

**CITY OF LAREDO**

**CITY COUNCIL MEETING  
M2002-R-08  
CITY COUNCIL CHAMBERS  
1110 HOUSTON STREET  
LAREDO, TEXAS 78040  
APRIL 15, 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 Elizabeth G. Flores led in the Pledge of Allegiance.

**III. ROLL CALL**

In attendance:

	Alfredo Agredano,	Council Member, District I
	Louis H. Bruni,	Council Member, District II
	John C. Galo,	Council Member, District
III	Johnny Amaya,	Council Member, District
IV	Eliseo Valdez, Jr.,	Mayor Pro Tempore, District V
	Joe A. Guerra,	Council Member, District VI
	Jose A. Valdez, Jr.,	Council Member, District VII
	Juan Ramirez,	Council Member, District
VIII	Cynthia Collazo,	Assistant City Manager
	Jaime Flores,	City Attorney

Motion to excuse Mayor Elizabeth G. Flores.

Moved: Cm. Amaya

Second: Cm. Agredano

For: 7

Against: 0

Abstain: 0

**IV. MINUTES**

None.

**V. COMMUNICATIONS AND RECOGNITIONS**

**Announcements**

- a. Alexandra Ortiz and Alexia Quintero, 7th grade students from United Middle School, will sing National Anthem.

Alexandria Ortiz and Alexia Quintero gave a rendition of our National Anthem. They also presented the Mayor and City Council with a photograph.

Cm. Ramirez announced that Martin High School will be holding a Project Grad program on May 1, 2002. They will also be holding a rally that same day from 6:00 p.m. to 7:00 p.m. in the school cafeteria. On May 4, 2002, parents, teachers, and students will visit 187 homes of Christen Middle School 8th graders who are expected to attend Martin High School in order to meet with their parents.

Cm. J. Valdez, Jr. publicly thanked Conrado Cruz of Rio Grande Little League for the invitation extended to attend the inauguration of the league's new season. He mentioned that the organization had a tremendous turnout.

Cm. Amaya congratulated Blanca Castro for being named as Chairperson of the Telecommunications Advisory Committee.

Cm. Galo thanked Webb County for conducting an arrest on the illegal dumping violations. He mentioned that he trusts they will continue the good work and that the City of Laredo will continue to be more active in that area.

Cm. Bruni submitted the Southwest Texas Rain Enhancement Association's report for Flights No. 5 and No. 6 conducted April 14, 2002, for the record.

Cm. Agredano spoke about his thoughts for naming the new Firefighters Training Facility. After speaking to former Chief Mike Perez, he agreed that the training facility should not carry the name of any one in particular but should be named the Firefighters Training Facility to honor all firefighters.

- b. Presentation and demonstration of the Hercules Robot by the United Engineering and Technology Magnet staff and students.

David Canales, Magnet School Engineering Program Director, stated that a group of the United Engineering and Technology Magnet School students recently competed at the state and national level with other magnet schools throughout the country. The group garnered the Rookie All-Star award at the competition and their entry advanced all the way to the quarter finals. He expects the students will submit another entry next year.

### **Invitations**

None.

### **Recognitions**

None.

## **Communiqués**

- a. Friends of the Library donation in the amount of \$23,000.00 to the Laredo Public Library.

The Friends of the Library presented the public library a check for \$23,000.00 from funds collected through sales from the Book of Knowledge.

John Castro, student at United High School, spoke about the advantages in passing a Living Wage Ordinance for local employees.

## **VI. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES**

None.

## **VII. PUBLIC HEARINGS**

1. Public hearing granting Reliant Energy Entex, a division of Reliant Energy Resources

Corp., and its successors, the right, privilege and franchise to construct, lay, maintain and operate pipelines and gas mains in, under, over, across and along, and to use present and future streets, alleys, public thoroughfares and grounds of the City of Laredo, for the purpose of transporting, distributing and selling gas (natural, artificial or mixed) for all

purposes for which gas is or may be used to the municipality and inhabitants of said City of Laredo, Texas, and to any other person or persons, for a term of twenty years; providing for the manner of acceptance of this franchise by Entex; providing for payment by Entex to City for the rights and privileges granted by this franchise; and making miscellaneous provisions in connection therewith.

Motion to open the public hearing.

