

**CITY OF LAREDO**

**CITY COUNCIL MEETING  
M2002-R-023  
CITY COUNCIL CHAMBERS  
1110 HOUSTON STREET  
LAREDO, TEXAS 78040  
DECEMBER 2, 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,  
Hector Garcia,  
John C. Galo,

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

III

Johnny Amaya,

Council Member, District

IV

Eliseo Valdez, Jr.,  
Gene Belmares,  
Jose A. Valdez, Jr.,  
Juan Ramirez,

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

VIII

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

City Secretary  
City Manager  
Assistant City Manager  
City Attorney

**IV. MINUTES**

None.

**V. COMMUNICATIONS AND RECOGNITIONS**

**Announcements**

None.

**Invitations**

None.

## **Recognitions**

None.

## **Communiqués**

Cm. Belmares thanked various City departments for inviting Council Members to different Thanksgiving Day gatherings. He noted that the meals demonstrate the spirit of cooperation within the City departments.

Cm. Amaya announced the distribution of over 90 turkeys to needy constituents in his district. He thanked the Laredo Fire Department, the Laredo Police Department, and the Special Projects Committee from District IV for assisting in the project.

Cm. Garcia congratulated Nixon High School on their outstanding football season. He also thanked all individuals and businesses that may have participated in special “giving” events during the Thanksgiving Season. He asked the public to not drink and drive during the holiday season.

Cm. Agredano wished his daughter, Jesse, a happy 7<sup>th</sup> birthday.

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

- a. Appointment by Mayor Elizabeth G. Flores of Pete Saenz, Jr., Rene Herrera, Arturo Santos, and Jose Lara to the Laredo Affordable Housing Corporation.

Motion to approve.

Moved: Mayor Pro Tempore Agredano

Second: Cm. Amaya

For: 7

Against: 0

Abstain: 0

Cm. Galo was not present.

## **VII. PUBLIC HEARINGS**

Cm. Galo joined the meeting at 6:30 p.m.

1. Public hearing and introduction of an ordinance concerning an application by E.G. Ranch, Ltd., altering and extending the boundary limits of the City of Laredo, annexing additional territory of 214.90 acres, located in Porcion 32 and 33 as further described by metes and bounds in Attachment "A", specifically the E.G. Ranch Tract, providing for the effective date of the ordinance, authorizing the City Manager to execute a contract adopting a service plan for the annexed territory, and establishing 8.31 acres as M-1 (Light Manufacturing District), 8.31 acres as B-3 (Community

Business District), 143.71  
as B-1 (Limited  
recommended approval  
zoning of R-2, B-1 and

acres as R-2 (Multi-family Residential District) and 54.57 acres  
Commercial District). The Planning & Zoning Commission has  
of the proposed annexation and approval of the proposed initial  
B-3 and denial of the proposed initial zoning of M-1.

Motion to open the public hearing.

Moved: Cm. Belmares

Second: Cm. E. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

Edward Garza, an employee of Crane Engineering, spoke on behalf of E. G. Ranch.  
He spoke in favor of the zone change, in particular on the denial of the proposed  
initial zoning of M-1.

Motion to close the public hearing and introduce and establish 8.31 acres as M-1  
zoning.

Moved: Cm. Garcia

Second: Cm. Galo

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Garcia

2. Public hearing and introduction of an ordinance concerning an application by Mr.  
Rene Soliz and Mr. A.R. Sanchez, Jr., altering and extending the boundary limits of the  
City of Laredo, annexing additional territory of 83.0116 acres, located in Porcion 32 as  
Misiones further described by metes and bounds in Attachment "A", specifically the Las  
Tract, providing for the effective date of the ordinance, authorizing the City  
Manager to execute a contract adopting a service plan for the annexed territory, and  
establishing 83.0116 acres as R-1A (Single-family Reduced Area District). The  
Planning & Zoning Commission has recommended approval of the proposed annexation  
and approval of the proposed initial zoning of R-1A.

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. Garcia

Second: Cm. J. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Garcia

3. Public hearing and introduction of an ordinance concerning an application by Librado

the Piña & Lilia Piña Family Partnership, altering and extending the boundary limits of  
and 8 City of Laredo, annexing additional territory of 120.13. acres, located in Porcion 7  
Tract, as further described by metes and bounds in Attachment "A", specifically the Piña  
providing for the effective date of the ordinance, authorizing the City Manager to  
execute a contract adopting a service plan for the annexed territory, and establishing  
120.13 acres as M-1 (Light Manufacturing District). The Planning & Zoning  
Commission has recommended approval of the proposed annexation and  
approval of the proposed initial zoning of M-1.

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. Belmares

Second: Cm. J. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Belmares

4. Public hearing and introduction of an ordinance concerning an application by Mr.

Laredo, Humberto Treviño, Jr., altering and extending the boundary limits of the City of  
described by annexing additional territory of 5.00 acres, located in Porcion 31 as further  
for the metes and bounds in Attachment "A", specifically the Treviño Tract, providing  
contract effective date of the ordinance, authorizing the City Manager to execute a  
acres as B-4 adopting a service plan for the annexed territory, and establishing 5.00  
has recommended (Highway Commercial District). The Planning & Zoning Commission  
initial zoning of B-4. approval of the proposed annexation and approval of the proposed

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. Garcia

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Garcia

5. Public hearing and introduction of an ordinance concerning an application by the City of Laredo, altering and extending the boundary limits of the City of Laredo, annexing additional territory of 607.02 acres, located in Porcion 7, 8, 9, 10, 11, 12, 13 and surveys 743 and 2113 as further described by metes and bounds in Attachment "A", specifically the IH 35 Tract, providing for the effective date of the ordinance, adopting a service plan

for the annexed territory, and establishing 607.02 acres as B-4 (Highway Commercial District). The Planning & Zoning Commission has recommended approval of the proposed annexation and approval of the proposed initial zoning of B-4.

Motion to open the public hearing.

Moved: Cm. Galo

Second: Mayor Pro Tempore Agredano

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. J. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Belmares and Cm. J. Valdez, Jr.

6. Public hearing and introductory ordinance amending the City of Laredo FY 2002-2003

annual budget by appropriating revenues and expenditures in the amount of \$50,000.00 from the Texas Department of Health for the Breast and Cervical Cancer Control Project Case Management of the City of Laredo Health Department for the period beginning October 1, 2002 through June 30, 2003. This grant includes funds for an existing Case Manager/Registered Nurse II position.

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

7. Public hearing and introductory ordinance amending the City of Laredo FY 2002-2003

annual budget by appropriating revenues and expenditures in the amount of \$39,000.00 from the Texas Department of Health for the Breast and Cervical Cancer Control Screening Project of the City of Laredo Health Department for the period beginning October 1, 2002 through June 30, 2003.

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. Belmares

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

8. Public hearing and introductory ordinance amending the City of Laredo 2002-2003 budget by increasing revenues and expenditures in the amount of \$26,667.00 (from \$13,333.00 to \$40,000.00) for the Hepatitis C Screening Project of the City of Laredo Health Department and extending the contract period from September 1, 2002 through December 31, 2002 to September 1, 2002 through August 31, 2003.

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. Belmares

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

9. Public hearing and introductory ordinance amending the Laredo Code of Ordinances,

Chapter 2, Administration Article I, In General, Section 2-3. Fees for City Services, Subsection (b) providing for charges for the duplication of medical records (to include a fee for a notarized affidavit); amending the City of Laredo Health Department budget for fiscal year 2003 and appropriating revenues and expenditures in the amount of \$3,360.00 which will be generated revenues from these fees to the Maternal and Child Health Program to continue with the scope of services; and providing for severability, effective date and publication.

