663.61 to Pete Gallegos Paving, Inc., Laredo, Texas. Final contract amount is \$678,030.40. Funding is available in the 2000A CO Issue Bartlett/Hillside to Gale.

Motion to approve.

Moved: Cm. Amaya

Second: Mayor Pro Tempore Valdez

For: 8

Against: 0

Abstain: 0

14. Consideration to award contract number FY 02-060 to the Low Bidder, Lawrence Marshall Chevrolet, Austin, Texas, in the amount of \$57,038.00 for the purchase of two utility vehicles equipped with canine cages for the Police Department. Delivery is expected within one hundred and twenty days. Funding is available in the Police Trust Fund.

Motion to approve.

Moved: Cm. Amaya

Second: Mayor Pro Tempore Valdez

For: 8

Against: 0

Abstain: 0

15. Consideration to award contract number FY 02-058 to the Low Bidder, Holt Co. of Texas, Laredo, Texas, in the amount of \$115,408.00 for the purchase of one, 3 cubic yard front wheel loader for landfill operation. This equipment will be purchased using a total cost bid evaluation process. The bid pricing includes provisions for a five-year maintenance contract and a guaranteed re-purchase price. Delivery of this equipment is expected within sixty days. Funding is available in the Solid Waste Fund.

Motion to approve.

Moved: Cm. Amaya

Second: Mayor Pro Tempore Valdez

For: 8

Against: 0

Abstain: 0

16. Consideration to award contract number FY 02-062 to the Sole Bidder, A to Z Tire, Laredo, Texas in the estimated amount of \$26,000.00 for the purchase of tractor and heavy equipment tires for the City's fleet. The term of this contract will be for a six-month period. All tires are purchased on an as needed basis. The contract pricing is approximately 3% higher than the previous contract award. Funding is available in the Fleet Fund.

Motion to approve.

Moved: Cm. Agredano

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

17. Consideration to award an annual contract (FY 02-039) to the Low Bidder Meeting Specifications, Laurel Battery, Laredo, Texas, in the estimated amount of \$45,000.00 for the purchase of automotive batteries for the City's fleet. This contract will be for a period of one year. Since no battery inventory is maintained at the maintenance facility, all batteries are purchased on an as needed basis. The contract pricing is approximately 9% higher than the previous contract award. The City did receive lower bids from other vendors; however, the batteries proposed by these vendors did not meet the minimum acceptable cranking amps or the reserve capacity rating required by the City.

Motion to approve.

Moved: Cm. Agredano

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

18. Consideration to award contract number FY 02-059 to the Low Bidder, Holt Co. of Texas, Laredo, Texas in the amount of \$933,860.00 for the purchase of two, 23 cubic yard landfill elevating scrapers for the landfill operation. This equipment will be purchased using a total cost bid evaluation process. The bid pricing includes

provisions for a five-year maintenance contract and a guaranteed re-purchase price. Delivery of this equipment is expected within sixty days. Funding is available in the Solid Waste Fund.

Motion to approve.

Moved: Cm. Agredano

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

19. Consideration to award contract number FY 02-056 to Severn Trent Services, Corpus

Christi, Texas, in the estimated annual amount of \$80,000.00 for providing laboratory analytical services for the Utilities Department. The term of this contract will be for three years. The testing laboratory will be responsible for sample handling, analysis, and reporting for a wide range of environmental parameters in soil, water, and sludge samples for both water and wastewater applications. These testing services are needed to comply with all TNRCC and EPA requirements. The contract vendor was selected based on the testing fees, years of experience, and their ability to meet the City's requirements. Funding is available in the Utilities Department budget.

Motion to approve.

Moved: Cm. Agredano

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

20. Authorizing the City Manager to enter into contract and award 2001 Emergency Shelter

Grant Funds (ESG) made available by the U.S. Department of Housing and Urban Development in the amount of \$103,400.00 to the Catholic Social Services of Laredo, Inc. for shelter operations of the Frontera Halfway House.

Motion to approve.

Moved: Cm. Agredano

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

21. Authorizing the City Manager to enter into contract and award 2001 Emergency Shelter

Grant Funds (ESG) made available by the U.S. Department of Housing and Urban Development in the amount of \$15,200.00 to Webb County to be utilized by the Community Action Agency to provide homeless prevention assistance.

Motion to approve.

Moved: Cm. Agredano

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

22. Authorizing the City Manager to enter into contract and award 2001 Emergency Shelter

Grant Funds (ESG) made available by the U.S. Department of Housing and Urban Development in the amount of \$15,200.00 to be utilized by the Salvation Army to provide homeless prevention assistance.

Motion to approve.

Moved: Cm. Agredano

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

23. Authorizing the City Manager to enter into contract and award 2001 Emergency Shelter

Funds (ESG) made available by the U.S. Department of Housing and Urban Development in the amount of \$15,200.00 to be utilized by Bethany House to provide homeless prevention assistance.

Motion to approve.