Moved: Cm. Bruni

Second: Cm. Amaya

For: 7

Against: 0

Abstain: 0

Nelda Juarez, District Manager from Reliant Energy Entex, spoke in favor of renewing the franchise.

Motion to close the public hearing.

Moved: Cm. Bruni

Second: Cm. Amaya

For: 7

Against: 0

Abstain: 0

2. Public hearing and introductory ordinance amending the Fiscal Year 2001-2002 budget of the City of Laredo in the amount of \$10,000.00 in additional funds from the Texas

Department of Health for the HIV/AIDS Prevention and Education Project of the City of Laredo Health Department for the period beginning January 1, 2002, through December 31, 2002.

Motion to open the public hearing.

Moved: Cm. Bruni  
Second: Cm. Amaya  
For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. J. Valdez, Jr.  
Second: Cm. Amaya  
For: 7

Against: 0

Abstain: 0

Ordinance Introduction: City Council

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

City of Laredo FY 2001-2002 annual budget by appropriating revenues and expenditures in the amount of \$30,000.00 for Project Alcance. This program will support outreach and educational services of the Promotora Program. Driscoll Children's Health Plans of Corpus Christi has awarded a \$30,000.00 grant to the City of Laredo Health Department for the period beginning September 1, 2001 through August 31, 2002.

Motion to open the public hearing.

Moved: Cm. Bruni  
Second: Cm. Amaya  
For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Guerra  
Second: Cm. Amaya  
For: 7

Against: 0

Abstain: 0

Ordinance Introduction: City Council

4. Public hearing and introductory ordinance repealing Ordinance Number 2001-O-279 and authorizing the issuance of a Conditional Use Permit for a portrait studio on Lots 4, 5, and the East 1/2 of Lot 3, Block 1268, Eastern Division, located at 2219 Clark Blvd; providing for publication and effective date. On September 20, 2001, the

Planning and Zoning Commission recommended denial of the originally proposed B-1 zone change.

Motion to open the public hearing.

Moved: Cm. Amaya

Second: Cm. Bruni

For: 7

Against: 0

Abstain: 0

Gloria Tellez, representing the applicant, spoke in favor of the Conditional Use Permit.

Mario Gutierrez, applicant, requested that City Council approve the issuance of a Conditional Use Permit.

Motion to close the public hearing and introduce as a Conditional Use Permit for three years on the condition that applicant encloses the exposed water heater.

Moved: Cm. Bruni

Second: Cm. Ramirez

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Bruni

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

City of Laredo by rezoning Blocks 14, 46, and 75, Eastern Division and those portions of Willow Street and Cedar Avenue which were previous public right-of-ways, located at 420 Logan Avenue, from M-1 (Light Manufacturing District) to M-2 (Heavy Manufacturing District); providing for publication and effective date. The Planning and Zoning Commission has recommended denial of the proposed zone change.

Motion to open the public hearing.

Moved: Cm. Galo

Second: Cm. Agredano

For: 7

Against: 0

Abstain: 0

Ron Whitehawk, representing Tex-Mex Railway, stated that they have subleased this location to Frontier Logistics. He mentioned that City Council had heard of this request for a zone change before, but it was placed in the context of the Tex-Mex ownership. There were some issues that had to be settled between the City and Tex-Mex which have now been resolved. He is requesting that the user be allowed to continue operating his business at this location.

Motion to close the public hearing, deny the zone change but allow a Conditional Use Permit for a period of 10 years with the following conditions:

1. The C. U. P. is restricted to the storage and handling of the polystyrene beads.
2. The applicant shall have the existing wet sprinkler system monitored, and install water-flow alarms.
3. All areas used by vehicles for access or maneuvering shall have a level paved surface.
4. Gate arms shall be placed at the railroad crossing on Logan Ave.
5. All parking shall comply with the Laredo Land Development Code.
6. The applicant shall comply with all conditions imposed by the Conditional Use Permit within six months of approval date, providing for publication and effective date.
7. The Conditional Use Permit is granted to the Texas Mexican Railroad Company and is nontransferable.

Moved: Cm. Galo

Second: Cm. Agredano

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Galo

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

City of Laredo by rezoning 2.6479 acres, as further described by metes and bounds in attached Exhibit "A", located north of International Blvd. and east of Bazan Subdivision, from R-3 (Mixed Residential District) to M-1 (Light Manufacturing District); providing for publication and effective date. The Planning and Zoning Commission has recommended denial of the proposed M-1 designation and approval of a B-3 zone change which will require the applicant to apply separately for a Special Use Permit for a mini-storage warehouse.