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. Amaya

Second: Cm. Belmares

For: 8 Against: 0 Abstain: 0

Ordinance Introduction: City Council

10. Public hearing and introductory ordinance amending Chapter 19, Motor Vehicle and Traffic, Article VIII, Stopping, Standing or Parking, of the Code of Ordinances, City of Laredo: specifically adding Section 19-364(4) which establishes the Southside of Shiloh Drive, between Shalom Circle and Fox Lane, as a No Parking /Tow Away Zone between the hours of 7:30 a.m. to 4:30 p.m., Monday to Friday, providing for effective date and publication.

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Amaya

For: 8 Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce with an amendment of the hours of 7:30 a.m. to 5:00 p.m. instead of 4:30. p.m.

Moved: Cm. Belmares

Second: Cm. Amaya

For: 8 Against: 0 Abstain: 0

Ordinance Introduction: City Council

11. Public hearing and introductory ordinance amending the City of Laredo's Code of Ordinances Chapter 2, Article II, Sec. 2-16, which sets forth the department of the City, by restructuring the Public Works Department whereby the Sanitation Division and the Landfill Division will become the Landfill/Sanitation Department; the Fleet Division will become a division of the Traffic Department; and the remaining Public Works Divisions will become divisions of the Engineering Department which will be renamed the Engineering/Public Works Department; and placing the Building Inspections Department as a division under the Planning and Zoning Department; and providing for an effective date.

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 with the amendment of changing the naming of the Landfill/Sanitation Department to the Solid Waste Department.

Moved: Cm. Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

12. Public hearing and introductory ordinance amending the City of Laredo fiscal year 2002-2003 annual budget by creating one new full time teller supervisor position to oversee the five tellers operating the Riverfront Parking Lot facility at a cost of \$34,893.92 which includes salary and benefits which will be paid from the fund balance and \$2,500.00 for computer hardware and software, and providing for effective date and publication.

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: Cm. Amaya  
For: 7

Against: 1  
Cm. Ramirez

Abstain: 0

Ordinance Introduction: City Council except Cm. Ramirez

## VIII. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

### 13. A. Request by Council Member Johnny Amaya

1. Status report regarding brick pavers on Clark Boulevard median and possibly placing pavers or stamped concrete on an additional six blocks of the median, with possible action.

Rogelio Rivera, City Engineer, reported that the first six blocks from Clark to the west has been completed by Public Works. He mentioned that the next six blocks will be at a cost of \$30,000 if staff uses the stamp to concrete. The pavers would be more expensive and staff is recommending the alternative of stamp concrete.

Motion to approve staff recommendations to use the stamp concrete at a cost of \$30,000. Funds may be taken from the Clark Blvd. Side Walk Project.

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

Against: 0

Abstain: 0

### B. Request by Council Member Gene Belmares

1. Discussion with possible action regarding speed humps on Belair.

Roberto Murillo, Traffic Director, explained that staff initiated all the required studies for speed humps on Belair. The reports indicated approval of three speed humps; however, the residents must pay 100% of the cost. Staff sent a letter to the applicant and is waiting for a response.

Cm. Belmares expressed his dissatisfaction with the public having to pay for the speed humps.

Motion to use the discretionary funds from Cm. Belmares to install three speed humps on Belair.

Moved: Cm. Belmares  
Second: Cm. E. Valdez  
For: 5

Against: 0

Abstain: 0

2. Report by Administrative Services Department regarding citizens who reported flood damage after Hurricane Fay in September, 2002.

Dan Migura, Administrative Services, informed Council that staff was aware of 25 homes that were affected by the flood damage after Hurricane Fay. Staff researched the issue and learned that FEMA would assist the individuals. He said that some of the individuals did not want assistance after the fact.

3. Discussion with possible action on the El Metro Lift Program with comments by Dr. Judson Sommerville.

Dr. Judson Sommerville, voiced his concerns in the timeliness of the El Metro Lift and how it affects his patients. He requested a more expedient system where all handicapped individuals can receive services within 24 hours of their call.

Maria Franco, a concerned citizen, spoke on her behalf and other disabled individuals. She reiterated frustration in the automated telephone system and the poor service that she has received from El Metro Lift. She continued to say that individuals with disabilities face constant obstacles and made a plea to the Council to assure positive changes within El Metro Lift.

Cm. E. Valdez expressed his desire to better serve disabled individuals that are requesting the services of the El Metro Lift.

Andy Ramos, Vice President of BEST, was also concerned with the scheduling and actual pick up of individuals needing the services of the El Metro Lift.

Joe Guerra, Interim General Manager of El Metro, informed Council that the staff is currently attending customer service training at the Laredo Community College. He added that staff will return to council with recommendations to improve the El Metro Lift. He submitted the following report:

“The Metropolitan Planning Organization has funded an El Lift Paratransit Study. Preliminary findings for an El Lift Paratransit study indicate that the Laredo EL Lift system provides a far superior service to its clientele than any other system its size in Texas and New México. The study is still in the draft stages and the final report is scheduled to be presented to City Council in late January or early February. The cost of the study is approximately \$40,000.00

The EL Lift system does not require clientele book a return trip appointment and reservations can be made 14 days in advance. Because

a return appointment is not necessary, there are 6 vans on stand-by for what is called "call backs". These vans are stationed throughout the City at key locations waiting for a call from our dispatch. There are a total of 15 vans operational throughout the day including the call back vans. The number of vans in service has increased from 2 in 1991 to the current 15.

Because of the level of service is far superior to other Cities our size, the operational cost is almost double that of the other Cities. Not requiring clientele to schedule a return trip is the leading cause of the additional cost. By having the call back vans the clientele is assured of a reasonable response time for pick up. In most instances it is under 30 minutes. However, when clientele cancel an appointment the driver in the morning is free for 30 minutes as well as the call back driver. When there is inclement weather the number of cancellations increases to 50%.

The current cost per trip is approximately \$42. This is up from the 1995 level of \$25 per trip. If the current trend continues, the cost per trip will be \$75. Also currently, 20% of El Metro's budget transports 1% of the Ridership or \$2,000,000 for 40,000 trips. That leave the remainder of budget or approximately \$8,000,000 to transport 5,000,000 trips. The trend is that in 2005, the El Lift budget will be approximately \$3,500,000 to transport 50,000 trips or approximately 1/3 the budget.

Presently, the current demand does not warrant adding additional vans into the EL Lift service at this time. The study will bring forth recommendations and solution in the near future.

Larry Dovalina, City Manager, encouraged individuals to call his office with their concerns about the El Metro Lift. He has been working with the current administration on improving the customer service and he has approved new software to assist with the scheduling problems. Finally, he mentioned the new administration that will be making positive changes.

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

1. Discussion with possible action regarding creek drainage improvements in District VII.

Rogelio Rivera, City Engineer, said staff is waiting to finish up the culvert at Rancho Viejo. The delay is with TxDOT allowing access to the right of way. Staff has been in contact with TxDOT and submitted plans but their response is to supply more information about the access to the right of way.

Com. J. Valdez asked Mr. Rivera to set up a meeting with TxDOT in regards to the creek drainage improvements.

Rogelio Rivera, City Engineer, said the Engineering Department has the plat showing the drainage easement so they can continue to do work on the

culvert itself. The connection to the right of way is the only delay. The culvert will be poured in a month.

Cm. J. Valdez expressed his desire to expedite the construction regarding creek drainage.

Larry Dovalina, City Manager, noted the water is coming from further north. He said the developers need to understand they are responsible for constructing detention ponds, which will prevent some of the flooding.