Moved: Cm. Agredano

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

24. Award of a design build contract to R. J. Cantu Designer-Builder, Inc., in the amount

not to exceed \$287,435.00 and authorizing the City Manager to execute the necessary contract documents for the remodeling of the building at 619 Reynolds in order to establish the centralized office for the Environmental Services Department.

Motion to approve.

Moved: Cm. Agredano

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

25. Approval of selection of consultant and authorization to negotiate a professional services contract with Carter & Burgess, Inc., Fort Worth, Texas to provide consulting services for the Texas Pollutant Discharge Elimination System (TPDES) stormwater permit application project. The purpose of the project is to develop a comprehensive TPDES stormwater permit application for the City of Laredo to comply with the State and Federal stormwater regulations. The scope of service includes but is not limited to the following elements:

1. Review and analyze the stormwater data for the last five years.
2. Review the legal authority. Produce the outfall information in GIS format.

3. Review revenues and expenditures for proposed permit compliance.
4. Prepare, submit and negotiate the permit with TNRCC to represent the City's best interest to protect the waters of the United States.
5. Agency Coordination (TNRCC/EPA/IBWC/USACE, etc.) for necessary permits and approval.

Motion to approve.

Moved: Cm. Agredano

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

26. Authorizing the City Manager to execute a Scheduled Airline Operating Agreement and Terminal Building Lease with Lineas Aereas Azteca S. A. de C. V. for exclusive and non-exclusive joint use space located at the Laredo International Airport passenger terminal for the purpose of conducting commercial air transportation services. The term of the agreement is for thirty (30) days effective February 11, 2002 and ending on March 13, 2002. The monthly rent including landing fees is waived for the thirty- (30) day term. The proposed route is Mexico City/ Laredo, Texas /Mexico City.

Motion to approve.

Moved: Cm. Agredano

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

27. Consideration to authorize the City manager to sell or donate surplus equipment to Rio Bravo, Encinal, and our Sister Cities of Lampazos, Nuevo Leon, Cienega de Flores, Nuevo Leon and donate fire equipment to San Miguel de Allende, Guanajuato. The total selling price for the vehicles is \$11,362.50.

Motion to approve.

Moved: Cm. Agredano

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

28. Consideration for approval of amendment no. 1 an increase of \$44,310.00 to the professional services contract with Turner Hickey & Associates, Laredo, Texas, for the New Laredo Municipal Court Building to compensate architect/engineer for the additional work for the re-packaging and re-bid of the project. Total fee to date is \$161,310.00. Funding is available in the 2000A C.O. Issue Municipal Court.

Motion to approve.

Moved: Cm. Agredano

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

29. Consideration for approval to award a professional services contract to Arcadis, Laredo, Texas, for an amount not to exceed \$28,000.00 for design and preparation of plans and specifications for the Lafayette Street Park. Funding is available in the Community Development Block Grant.

Motion to approve.

Moved: Cm. Agredano

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

XIII. STAFF REPORTS

30. Staff report regarding response by Laredo Metro, Inc. to the City Manager's letter dated

November 20, 2001 giving LMI notice of possible termination of contract, and discussion with possible action to terminate the City's contract with Laredo Metro, Inc., and to prepare requests for proposals for management of the City's Transit System and assets.

Ricardo de Anda, Attorney for Laredo Metro Inc., reported Laredo Metro Inc., did respond to the City Manager's letter. He explained several personnel actions that were taken. He noted that LMI is very close to finalizing a contract with the Union.

Larry Dovalina, City Manager, expressed his concern about the contract with El Metro Inc. He noted that the contract must have a limit to the amount of term. He asked Council to consider preparing Request for Proposal to solicit a Management Agent.

Mayor Flores asked if El Metro, Inc. would be allowed to respond to the Request for Proposals.

Larry Dovalina, City Manager, answered yes.

Javier de Anda, attorney for Laredo Metro, Inc., confirmed the City Manager's concern. He added that there is an auto finding from the Federal Government to the effect that the contract that LMI presently has with the City and it does not have a term on it. He further stated that any contract that the City engages in, using federal funds, must have a term in five years.

Motion to notify Laredo Metro Inc. of possible termination of contract and to prepare requests for proposals for management of the City's Transit System and assets.

Moved: Cm. Agredano

Second: Mayor Pro Tempore Valdez

For: 5

Against: 1
Cm. Ramirez

Abstain:

Cm. Galo and Cm. Bruni were not present.

XIV. EXECUTIVE SESSION

The City Council hereby reserves the right to go into executive session at any time during this public meeting, when it deems it necessary to consult privately with its attorney about any item upon this agenda, pursuant to the provisions of Section 551.071(2) of the Texas Government Code.

XV. ADJOURNMENT

Motion to adjourn.

Moved: Mayor Pro Tempore Valdez

Second: Cm. Amaya

For: 7

Against: 0

Abstain: 0

I, Gustavo Guevara, Jr., City Secretary, do hereby certify that the above minutes contained in pages 01 to 22 are true, complete, and correct proceedings of the City Council meeting held on February 11, 2002.

Gustavo Guevara, Jr.