Motion to open the public hearing.

Moved: Cm. Galo

Second: Cm. Bruni

For: 7

Against: 0

Abstain: 0

Fred Guerra, of G. G. Salinas Engineering, spoke in favor of the B-3 zone change.

Jane Connelly, resident, stated that she was opposed to the M-1 zone change.

Jesus Longoria stated that he was opposed to the M-1 zone change.

Motion to close the public hearing and deny the M-1 and support a B-3 zone change.

Moved: Cm. Bruni

Second: Cm. Galo

For: 6

Against: 0

Abstain: 1

Cm. Guerra

Ordinance Introduction: Cm. Bruni

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

City of Laredo by rezoning Blocks 56, 67, and 68, Eastern Division and those portions of Cedar Avenue, Piedra China Street, and Logan Avenue which were previous public right-of-ways, located at 301 Logan Avenue, from M-1 (Light Manufacturing District) to M-2 (Heavy Manufacturing District); providing for publication and effective date. The Planning and Zoning Commission has recommended denial of the proposed zone change.

Motion to open the public hearing.

Moved: Cm. Bruni

Second: Cm. Galo

For: 7

Against: 0

Abstain: 0

Ron Whitehawk, representing Tex-Mex Railway, stated that this was a companion piece to the item discussed under Public Hearing No. 5. He stated that the land use, the applicant, and the conditions are exactly the same as Item No. 5 and requests that the user be allowed to continue operating his business at this location.

Motion to close the public hearing, deny the zone change but allow a Conditional Use

Permit for 10 years with the following conditions:

1. The Conditional Use Permit is restricted to the storage and handling of the polystyrene beads.
2. The applicant shall provide a monitored, wet sprinkler system throughout the entire facility.
3. All areas used by vehicles for access or maneuvering shall have a level paved surface.
4. Gate arms shall be placed at the railroad crossing on Logan Ave.
5. All parking shall comply with the Laredo Land Development Code.
6. The applicant shall comply with all conditions imposed by the Conditional Use Permit within six months of approval date, providing for publication and effective date.
7. The Conditional Use Permit is granted to the Texas Mexican Railroad Company and is nontransferable

Moved: Cm. Galo

Second: Cm. Bruni

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Galo

8. Public hearing and introductory ordinance authorizing the City Manager to accept and execute the Vehicle Capital Replacement (VCR) grant 0201 (22) contract no. 51222F6007 with the Texas Department of Transportation in the total dollar amount of \$773,126.00; consisting of federal funds of \$773,126.00 and providing for a soft match of \$193,282.00 state toll credits and amending the FY 2001-2002 budget by appropriating all grant funds in the total amount of \$773,126.00; and providing for grant/contract funds to be deposited in the City of Laredo Transit Fund.

Motion to open the public hearing.

Moved: Cm. Galo  
Second: Cm. Bruni  
For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

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

Against: 0

Abstain: 0

Ordinance Introduction: City Council

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

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

1. Status report on the brick pavers on Clark Blvd.

Rogelio Rivera, City Engineer, reported that the material is out for bid, and the bid should be awarded by May 6, 2002. He stated that a Public Works crew will install the brick pavers once the material is received.

2. Status report on Eastwoods Park.

This item was tabled for the next City Council meeting.

3. Discussion with possible action on the intersection of Saunders and Milmo.

Roberto Murillo, Traffic Director, noted that back in 1998 there was a request for a traffic signal in the area. One of the studies completed was funded by the HEB store and their recommendation was to install a traffic light at that corner. Said information was forwarded to TxDOT for them for consideration by them. At that time, the City received a letter stating that they wanted to wait for all the improvements to be completed on that street. They would have to wait until all the improvements were in place and then follow up with a



study. He mentioned that they never did get consent from any property owners that they would be donating property to the City.

Motion to contact the new owners and put them on notice of the City's request to have them donate property for street widening project.

Moved: Cm. Bruni

Second: Cm. J. Valdez, Jr.

For: 6

Against: 0

Abstain: 0

Cm. Ramirez not present.