J. Valdez mentioned the importance of installing the concrete swell at La Herradura.

Rogelio Rivera, City Engineer, discussed the drainage north of the culvert on Bristol Road. He said if staff reconstructs the culvert to enhance the drainage, it would have to be a complete reconstruction.

Cm. J. Valdez requested the construction of a small concrete wall to direct the flow of water away from the residential area.

Larry Dovalina spoke up and mentioned that the developers are responsible for constructing the cement walls. He said that a letter was sent to the developers in regards to the lack of infrastructure that was necessary under the plat asking him when he was going to initiate the project and we are waiting for a response.

Keith Selman, City Planner, said a good mechanism to assure that developers comply with all regulations is not to allow construction until all elements are in place. He noted the developer's "letter of credit" could be reviewed in efforts to force him to comply.

Motion to contact said developer and ask him to construct the cement walls. If he does not comply within a week, staff may use the discretionary funds from Cm. J. Valdez to construct the cement walls. Meanwhile, staff should call in the letter of credit to collect the funds and reimburse the discretionary funds.

Moved: Cm. Ramirez

Second: Cm. J. Valdez

For: 8

Against: 0

Abstain: 0

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

1. Discussion with possible action regarding the preparation of a Resolution to alleviate the congestion for pedestrians crossing the international bridge by making improvements to the buildings.

Larry Dovalina, City Manager, mentioned that staff has been working with the Council and their support on the El Portal Project that will convert the facility to a much more pedestrian friendly facility. Staff has been in contact with GSA

about the improvements necessary for pedestrians to be able to be processed in a more humane manner with more appropriate facilities, to no avail. He added that he had met with Gene Garza from Customs to discuss the issues. They discussed the City's proposal to alleviate congestion for pedestrians crossing. He mentioned that Gene Garza would contact INS and the Department of Agricultural. Finally, he said the City of Laredo will do anything within their power to relieve the congestion.

Mayor Flores noted that GSA is a real estate agency who does not have to respond quickly. She acknowledged the quickest results regarding pedestrians crossing the international bridges would be working with the federal agencies. Federal agencies receive their orders from Washington and their charge is security.

Motion to draft a resolution to alleviate the congestion for pedestrians crossing the international bridge and present it to the Senator for assistance from the federal government.

Moved: Cm. Ramirez

Second: Cm. J. Valdez

For: 8

Against: 0

Abstain: 0

2. Discussion with possible action regarding taxi operations at Jarvis Plaza to possibly permit only Mr. Juan Medina's taxi cabs to park around Jarvis Plaza with a maximum of eight taxi cabs.

Larry Dovalina, City Manager, said Mr. Medina has had this item on the agenda before and council took no action. There have been attempts to work with the taxi operations situation but the taxi cab drivers themselves have not been able to resolve the issues. Mr. Medina has a letter from Saul Ramirez that allowed him to park on Matamoras. When the El Metro was constructed taxi drivers starting parking on a first come first serve basis.

Mayor Flores noted this issue is for the private sector.

Jaime Flores, City Attorney, informed Council if they only permit Juan Medina's tax cabs to park around Jarvis Plaza it would be unconstitutional. He said the solution is to continue the first come first serve basis.

Motion to postpone.

Moved: Cm. Ramirez

Second: Cm. J. Valdez

For: 8

Against: 0

Abstain: 0

3. Discussion with possible action to allow River Drive Mall to use the parking facility located between Santa Maria and Davis for River Drive Mall customers on Saturdays only for the month of December, 2002.

Larry Dovalina, City Manager, said that he was not adverse to allowing this accord on a limited basis.

Roberto Murrillo, Traffic Director, quoted the costs for parking at the parking facility.

Larry Dovalina suggested contacting the mall to discuss financial arrangements.

Motion to approve contacting River Drive Mall to see if they are interested in a reimbursing Christmas shoppers for parking in the parking facility located between Santa Maria and Davis for the month of December.

Moved: Cm. Ramirez

Second: Cm. J. Valdez

For: 8

Against:

Abstain:

## **IX. INTRODUCTORY ORDINANCES**

14. Authorizing an amendment to each of the following two contracts with Metro Affordable Housing Corporation: 1. Contract for the use of 20 lots by Metro Affordable Housing Corporation and Contract for HOME Investment Partnership Program/Community Housing Development Organization Funds (DCD 1998), to extend the period for construction of the remaining ten of the twenty lots from December 31, 2002 to no later than December 31, 2003; and authorizing the City Manager to execute a subordination of lien for the interim construction loan from bank for the ten (10) lots remaining.

Ordinance Introduction: City Council

15. Authorizing the City Manager to execute a lease with Transportation Security Administration (TSA) for approximately 1,313 square feet constituting office space located at 5210 Bob Bullock Loop at the Laredo International Airport. Lease term is for two (2) years commencing on December 1, 2002, and ending November 30, 2004. Monthly rent shall be \$3,111.18. The premises are leased in an "as is" condition and TSA will be responsible for making all modifications and improvements, as may be necessary; providing for an effective date.

Ordinance Introduction: City Council

16. Designating as a one-way westbound that section of Moctezuma Street, Block numbers

400, 500, and 600 between San Jorge Avenue on the east of San Dario Avenue on the west, providing for the installation of appropriate signs to indicate one-way traffic in the west direction and providing for publication and effective date.

Ordinance Introduction: City Council

Juan Jose Recio, of 1120 San Jorge, stated that he was against designating the section of Moctezuma Street, block numbers 400 and 500, a one-way street.

17. Authorizing the City Manager to execute a Subordination, Non-Disturbance and Attornment Agreement between the City of Laredo, as Landlord, General Electric Capital Business Asset Funding Corporation, a Delaware corporation, as Mortgage, and Fedlaredo Partnership, LP, a Pennsylvania limited partnership, as Tenant, thereby subordinating the lease agreement authorized by Ordinance No. 2001-O-042 dated February 20, 2001 and assigned on November 4, 2002 as authorized by Ordinance No. 2002-O-285, at the Laredo International Airport to the Lender's mortgage.

Ordinance Introduction: City Council

18. Authorizing the City Manager to execute an amendment to the lease agreement approved by Ordinance No. 98-o-053 dated February 17, 1998, between the City of Laredo, as Lessor, and UETA of Texas, Inc., a subsidiary of Duty Free International, Inc., as Lessee, to amend the lease area at the Laredo International Airport Passenger Terminal and rental obligation, extend the term of the agreement by 30 months, consolidate duty free and news/gift shop merchandise, provide for additional modifications and improvements to the new leased area and amend hours of operation, providing for effective date.

Ordinance Introduction: City Council

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

Motion to waive the final readings of Ordinance # 2002-O-297; # 2002-O-298; # 2002-O-299; # 2002-O-300; # 2002-O-301; # 2002-O-302; # 2002-O-303; # 2002-O-304; # 2002-O-305; # 2002-O-306; # 2002-O-307; # 2002-O-308; # 2002-O-309; # 2002-O-310; and #2002-O-311.

Moved: Cm. Galo

Second: Mayor Pro Tempore Agredano

For: 8

Against: 0

Abstain: 0

2002-O-297 Amending the Zoning Ordinance map of the City of Laredo by authorizing the

issuance of a Conditional Use Permit to Templo Rosa de Saron, Pastor Hector Patiño for the communication tower in place on Block 719, Western

Division, located at the 3300 Block of Anna Avenue; providing for publication and effective date. (As amended)

Motion to adopt Ordinance #2002-O-297.

Moved: Cm. Galo

Second: Mayor Pro Tempore Agredano

For: 8

Against: 0

Abstain: 0

2002-O-298 Amending the Zoning Ordinance map of the City of Laredo by rezoning 3.1570 acres, as further described by metes and bounds on attached Exhibit "A," located north of Shiloh Drive and west of McPherson Road, R-1 (Single Family Residential District) to B-3 (Community Business District); providing for publication and effective date.

Motion to adopt Ordinance #2002-O-298.

Moved: Cm. Galo

Second: Mayor Pro Tempore Agredano

For: 8

Against: 0

Abstain: 0

2002-O-299 Accepting a direct aid grant from the Loan Star Libraries Program of the Texas

State Library in the amount of \$22,323.00 to purchase new computer hardware and amending the City of Laredo fiscal year 2002-2003 annual budget by decreasing the reserve appropriation amount by \$2,667.00.

Motion to adopt Ordinance #2002-O-299.

Moved: Cm. Galo

Second: Mayor Pro Tempore Agredano

For: 8

Against: 0

Abstain: 0

2002-O-300 Amending the FY 2002-2003 Fire Prevention and Arson Budget by accepting a

donation of \$400.00 from Sam's Club Foundation and appropriating said funds to purchase fire safety educational promotional materials for the Fire Department Prevention Division.

Motion to adopt Ordinance #2002-O-300.

Moved: Cm. Galo

Second: Mayor Pro Tempore Agredano

For: 8

Against: 0

Abstain: 0

2002-O-301 Authorizing the City Manager to amend Ordinance #2002-O-224 to accept a



supplemental grant in the amount of \$29,200.00 from the Texas Automobile Theft Prevention Authority and to amend the City of Laredo's FY 2002-2003 annual budget in the amount of \$29,200.00. This supplemental grant of \$29,200.00 is 100% funded at no cost to the City. The Texas Automobile Theft Prevention Authority will now be designating \$428,492.00, the City of Laredo will be designating \$78,858.00, and Webb County will be designating \$31,464.00 in matching funds for a total grant amount of \$538,814.00. The funding period for this grant is from September 1, 2002 through August 31, 2003.

Motion to adopt Ordinance #2002-O-301.

Moved: Cm. Galo

Second: Mayor Pro Tempore Agredano

For: 8

Against: 0

Abstain: 0

2002-O-302 Authorizing the City Manager to implement a \$5.00 monthly fee to charge per

participant for aerobic classes provided by the City of Laredo Health Department Buena Vida Program at the City's Parks and Recreation Centers and other community sites, and to appropriate revenues to the Health Department/Health Education Division expense account.

Motion to adopt Ordinance #2002-O-302.

Moved: Cm. Galo

Second: Mayor Pro Tempore Agredano

For: 8

Against: 0

Abstain: 0

2002-O-303 Authorizing the City Manager to amend the City of Laredo's Full-Time Equivalent positions by reclassifying the position of Health Educator (1.0 FTE) to three (3) part-time (1.51 FTE) Community Service Aides positions at 30 hours each per week for 35 weeks; and, deleting a 1 Program Promotion Specialist and 1 Health Educator Assistant under the Laredo Obesity Program Prevention and Control Project (LOPAC) funded by the Texas Department of Health. This amendment will have no financial impact on the budget.

Motion to adopt Ordinance #2002-O-303.

Moved: Cm. Galo

Second: Mayor Pro Tempore Agredano

For: 8

Against: 0

Abstain: 0

2002-O-304 Amending Section 1 of Ordinance No. 93-O-128, modifying the sliding fee scale and implementing a co-pay for clinic health services provided at the Maternal and Child Health (M&CH) Program of the City of Laredo Health Department; exempting persons that are indigent; appropriating revenues to the M&CH Program as per Texas Department of Health's program income

guidelines. Federal and State regulations remain unchanged for services provided by this program.

Motion to adopt Ordinance #2002-O-297.

Moved: Cm. Galo

Second: Mayor Pro Tempore Agredano

For: 8

Against: 0

Abstain: 0

2002-O-305 Accepting a grant awarded by the South Texas Development Council in the amount of \$18,000.00 and amending the City of Laredo's FY 2002-2003 Annual Budget for the NPDES Fund by appropriating the said grant revenue to the appropriate expenditure accounts. The grant monies will be used for the Household Hazardous Waste Collection Program.

Motion to adopt Ordinance #2002-O-305.

Moved: Cm. Galo

Second: Mayor Pro Tempore Agredano

For: 8

Against: 0

Abstain: 0

2002-O-306 Amending, adding, and repealing certain subsections, paragraphs, sections of

Chapter 2, Article II, Division 5, sections 2-87.1 (Definitions), 2-87.2 (Appeal Procedures), 2-87.3 (Grievance Procedures), 2-87.4 (Appeals And Grievance Committee), 2-87.5 (Freedom From Reprisal) of the Code of Ordinances of City of Laredo, except as otherwise stated in any collective bargaining agreement and providing for an effective date of January 1, 2003.

Motion to adopt Ordinance #2002-O-306.

Moved: Cm. Galo

Second: Mayor Pro Tempore Agredano

For: 8

Against: 0

Abstain: 0

2002-O-307 Authorizing the City Manager to execute an amendment to the lease agreement

between the City of Laredo (Airport), as Lessor, and Dairy Process, Inc., as Lessee, as approved by Ordinance No. 2002-O-141 dated July 1, 2002, specifically amending Section 1.09 titled "Use and Use Conflict" in order to add medical clinic and/or medical related uses are allowable uses for the leased premises. All other terms and conditions remain unchanged and in effect; providing for effective date.

Motion to adopt Ordinance #2002-O-307.

Moved: Cm. Galo

Second: Mayor Pro Tempore Agredano

For: 8

Against: 0

Abstain: 0

2002-O-308 Authorizing the City Manager to execute a lease agreement between the City

of Laredo, as Lessor, and Clemente M. Bedia, as Lessee for approximately 624.77 sq. ft. of building and space to be used as a Woman, Infant and Children (WIC) Food Store at the area commonly known as 2300 Saltillo, part of the South Laredo Pool Park site, for a term of one year at a monthly rental rate of \$300.00 per month.

Motion to adopt Ordinance #2002-O-308.

Moved: Cm. Galo

Second: Mayor Pro Tempore Agredano

For: 8

Against: 0

Abstain: 0

2002-O-309 Authorizing the City Manager to execute a lease agreement between the City

of Laredo, as Lessor, and Webb County, as Lessee, authorized by Ordinance No. 2001-O-176 dated August 20, 2001 in order to delete Building No. 1229 effective August 1, 2002. Said amendment will amend, specifically, Section 1.01 titled "Lease Area" deleting Building No. 1229, therefore decreasing the square footage from 4,378 to 2,378. Amending Section 1.04 titled "Rent Obligation" decreasing the monthly rent from \$1,825.73 to \$1,100.00. All other terms and conditions remain unchanged and in effect; providing for an effective date.

Motion to adopt Ordinance #2002-O-309.

Moved: Cm. Galo

Second: Mayor Pro Tempore Agredano

For: 8

Against: 0

Abstain: 1

Cm. Amaya

2002-O-310 Closing as public easements those sections of:

- \* Maryland Avenue between Market and South right-of-way line of Guatemozin Street, including its intersections with Cortez and Guatemozin Streets;
- \* Cortez between Springfield and Lexington Avenues; and
- \* Guatemozin Street between Springfield and Lexington Avenues; all situated in the Eastern Division, City of Laredo, County of Webb, Texas and providing for effective date.

Motion to adopt Ordinance #2002-O-310.





Incentive Block Grant and the City of Laredo will be designating 10% in matching funds. Funding will be used to pay for the salaries and fringe benefits of an Administrative Assistant II and to purchase necessary supplies in support of the juvenile program.

Motion to approve Resolution # 2002-R-110.