4. Status report on the empty lot on Los Ebanos Subdivision.

Erasmus Villarreal, Community Development Director, stated that the individual was cited back in September. The department has again contacted the owner regarding overgrown weeds and a junked vehicle and they will once again address this issue with the property owner.

B. Request by Council Member Joe A. Guerra

1. Request by Chris Notzon to discuss the possibility of a moratorium on sexually oriented businesses in the City of Laredo, with possible action.

Cordelia Flores, resident of District VI, spoke about preserving and protecting our community values. She urged City Council to implement and enforce the strictest ordinance possible to raise the standards for issuance of permits for these types of businesses.

Dallas Moore spoke in favor of a moratorium on sexually oriented businesses.

Marcia Jovel spoke about the immorality perpetuated by these types of businesses.

Father Richard Voight mentioned that humankind has a particular dignity and value which must be maintained. He stated that he supports Chris Notzon and his proposal that Laredo should make a statement to the world that we protect the individual's dignity.

Chris Notzon submitted petitions from members of the community in support of a moratorium on sexually oriented businesses. He mentioned that there are cities that have taken it upon themselves to conduct sexually oriented businesses land use studies. He stated that the City should avoid the proliferation of sexually oriented businesses in the community. He would like for the City to look at what other cities have done as far as the formulation of land use studies, implementation of these land use studies, and then be able to make educated recommendations from those findings.

Motion to instruct staff to put together a focus group and see how staff can implement this type of action in the City of Laredo, and at the same time look into what restrictions are applicable under the county's jurisdiction to reduce the possibility of these businesses obtaining a permit through them.

Moved: Cm. J. Valdez, Jr.

Second: Cm. Guerra

For: 7

Against: 0

Abstain: 0

Cm. Galo mentioned how the entire City Council voted against the first application made by one of these businesses, the City was involved in litigation and lost the lawsuit. He does not want to have the City involved in another lawsuit and waste taxpayers money to fight a battle that cannot be won. He mentioned that everyone has to abide by federal statutes and this particular issue falls under federal law. If citizens want to make changes, they have to work aggressively for changes to come about and also go out and vote.

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

1. Discussion with possible action on resurfacing Markley Lane between Santa Maria and the furthest railroad line west of Markley Lane.

Rogelio Rivera, City Engineer, stated that due to safety concerns, the department has in the past done paving over the railroad tracks.

Motion to resurface and level off the area on Markley Lane between Santa Maria and the furthest railroad line west of Markley Lane.

Moved: Cm. J. Valdez, Jr.

Second: Cm. Ramirez

For: 7

Against: 0

Abstain: 0

Cynthia Collazo, Assistant City Manager, mentioned that staff would review the projects that the City has and look into cost savings in order to fund this project.

2. Discussion with possible action on widening the entrance to Rancho Viejo to include a left turn lane.

Rogelio Rivera, City Engineer, stated that they will remove the island out in the middle of the street and that would allow for addition of another lane to provide a smoother flow of traffic.

Motion to look into available cost savings in order to fund this project.

Moved: Cm. J. Valdez, Jr.

Second: Cm. Amaya

For: 7

Against: 0

Abstain: 0

3. Discussion with possible action regarding sidewalk requirements for new home construction throughout the City of Laredo.

Keith Selman, City Planner, stated that the revised ordinance provides for the construction of the sidewalk to be coordinated with the construction of a home in a new subdivision. He mentioned that this new provision under the 1995 ordinance provides some exemptions as well for subdivisions that had been adopted under the previous ordinance. So, if there was a subdivision that had been approved prior to 1995, then the sidewalk would have been done during the development process. He also stated that sidewalks are now required on both sides of a street as per the ordinance. Under the current ordinance, any individual being issued a building permit in a commercially zoned area, whether it pre-dates that 1995 period or not, has to put a sidewalk in. However, if someone were to go through a replat that exceeds a quarter of a block, then the sidewalks would be required in the replatting process. There are circumstances where the sidewalks have to go in at the development process such as in double furnished lots.

Cm. Agredano inquired whether a property owner would have to obtain a permit if he starts building a home in a subdivision and then wants to include a driveway where they have existing sidewalks.

Keith Selman replied that the owner would have to obtain a permit through the Engineering Department.