Moved: Cm. Galo

Second: Mayor Pro Tempore Agredano

For: 8

Against: 0

Abstain: 0

26. 2002-R-112 Appointing D.J. Utterback, Fernando Mendiola, Carmen Guerra, A.B. Barrera, Ronald E. Laduque and Luis Guerra to the Laredo Convention & Visitor Bureau Advisory Committee effective on this date.

Motion to approve Resolution # 2002-R-112.

Moved: Cm. Galo

Second: Mayor Pro Tempore Agredano

For: 8

Against: 0

Abstain: 0

## **XII. MOTIONS**

27. Consideration to authorize the City Manager to execute renewal contracts for Legislative Consultants Services to represent the City in legislative issues affecting the City of Laredo in Austin, Texas and Washington, D.C. The contracts include:
1. Martinez & Associates for an additional nine (9) months from February 1, 2003 through October 1, 2003 at a cost of \$5,000.00 per month plus out of pocket expenses up to \$3,500.00;
  2. McWilliams & Associates for the period of October 1, 2002 through September 30, 2003 at a monthly cost of \$4,500.00;
  3. Government Relations, Inc., for the period of November 1, 2002 through October 1, 2003 at a monthly cost of \$7,500.00 plus reimbursement for travel and related costs, subject to prior approval by the City.

Funding is available in the FY 2002-2003 General Fund Budget.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tempore Agredano

For: 8

Against: 0

Abstain: 0

28. Consideration to reschedule the City Council meetings of January 2003 from January 6, 2003 to January 13, 2003 and from January 20, 2003 to January 27, 2003.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tempore Agredano

For: 8

Against: 0

Abstain: 0

29. Consideration for the approval of the selection of consultant W.D. Schock Company, Inc., Nashville, Tennessee, for the provision of residential sound reduction services, as part of the City of Laredo International Airport Noise Compatibility Program and authorization to negotiate a professional services contract. Funding is available in the Airport Construction Fund.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tempore Agredano

For: 8

Against: 0

Abstain: 0

30. Consideration for approval of amendment no. 2 an increase of \$132,815.00 to the professional services contract with Howland Engineering & Surveying Company, Laredo, Texas, for the Ejido Avenue Extension Project (44 feet wide roadway section on a 90 feet wide right-of-way) surveys, design, preparation plans, specifications and cost estimates. Funding is available in the Ejido Street Extension Project.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tempore Agredano

For: 8

Against: 0

Abstain: 0

31. Consideration for approval change order no. 2 an increase of \$7,211.49 for the balance

of quantities actually constructed in place, acceptance of the City Park at E. San Francisco Ave. - Eistetter St. and approval of final payment in the amount of \$34,464.88 to Pete Gallegos Paving, Inc., Laredo, Texas. Final contract amount is \$552,279.19. Funding is available in the San Francisco/Eistetter Park Project.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tempore Agredano

For: 8

Against: 0

Abstain: 0

32. Consideration for approval of final Change Order No. 6 a decrease of \$37,146.94 for

the balance quantities actually constructed in place, acceptance of the Jacaman Road Extension project and approval of final payment of \$217,629.14 to Brothers Paving, Inc., Laredo, Texas. Final contract amount is \$2,717,561.84. Funding is available in the Retainage Payable line items.

Motion to approve.

Moved: Cm. Galo

Second: Mayor Pro Tempore Agredano

For: 8

Against: 0

Abstain: 0

33. Consideration to ratify Change Orders No. 2 and 3 for an amount of \$20,333.00 and

approval of final Change Order No. 5 an increase of \$28,031.34 for the balance of quantities actually constructed in place, acceptance of the McPherson Avenue Widening (Canal to Saunders U.S. Highway 59) and approval of final payment in the amount of \$190,539.53 to Ramos Industries, Pasadena, Texas. Final contract amount is \$697,820.02. Funding is available in the 2000 A C.O. Issue McPherson Widening Phase I.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

34. Consideration to award software maintenance contract to the sole source provider, H.T.E., Inc., Lake Mary, FL, in the amount of \$25,500.00. This maintenance contract will provide customer support and service for the Police Department's computer aided dispatch system, crackdown software, Fire Department's computer aided dispatch system and Fire Management System. Funding is available in the Police and Fire Department budgets.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

35. Consideration to award supply contract number FY03-003 to the following low bidders: Libcon, Inc. d/b/a Leyendecker Materials, Laredo, Texas in the estimated amount of \$1,064,750.00 for the purchase of asphalt, emulsions, black base, sand and gravel; City Ready Mix, Laredo, Texas in the estimated amount of \$183,500.00



for the purchase of ready mix cement; GSAC, Houston, Texas in the estimated amount of \$9,300.00 for the purchase of asphalt oils and 4G Asphalt d/b/a Big Buck Asphalt, Inc., Laredo, Texas, in the estimated amount of \$7,500.00, for the purchase of sand. These will be the primary vendors for the purchase of materials required for all city paving and construction projects. The contract pricing for asphalt is approximately 4% higher than the previous contract price and concrete is approximately 4% less.

Motion to approve amending the FY03-003 to FY03-005.

Moved: Cm. Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

36. Consideration to award annual contract number FY 03-015 to the low bidders JJJ International Safety, Laredo, Texas in the base amount of \$16,414.00, Air Gas, Laredo, Texas in the amount of \$4,162.50, Alamo Iron Works, San Antonio, Texas in the base amount of \$842.25, and Laredo Hardware, Laredo, Texas in the base amount of \$309.00 for the purchase of safety products for all operations. Contract pricing has been established for safety products such as safety belts, vests, safety glasses, rain suits, hard hats, traffic cones, warning flags, water coolers, and gloves. These items will be purchased throughout the year by all departments on an as needed basis.

Motion to approve amending the FY03-015 to FY03-011.

Moved: Cm. Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

37. Consideration to award a three-year contract (FY03-001) to Metrocall, in the estimated contract amount of \$49,651.25 for providing pager service for all City departments. The contract award is based on the use of 475 pagers. The City will be exchanging the current pagers for new pagers. The new contract pricing is approximately 43% less than the previous contract amount. The new contract includes the purchase of new pagers and the monthly service fee for local and extended coverage. All services will be secured on an as needed basis. Funding is available in the user departmental budgets.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

38. Consideration to award contract number FY03-019 to the low bidder, JJJ International

Safety, Inc., Laredo, Texas, in the amount of \$27,000.00 for the purchase of containers for used oil. These containers will be given to the general public as part of the recycling program. A used oil recycling grant has been secured to purchase these items.

Motion to approve.

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

Against: 0

Abstain: 0

39. Consideration to approve Change Order No. 2 in the amount of \$126,885.39 to Lambda

Construction Company for the Jefferson Street High Service Pump Station construction project to pay for replacement of one (1) 48" and one (1) 36" butterfly valves for the plants existing clearwell no. 1 Change Order No. 2 will provide for a change in contract times from 310 calendar days of substantial completion to 314 days, and 340 days until final payment to 344 days.

Motion to approve.

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

Against: 0

Abstain: 0

40. Authorizing the City Manager to reject the bids received on the annual contract for maintenance of illumination systems along Interstate 35, Loop 20, and FM 1472 and re- advertise for bids.

Motion to approve.

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

Against: 0

Abstain: 0

41. Consideration to authorize the City Manager to sell surplus equipment to our Sister Cities of Cienega de Flores, Nuevo Leon and Guadalupe, Nuevo Leon.