- VII. 4. Discussion with possible action to approve skate park equipment in District

Horacio De Leon, Parks and Recreation Director, reported that on April 3, 2002, city staff reviewed bids and requested information from the low bidder. City staff also requested an inspection of the low bidder's product. On April 11, 2002, the low bidder exhibited the product for inspection and evaluation. He mentioned that he met with representatives of the high bidder earlier today where several questions were raised concerning compliance. He requested additional time to make a recommendation to City Council. He proposed that a motion be considered at the next regularly scheduled meeting for approval of the lowest qualified bidder.

Motion to place this item for the next City Council meeting.

Moved: Cm. J. Valdez, Jr.

Second: Cm. Amaya

For: 7

Against: 0

Abstain: 0

Dan Garner, representing Skateway, stated that many of these skate park companies are building modular skate parks without meeting the specifications required by a municipality. For example, the systems must be ISO 9001 and ISO 14001 certified. He mentioned that Skateway is one of the few companies that meets these manufacturer requirements.

Ramon R. Garza, representing American Ramp Company, stated that this company was the low bidder. He wanted to dispel some of the misrepresentations made regarding the quality of the product being manufactured by this company. He mentioned that all the ramps are prefabricated, everything is laser cut and laser welded. He also stated that everything is assembled on site by certified technicians.

Cm. Valdez inquired about the difference in costs between the earlier bid and the current bid for the skate park.

Horacio De Leon, Parks and Recreation Director, stated that the cost for the current bid has increased by approximately \$10,000.00 for the same unit.

Francisco Meza, Purchasing Agent, reported that these specifications were the same ones used for the first purchase of the skate park. He mentioned that there is not sufficient information out there to develop a quality specification. He also stated that any vendor is welcome to question a requirement that the City has on its Request for Proposals.

#### D. Request by Council Member Juan Ramirez

1. Discussion with possible action regarding suspension of Taxi permit #047 issued to Nora Madrid.

Jaime Flores, City Attorney, mentioned that he has discussed the suspension with the applicant's legal counsel, Homero Martinez, and he has agreed to present the appeal to City Council at the next meeting. He stated that Homero Martinez has submitted a written appeal as required by city ordinance and this protects the applicant's 10-day period of appeal. City Council can hear and discuss the appeal and either grant or deny the revocation at that time.

Motion to allow Nora Madrid to operate her taxicab pending the decision to be made by City Council at the next council meeting.

Moved: Cm. Ramirez

Second: Cm. Bruni

For: 6

Against: 1  
Cm. Galo

Abstain: 0

2. Discussion with possible action regarding a public access program for City Council to inform their district of current developments.

Blasita Lopez, Public Information Officer, suggested doing televised segments and recording interviews with each Council Member to highlight the issues of importance in each one's particular district. She mentioned that the office does prepare and distribute public service announcements to local media entities regarding the projects initiated by different city departments.

Cm. Ramirez mentioned that he would like to work on a 30-minute televised program that would air once a month to inform the general public of certain events taking place such as groundbreaking ceremonies.

Cynthia Collazo, Assistant City Manager, mentioned that Blasita Lopez provides a calendar of events in the weekly packet prepared for City Council and these events are scheduled around Council Members' availability. She mentioned that staff will work with individual Council Members in order to address any particular event quickly if it is coming up in the near future. She further stated that producing a televised program is very time consuming for staff, but she and staff will be willing to work with all Council Members to ensure that their constituents are informed of upcoming events and projects.

Motion to reinstate the public access program.

Moved: Cm. Ramirez

Second: Cm. J. Valdez, Jr.

For: 6

Against: 0

Abstain: 0

Cm. Bruni not present

3. Discussion with possible action regarding improving San Bernardo Avenue to include resurfacing, removing of telephone poles and possibly adding traffic lights.

Cynthia Collazo, Assistant City Manager, stated that staff would study the area in order to prepare a cost estimate and place it on the Capital Improvement Program.

4. Discussion with possible action regarding the increase of Council Member requests to 6 six items per council member.

Cynthia Collazo, Assistant City Manager, mentioned that staff is available to meet and discuss particular concerns that the Council Members want addressed. She stated that the Customer Service Representative Eddie Zavala meets on a weekly basis with the other representatives, monitors the issues that come about, and provides updates to City Council. She also mentioned that Jessica Hein, Assistant to the City Manager, is also available to accept and go over any administrative requests the Council Members may have.

Motion to increase the number of items brought before City Council to six.

Motion was made by Cm. Ramirez, no second was made; motion dies for lack of a second.

## **IX. INTRODUCTORY ORDINANCES**

10. Setting the maximum speed limit within the city limits of Laredo, Webb County, Texas, as 50 miles per hour from mile post 1.100 to mile point 7.008 of Loop 20 as defined in the Texas Department of Transportation control section map 0086-14 to be in effect during the reconstruction of Loop 20.

Ordinance Introduction: City Council

11. Authorizing the City Manager to execute a Lease Amendment to the lease agreement authorized by Ordinance No. 2001-0-138 dated July 16, 2001, between the City of Laredo and South Texas Development Council for approximately 2,048 square feet constituting Suite Numbers 12, 14, 16 and 18 of Building No. S-1 located at 1718 E. Calton Road. Said Amendment will decrease the leased area from 2,048 square feet to 1,376 square feet by deleting Suite No. 16 and decrease the monthly rent accordingly from \$2,580.50 to \$1,733.78, effective October 1, 2001. All other terms and conditions remain in effect and unchanged; providing for an effective date.

Ordinance Introduction: City Council

12. Authorizing the City Manager to execute a Lease Agreement with South Texas Development Council for approximately 300 square feet constituting Suite Number 22 of Building S-1 located at 1718 E. Calton Road at the Laredo International Airport. Lease term is for one-year (1) year commencing on April 1, 2002 and ending on March 31, 2003 and may be extended for two (2) terms of one year (1) each ending on March 31, 2004 and March 31, 2005. Monthly rent shall be \$375.00 and will be adjusted annually during the primary and extension terms of this lease according to changes in the Consumer Price Index; providing for an effective date.

Ordinance Introduction: City Council

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

Internet Availability: [www.ci.laredo.tx.us](http://www.ci.laredo.tx.us).

Motion to waive the final readings of Ordinance # 2002-O-065 and 2002-O-079.

Moved: Cm. Galo

Second: Cm. Bruni

For: 7

Against: 0

Abstain: 0

13. 2002-O-065 Amending Chapter XI, Truck Traffic, Division 2, Truck Routes, Section 19-410 Truck Routes Designated and Section 19-415 Departure from and Return to a Designated Truck Route, of Chapter 19, the City of Laredo Code of Ordinances by deleting Lafayette Street westbound

only from IH 35 to Santa Isabel Avenue, clarifying U.S. 83 to include Houston and Matamoros, designating all of Loop 20 to the World Trade Bridge and eliminating the restrictive location for services and repairs off the truck route; providing for publication and effective date. (As amended)

Motion to adopt Ordinance # 2002-O-065.

Moved: Cm. Bruni

Second: Cm. Agredano

For: 7

Against: 0

Abstain: 0

2002-O-079 An ordinance establishing a 15% penalty on the 2001 delinquent tax accounts as of July 1, 2002 to defray costs of collection pursuant to Section 33.07 (a) of the Texas State Property Tax Code; providing for publication and effective date.

Motion to adopt Ordinance # 2002-O-079.

Moved: Cm. Bruni

Second: Cm. Agredano

For: 7

Against: 0

Abstain: 0

## **XI. RESOLUTIONS**

14. 2002-R-036 Repealing Resolution Numbers 96-R-108, 96-R-109, 96-R-110, 97-R-028, 97-R-029, 99-R-024, 2000-R-039, 2000-R-072, 2000-R-133, 2000-R-134, and resolving that the City Manager is authorized to execute a new Subordination, Non-Disturbance and Attornment Agreement between the City of Laredo, as Lessor, L.A. Ventures, Inc., as Lessee, and International Bank of Commerce, as Lender, thereby encumbering the leasehold interest regarding Lot Numbers, 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10 and consolidating the existing debt in the amount of \$3,225,000.00 and reducing the interest rates on the ten (10) cargo buildings constructed by Lessee on the referenced lots located in Block No. 1 at the Laredo International Airpark Subdivision at the Laredo International Airport. The term of the Subordination, Non-Disturbance and Attornment Agreement is to March 31, 2016; providing for an effective date.

Motion to approve Resolution # 2002-R-036.

Moved: Cm. Galo

Second: Cm. Bruni

For: 7

Against: 0

Abstain: 0

15. 2002-R-037 Authorizing the City Manager to apply for a FEMA (Federal Emergency Management Agency) Fire Grant for the acquisition of an Emergency





is assigned to the City Secretary's Office. The cost per copy is \$0.37, which is approximately 44% less than the current rate. Each user department is charged for their actual usage. Funding is available in the respective departmental budgets.