Cienega de Flores, Nuevo Leon	Salvage
Value	
1991 Freighliner Refuse Truck 1FVX1WYBN9L484455 Unit # 6068	
\$8,000.00	
1991 Freighliner Refuse Truck 1FVX1WYBN9L484461 Unit # 6070	\$8,000.00
1994 GMC Van, 8 passenger 1GJGG35K7RF532788 Unit # 8117	
\$5,375.00	
1995 Ford Pickup, F-250 2FTHF25H8SCA40401 Unit # 14112	\$5,175.00
1994 Chevy Caprice, 4DR 1G1BL52P5RR163753 Unit # 1375	\$3,625.00

Guadalupe, Nuevo Leon				
1992	Ford Pickup – F150	1FTDF15N4NNA67155	Unit # 2119	\$3,400.00
1990	Ford Pick up – F250	1FTEF25N4LNB55520	Unit # 2077	\$2,475.00
1990	Chevy Pick up – 1500	1GCDC14HXLZ2188199	Unit # 13099	\$3,300.00
1993	Ford Pick-up F-150	1FTDF15N8PNA63970	Unit #14107	\$3,900.00
1993	Ford Pick-up F-150	1FTDF15N2PNB36162	Unit # 14109	\$3,900.00

Surplus sale is as previous council Action setting a 25% of salvage value.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Amaya

For: 7

Against: 1  
Cm. Ramirez

Abstain: 0

### XIII. STAFF REPORTS

42. Presentation by Rene Gonzalez regarding legislative update plan.

Rene Gonzalez State Legislative Agenda  
78<sup>th</sup> Legislative Session

#### Inspection Stations

##### PROPOSAL

Enact legislation that allows the City of Laredo input in the decision making process for the creation of state inspection facilities.

##### BACKGROUND

The U. S. Congress consistent with both House and Senate language directs the Texas Department of Transportation to consult with the City of Laredo and consider their concerns regarding site selection for a cross-border inspection facility. This mirrors language in SB 1 (Ryder 63), 77<sup>th</sup> Legislative Session that states that it is the intent of the Legislature that before funds are expended for the purpose of building a co-located facility which would serve as a commercial motor vehicle safety inspection facility, border inspection station, or a centralized border inspection station, that the Department sign an agreement with the governing board of the municipality in which the facility is to be located which states that the location, plans, and implementation strategy for the proposed facility are acceptable to all parties involved. The City of Laredo wishes that any safety inspection facility be built outside the border municipalities and on Texas highways.

This coincides with Secretary of Transportation Norman Mineta’s comments stating, “Mexican carriers and drivers must meet the same (safety) standards as the U. S. operators.” Mineta also said that he has “made a lifelong commitment to equality

under the law” and will not tolerate discriminatory enforcement. “in this matter of trucking, as in all the modes of transportation, the pervasive issue is safety,” he stressed. By placing inspection facilities on Texas highways we guarantee that all commercial vehicles traveling on the Texas highways meet safety compliance and that there is no discriminatory enforcement. The Texas Department of Transportation asked the Attorney General for an opinion on SB1, Ryder 63. With more than 40% of all trade between the United States and Mexico crossing at the World Trade Bridge and the Colombia-Solidarity Bridge any facility built on the bridges impedes the flow of traffic and creates bottlenecks at our bridges. Also, commercial vehicles inspected at the port of entry will not insure that the more than 10,000 trucks entering and leaving the City of Laredo into/from the United States through Texas highways meet CVSA requirements and meet all safety standards provided by the U. S. Department of Transportation.

### **Tax Audits**

#### **PROPOSAL**

Enact legislation that would allow municipalities to assist in auditing companies involved in the sale of valid export certifications.

#### **BACKGROUND**

The Comptroller of Public Accounts does not have the necessary staff to continually audit Texas Customs Brokers licensed to prepare, issue and/or sign validated export certification forms. The City of Laredo would like to assist in auditing customhouse brokers involved in the export certification process. A customhouse broker must maintain books and records for two years that include an exact photographic image of each export certification. This export certification, which is only allowed in Texas and not by any other state along the U. S. – Mexico border, assures that merchandise purchased has been imported into Mexico.

By allowing a municipality the opportunity to audit a broker, the municipality is guaranteed that the process is being done correctly and it is not losing tax revenues necessary to provide services to its citizens. A database reporting the information on export certifications needs to be provided to the Comptroller of Public Accounts to account for the amount of taxes that are reimbursed to individuals that are not residents of the United States. Also, there are ambiguities that exist in the present law that do not allow the Comptroller of Public Accounts to enact penalties against fraudulent certifications and the penalties are being applied to the retail store instead of the individuals licensed to provide export certifications.

### **Overweight Permits**

#### **PROPOSAL**

Enact legislation that allows issuance of permits for overweight vehicles at the Port of Laredo.

## BACKGROUND

For a fee, allow overweight trucks to transport cargo over the most direct route using Farm to Market 1472 and Loop 20 from Colombia Solidarity Bridge and the World Trade Bridge to Interstate Highway 35. the fee is used in part for repair and maintenance of the state roads used to transport this cargo. This allows the maximum weight of each commodity to be transported through our port of entry provided the gross weight of such equipment and commodities shall not exceed 125,000 pounds. The City of Laredo wishes to amend the Transportation code to include these routes over which over weight cargo can be transported with a permit. During the 77<sup>th</sup> Legislative Session the Senate passed SB 1809 but it did not get passed the House Transportation committee.

### **Traffic Signal Enforcement System**

## PROPOSAL

Support legislation that authorizes a municipality to implement a photographic traffic signal enforcement system.

## BACKGROUND

Annually, cars running red lights account for 260,000 crashes in the United States, which is 22 percent of all vehicle crashes. The disregard of traffic signals or stop signs accounted for 28,019 accidents in Texas in 1998, of which 191 involved fatalities. Red light cameras have been in use for over 40 years and 10 states currently have laws that permit camera enforcement of red light runners. Of those states using automated camera technology, significant reductions in the number of accidents and fatalities caused by red light runners are common. During the 77<sup>th</sup> Legislative Session the House made an attempt to pass HB 1115 but the bill died due to a tie vote.

### **TxDOT Personnel**

## PROPOSAL

Increase the personnel at the TxDot Laredo District to handle the amount of construction projects scheduled.

## BACKGROUND

The Laredo District of the Texas Department of Transportation (TxDoT) lacks the adequate personnel to handle the amount of infrastructure projects that are being scheduled. Through the years the Laredo district has seen an increase in projects but has not see a reciprocal increase in the amount of employee hired to handle these projects. The lack of adequate employees delays the completion of projects and delays other projects from coming to fruition. Projects are being pushed back

from one fiscal year to the next due to the lack of human resources available to the District Engineer.

### **Bio-Terrorism Funding**

#### PROPOSAL

Enact legislation that includes populations on both sides of the Texas-Mexico border when creating funding formulas for bio-terrorism programs.

#### BACKGROUND

More than \$50 million was earmarked for public health for the State of Texas. The distribution of these funds is being handled by the Texas Department of Health and includes formulas that make it difficult for border cities to compete and receive the proper funding for potential bio-terrorism. In Laredo our health department received \$300,000 to handle bio-terrorism from the State and \$100,000 to assist four counties surrounding Laredo. This funding was received from a formula created by the Center for Disease Control and Prevention based on population. This formula does not take into account the hundreds of thousands of citizens that live right across our border cities. Our MSA is not totally in the USA. The City of Laredo 750,000 by day and 200,000 by night. This is characteristic of most border cities on the U. S. Mexico border. During 9/11 the City of Laredo health Department had citizens from Nuevo Laredo bringing envelopes to get inspected for anthrax. Any health hazard that exists in our city exists in our sister city. If a cat gets rabies two blocks away is another country it affects the citizens of our country. The same goes for small pox, anthrax, tuberculosis or the west-nile virus. What affects Austin south of the Colorado River affects the Austin north of the Colorado River. We need to create formulas that take the specific needs of our border cities into account.

### **Project Overruns**

#### PROPOSAL

Enact legislation that amends the Transportation Code to restrict TxDOT from charging municipalities for project overruns on projects in which a municipality has no supervisory control.

#### BACKGROUND

Any Texas Department of Transportation (TxDOT) project affecting the municipality requires that a municipality cover all project overruns. A municipality is not allowed to be a participant in the management of a project that affects a municipality. A

municipality is not allowed to comment on contract bids awarded. At this time, if there is an overrun TxDOT does not assume the cost of completing the project and the cost is passed on to the municipality. If a municipality does not have any input on a project done by TxDOT then why should the municipality be penalized for these overruns.

### **Off-System Roads**

#### **PROPOSAL**

Re-institute the Urban Street Program for border communities affected by the North American Free Trade Agreement.

#### **BACKGROUND**

The City of Laredo and other border communities continue to bear the burden of ensuring the effective and efficient movement of international trade between the United States and its number two trading partner Mexico. The movement of this commerce is of vital interest to the economy of the State of Texas and the United States. NAFTA has placed an incredible burden on our community. Our streets are being overwhelmed by the amount of traffic created by NAFTA. This congestion manifests itself in all aspects of surface transportation. Our City cannot afford to provide the infrastructure needed to carry this commerce at the local level. The current approach to this national interest is unjust and needs to be rectified if the economy of Texas and the United States is to be strengthened.

### **Vehicle Registration Fee**

#### **PROPOSAL**

Create legislation that amends the Transportation Code to insure that a County does not have the option to terminate the collection of a child safety program fee under the county vehicle registration fee and that a municipality be allowed to collect within a reasonable time period from a County the fees collected from the county vehicle registration fee for child safety.

#### **BACKGROUND**

At this time a county may impose an additional fee of not more than \$1.50 for child safety program when registering a vehicle in the county. A county imposing a fee may deduct for administrative costs an amount of not more than 10 percent of the revenue it receives from the fee. The county may also deduct from the fee revenue an amount proportional to the percentage of county residents who live in the unincorporated areas of the county. After making the deductions provided for a county, the county shall send the remainder of the fee revenue to the municipalities in the county according to their population.

## **Municipal Fees**

### PROPOSAL

Enact legislation that would strengthen the role of the municipal court to administer levies on municipal ordinances.

### BACKGROUND

An increase to a City's share for collecting state courts costs need to be increased from ten percent to thirty percent and the state needs to increase the share for collecting the time payment fee from the current fifty percent to one hundred percent usage by the city collecting the fee. This fee will allow the municipality to receive a fair reimbursement for the service provided for collecting these fees. Also, the maximum allowable fine for safety, zoning, or public health and sanitation need to be increased from \$2,000 to \$5,000 and for all other cases arising under a municipal ordinance from \$500 to \$1,000. The maximum allowable fee is not serving as a deterrent at this time. By raising the amount of the fines you create deterrence and allow the opportunity for a decrease in these code violations.

## **9-1-1**

### PROPOSAL

Enact legislation that allows a municipality with a population over 150,000 to create its own emergency communication services district and provide its own 9-1-1 services.

### BACKGROUND

The creation of a district allows the municipality to become the provider of 9-1-1 services to the municipality. The district shall recommend minimum standards at least as stringent as commission standards for a 9-1-1 system. The benefits are that calls are routed over special emergency phone lines, calls are recognized and answered as emergency calls, calls are answered by trained operators, the district helps shorten overall response time and it helps save lives and property. Local governments and public safety answering points (PSAP) benefit from the program by providing only the local operations.

## **Medicaid Reimbursement**

### PROPOSAL

Enact legislation that create parity in the Medicaid reimbursement s with the rest of the State of Texas.

### BACKGROUND



Under the current Medicaid Managed Care and CHIP Programs, reimbursement rates are determined by reviewing the utilization rates of an area or region of Texas. The fact that Laredo and other border cities have limited access to health facilities and there is a lack of medical practitioners creates low utilization rates. This creates disparities in the rate that is reimbursed throughout the State of Texas. Physicians along the Border cover more of the expenses that come with caring for patients than other doctors throughout the State. This policy serves as a detriment to keeping or increasing the amount of doctors that practice in our City. We need to ensure that doctors in Laredo get equal pay for equal work and that the reimbursement rates be equitable with the rest of the State.

## **Railroads**

### **PROPOSAL**

Oppose legislation that allows railroads companies to block streets for a substantial period of time.

### **BACKGROUND**

In 1999, legislation was enacted that allowed a municipality to fine a rail company employee if a train obstructed an interchange for more than ten minutes. Train blocks are a growing problem. A train which blocks an intersection for a period of time creates situations where an emergency vehicle may not be able to respond to an emergency call in a timely manner. The amount of trains traveling through the City of Laredo has more than doubled since 1994 causing delays. During the 77<sup>th</sup> Legislative Session the House passed HB 1594 relating to allowing a train to stand on a street, railroad crossing, or highway. The bill did not get past the Senate State Affairs Committee.

## **Port Authority**

### **PROPOSAL**

Oppose legislation relating to the creation of a border port authority.

### **BACKGROUND**

The City of Laredo is the owner of the bridges used for cross border trade between the United States and Mexico at the Port of Laredo. Legislation has been introduced in prior sessions that allow a county bordering Mexico the ability to create a port authority. The creation of a port authority erodes the authority of the City of Laredo, thus creating another level of bureaucracy.

## **Tort Reform**

### **PROPOSAL**

Oppose legislation that increases the liability exposure of a medical practitioner.

## BACKGROUND

At this time doctors that practice in the City of Laredo have seen an increase in the amount they pay for medical-malpractice insurance. Doctors have reported that they are experiencing more lawsuits filed against them and the hospitals they practice along the border than in other parts of the state. The increased number of lawsuits creates a difficult environment to maintain low costs on malpractice insurance. One survey reported 70 percent of border area doctors had at least one malpractice suite to handle. Due to the cost increase the amount of doctors leaving the city of Laredo to practice in cities way from the border have been on the rise. A shortage of doctors in Laredo has a detrimental affect on our citizen's ability to get quality treatment in a timely manner.

### **Texas Deposit Program**

#### PROPOSAL

Support legislation relating to the creation of a deposit program for certin glass, plastic and metal containers.

#### BACKGROUND

The improper disposal of beverage containers poses a risk to the environment. In Texas there are 12.4 billion containers with a total decomposition life cycle of over 400 years. In order to protect the environment it is the public interest to require that beverage containers be property disposed of by creating a deposit program. This in turn reduces litter on our highways, city streets and in our neighborhood.

### **Sales and Use Tax**

#### PROPOSAL

Support legislation that allows for municipalities to permit local option from the sales and use tax holiday.

#### BACKGROUND

There is an effort to increase the amount of days that allows exemptions from the sales and use tax primarily for back to school purchases to include not only the first weekend in August, but also the whole month of August. The City of Laredo is concerned that any extension of the sales and tax use holiday would create opportunities for the further erosion of its tax base in which cities rely more and more heavily to provide the necessary services to the citizens.

### **Rain Enhancement Program**

#### PROPOSAL

Support full funding for the Texas Commission on Environmental Quality (TCEQ) implementation of weather modification for rain-enhancement (cloud seeding) program used by the Southwest Texas Rain-Enhancement Association (SWTREA).