Motion to approve.

Moved: Cm. Bruni

Second: Cm. Agredano

For: 5

Against: 0

Abstain: 0

Cm. J. Valdez, Jr. and Cm. Guerra were not present.

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

a. A refund in the amount of \$610.36 payable to Rogelio and Anna Eliza Martinez

due to double payment by Neel Title Corporation and Alliance Mortgage.  
Account # 923-00026-527.

b. A refund in the amount of \$590.36 payable to Ricardo Rendon and Veronica Rodriguez due to a double payment by Webb County Title Company and the mortgage company. Account #985-83003-190.

c. A refund in the amount of \$598.43 payable to Armando Diaz Cortez due to a double payment on behalf of Border Abstract and the mortgage company.  
Account #980-60003-130.

Motion to approve.

Moved: Cm. Bruni

Second: Cm. Agredano

For: 5

Against: 0

Abstain: 0

Cm. J. Valdez, Jr. and Cm. Guerra were not present.

20. Approving monthly adjustments to the tax roll. The amount to be adjusted for the month of March 2002 represents an increase in levy of \$3,506.10. These adjustments are determined by the Webb County Appraisal District and court orders.

Motion to approve.

Moved: Cm. Bruni

Second: Cm. Agredano

For: 5

Against: 0

Abstain: 0

Cm. J. Valdez, Jr. and Cm. Guerra were not present.

21. Consideration to award a contract for collection of delinquent taxes with the firm of Ricardo de Anda, Attorney at Law, to be renewed for the period of July 1, 2002 to September 30, 2005.

Motion to approve.

Moved: Cm. Bruni

Second: Cm. Agredano

For: 5

Against: 0

Abstain: 0

Cm. J. Valdez, Jr. and Cm. Guerra were not present.

22. Consideration for approval of change order no. 1, a decrease of \$37,524.06 for the balance of quantities actually constructed in place, acceptance of the 2001-2002 Street Recycling Project (133.5 Blocks-Revised) and approval of final payment in the amount of \$42,013.23 to Cutler Repaving, Inc., Lawrence, Kansas. Final contract amount is \$315,269.94. Funding is available in the Infrastructure Maintenance Street Materials/Cutler Paving.

Motion to approve.

Moved: Cm. Bruni

Second: Cm. Agredano

For: 5

Against: 0

Abstain: 0

Cm. J. Valdez, Jr. and Cm. Guerra were not present.

23. Consideration to authorize the purchase of one (1) four-door truck and one sports utility vehicle (SUV) through the Houston Galveston Area Council of Governments (HGAC)-Cooperative Purchasing Program in the total amount of \$52,690.58. These vehicles will be assigned to the Fire Department's Training Division. Delivery is expected within 90-100 days. Funding is available in the Fire Department Capital Outlay budget.

Motion to approve.

Moved: Cm. Bruni

Second: Cm. Agredano

For: 5

Against: 0

Abstain: 0

Cm. J. Valdez, Jr. and Cm. Guerra were not present.

24. Consideration to authorize the purchase of one (1), regenerative air sweeper mounted

on a Freightliner Cab and Chassis through Houston Galveston Area Council of Governments (HGAC) - Cooperative Purchasing Program, in the total amount of \$109,669.00. This sweeper will be assigned to the Public Works Department.

Delivery is expected within 90-100 days. Funding is available in the 2002-A PFFCO Contractual Obligation bond proceeds.

Motion to approve.

Moved: Cm. Bruni

Second: Cm. Agredano

For: 5

Against: 0

Abstain: 0

Cm. J. Valdez, Jr. and Cm. Guerra were not present.

25. Consideration to award contract number FY 01-034 to the Low Bidder, The Newman

Group, Dexter, Michigan, in the amount of \$70,077.00 for providing an annual maintenance contract for the City's Institutional Network (I-Net) switching equipment. This contract includes technical support, equipment replacement for defective parts, and software upgrades for all I-Net equipment purchased by the City. Funding is available in the respective user departmental budgets.

Motion to approve.

Moved: Cm. Bruni

Second: Cm. Agredano

For: 5

Against: 0

Abstain: 0

Cm. J. Valdez, Jr. and Cm. Guerra were not present.

26. Amending a contract with Harry Jewett Associates, Inc., Laredo, Texas for \$15,610.00

to include aerial photography surveys and additional surveying services required to acquire easements for the water distribution lines on Mines Road Area. The amendment brings the total contract amount to \$220,780.00. Funding is available in the Colonias Fund Project Engineer Fees.

Motion to approve.

Moved: Cm. Bruni

Second: Cm. Agredano

For: 5

Against: 0

Abstain: 0

Cm. J. Valdez, Jr. and Cm. Guerra were not present.

27. Amending a contract with Crane Engineering Corporation, Laredo, Texas for \$8,645.34

to include additional surveying services required to acquire easements for the water transmission line on Hwy 359. The amendment brings the total contract amount to \$160,145.34. Funding is available in Colonias Fund Project Engineer Fees.

Motion to approve.

Moved: Cm. Bruni

Second: Cm. Agredano

For: 5

Against: 0

Abstain: 0

Cm. J. Valdez, Jr. and Cm. Guerra were not present.

28. Consideration to award a professional service contract to Trott Communications Group,

Irving, Texas, in the estimated amount of \$98,000.00, for conducting a study and analysis of the current public safety radio communication system and the preparation of a communication plan. This contract calls for the design of a Mobile Data Terminal (MDT) system and possible upgrade of the existing public safety radio system. The contract vendor will be responsible for the preparation of Request for Proposal (RFP) documents and for oversight responsibility regarding the design and implementation of any new systems. Funding is available in the Special Police Program-COPS MORE MDT Grant.

Motion to approve with clarification that the funding will be through the City of Laredo Police Department Trust Fund rather than through the MDT grant.

Moved: Cm. Galo

Second: Cm. Amaya

For: 7

Against: 0

Abstain: 0

### **XIII. STAFF REPORTS**

29. Presentation on the Interior Color Scheme for the Laredo Entertainment Center.

Frank Rotnofsky, of Frank Architects, provided an overview of the interior material selection for the Laredo Entertainment Center. He covered the color selection for areas within the arena including the countertops, back area walls, ceiling, and flooring.

30. Staff Report on the Laredo Corridors & Intersections Analysis-Phase II.

Robert Boyd from Carter & Burgess made a presentation before City Council on the prioritized recommendations for key intersections in north and south Laredo. He explained that certain methodology developed and evaluation tools applied in Phase I were again used in Phase II. He mentioned that projected traffic volumes were projected five years into the future, and the observations and recommendations made were based on those traffic volumes. A complete copy of the presentation is available at the City Secretary's Office for review.

Cm. Galo mentioned a concern that the costs for the right-of-way acquisition may be excessive. He mentioned that it appears that only one or two of their proposals could possibly be considered for construction.

Cm. J. Valdez, Jr. inquired whether the firm would be providing the City with an approximation as to construction costs for each intersection.

Keith Selman, City Planner, explained that the firm has provided the benefit side in its analysis but the cost is something that could fluctuate.

#### **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.

31. Request for Executive Session pursuant to 551.071 (1) (A) & (B) of the Texas Government Code to discuss a settlement offer in pending litigation, Jose Luis Ramos vs. City of Laredo presently pending before the Fire Fighters and Police Officers Civil Service Commission.

Motion to go into Executive Session pursuant to 551.071 (1) (A) & (B) of the Texas Government Code to discuss a settlement offer in pending litigation, Jose Luis Ramos vs. City of Laredo presently pending before the Fire Fighters and Police Officers Civil Service Commission.

Motion to postpone item.

Moved: Cm. Amaya

Second: Cm. Agredano

For: 6

Against: 0

Abstain: 0

Cm. Ramirez not present.

#### **XV. ADJOURNMENT**

Motion to adjourn.

**CITY OF LAREDO  
CITY COUNCIL MEETING  
APRIL 15, 2002  
5:30 P.M.**

#### **SUPPLEMENTAL AGENDA**

- I. **Request by Council Member Louis H. Bruni**



Cm. Bruni and Cm. Ramirez were not present.

I, Gustavo Guevara, Jr., City Secretary, do hereby certify that the above minutes contained in pages 01 through 21 are true, complete and correct proceedings of the City Council meeting held on April 15, 2002.

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Gustavo Guevara, Jr.  
City Secretary