## BACKGROUND

One of the newest weather-modification projects in Texas has just become a multi-purpose weather modification program, seeding convective clouds to enhance the production of rainfall from those clouds but also to mitigate the formation of hail in those clouds. The project, inaugurated in 1999, is run by the Southwest Texas Rain-Enhancement Association (SWTREA), an alliance of five counties (Dimmit, LaSalle, Webb, Zapata, and Zavala), three of which are served by the Wintergarden Groundwater Conservation District. The SWTREA, based in Carrizo Springs and representing about 5.5 million acres, has recently procured its own aircraft, radar, and technical personnel required to operate on a year-round basis. Aircraft to be used in the seeding operation are based in Laredo and Cotulla. In FY 2001-2002 the City of Laredo contributed \$88,000 as its share to cover the prorata expenses for the 2.2 million acres of Webb County.

### **Tire Program**

Enact legislation that re-authorized the tire-recycling fee to assist local governments to enforce against illegal tire disposal.

## BACKGROUND

In 1997 the State of Texas abandoned the tire waste disposal program. Each city is responsible for the enforcement of illegally discarded tires, but does not have the appropriate funding to administer such a program. The State of Texas should consider legislation that allows for the collection of funds to cover the cost of tire disposal in a municipality.

### **Solid Waste Fee**

## PROPOSAL

Enact legislation that allows a municipality to keep the funds for the solid waste grant program.

## BACKGROUND

Landfills are required to pay a state fee of \$1.25 per ton for incoming solid waste to the TCEQ. These fees are distributed to the COG's and then distributed to a municipality in the form of a grant to promote its solid waste programs. Council of Governments (COG) uses a portion of these revenues to fund administrative costs

to assist local governments in the COG. The remaining funds are distributed in the form of grants. A committee consisting of representatives of all the council of Governments (COG) members, whether or not they contribute to this fund, decide the grant awards. From 1995 to 2000, the City of Laredo paid the State approximately \$1.6 million and in return has received \$153,143 in grants. The City of Laredo receives less than the revenues collected and remitted to the State to fund the grant program. The State should allow a local government to directly collect and retain the solid waste-tipping fee for local solid waste projects. These revenues could be used to support other solid waste programs such as a tire disposal program.

### **Texas A & M International University**

#### **PROPOSAL**

Support funding for Phase V of Texas A & M International University and continued funding for a Doctorate program in International Business.

#### **BACKGROUND**

The City of Laredo supports the need for the University's Phase V of construction, a \$12.5 million initiative that will enable the completion of athletic facilities, which support the University's growing program in Kinesiology. The City also supports efforts by the university to insure the implementation of the Ph.D in International Business through an additional funding request of \$250,000 per year.

### **UTHSCSA Laredo Campus Extension**

#### **PROPOSAL**

Support funding for the University of Texas Health Science Center at San Antonio's (UTHSCSA) Laredo Campus Extension.

#### **BACKGROUND**

The 76<sup>th</sup> Texas Legislature authorized the board of Regents of the University of Texas System to establish a Laredo Campus Extension under the administration of the UTHSCSA. The Laredo Campus Extension will provide health professional education programs in the Laredo/Mid Rio Grande Border Area of Texas. The campus will house programs funded through the South Texas/Border Region Health Professional initiative (STBI), including new Allied Health Degree Programs and Emergency Medical Technology and Environmental Research. The City of Laredo supports the UTHSCSA 2004 – 2005 Legislative Appropriations Request of \$6,165,507.

### **Laredo Community College**

#### **PROPOSAL**

Support funding for Texas State Technical College/Laredo Community College partnership.

## BACKGROUND

The City of Laredo supports the Laredo Community College request for funding to be used for the development and implementation of high-tech or high demand programs. Jobs and job training are critical to the growth of Laredo. The continued development of programs between Laredo Community College (LCC) and Texas State Technical College (TSTC) is crucial for the development of a highly skilled workforce in Laredo. At this time, LCC and TSTC are partners in a highly successful diesel mechanic program.

### **Texas Border Infrastructure Coalition**

## PROPOSAL

Support the legislative agenda of the Texas Border Infrastructure Coalition (TBIC).

## BACKGROUND

The Texas Border Infrastructure Coalition is an alliance of communities from Brownsville to El Paso. These communities have come together to form a united front to bring awareness to the infrastructure needs of Texas. These needs are not our needs on the Border but the needs of Texas. The TBIC consists of four committees, the transportation committee, the health committee, the tax committee and the workforce development & education committee. Each committee has made recommendations to the State Legislature to assist cities along the Texas border in reaching parity with the rest of the State.

### **Legislative Policy**

## PROPOSAL

The City of Laredo will support legislation that clearly benefits the City and will oppose legislation that will be detrimental to the City's and its citizens interests.

## BACKGROUND

The deadline for filing bills is sixty days from the beginning of the legislative session. During the 77<sup>th</sup> legislative more than 5,700 bills were introduced, with at least 1,000 bills affecting a municipality in some fashion. Of the 5,700 bills more than 1,500 bills passed and were signed into law. Due to the large quantity of bills that are introduced, there are opportunities for bills to be proposed that may support our municipality's efforts but may also be detrimental to our City's endeavors. The City of Laredo will track legislation and endorse any legislation that benefits Laredo and oppose any bills that would diminish the authority of our City to operate in the best interest of its citizens, result in the loss of revenue or mandate increased costs.

43. Staff report regarding Municipal Court monthly revenues generated.

Tommy Ochoa, from Municipal Court Clerk, discussed the following revenues:

October 2002 \$244,968  
October 2001 \$201,089 a 22% increase from last year.

November 2002 \$205,249  
November 2001 \$162,498 which is a %26 percent increase.

Year to date revenues for the two months the total revenues \$450,217 comparing that to \$363,587 which is a 24% increase for the 1<sup>st</sup> two months.

Cm. Belmares asked Tommy to include an additional line on the spread sheet for pending cases.

#### **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.

44. Request for Executive Session pursuant to Texas Government Code Section 551.072 in

order to deliberate the possible purchase, lease or value of three parcels of land because deliberation in an open meeting would have a detrimental effect on the position of the City Council in negotiations with third persons, and relating to (1) tract of land for the purpose of acquiring park land; (2) a tract of land for the purpose of acquiring land for a future landfill; and (3) a tract of land of possible value for transit system maintenance facilities; and return to open session for possible action and direction to staff.

Motion to go into Executive Session pursuant to Texas Government Code Section 551.072 in order to deliberate the possible purchase, lease or value of three parcels of land because deliberation in an open meeting would have a detrimental effect on the position of the City Council in negotiations with third persons, and relating to (1) tract of land for the purpose of acquiring park land; (2) a tract of land for the purpose of acquiring land for a future landfill; and (3) a tract of land of possible value for transit system maintenance facilities; and return to open session for possible action and direction to staff.

Moved: Cm. Galo

Second: Mayor Pro Tempore Agredano

For: 8

Against: 0

Abstain: 0

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

45. Request for Executive Session pursuant to Texas Government Code §551.071(1)(A) to

consult with City Attorney regarding pending litigation, namely, Civil Action No. L02 CV 21, City of Laredo, Texas v. United States General Services Administration; Administrator Stephen A. Perry, in his official and individual capacities; et. al.; In the United States District Court for the Southern District of Texas, Laredo Division; and Cause No.2002-CVQ-001309-D2; City of Laredo, Texas v. Texas Transportation Commission; Commissioner of Transportation, John W. Johnson, in his official and individual capacities; et al.; In the 111th District Court of 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, namely, Civil Action No. L02 CV 21, City of Laredo, Texas v. United States General Services Administration; Administrator Stephen A. Perry, in his official and individual

capacities; et. al.; In the United States District Court for the Southern District of Texas,

Laredo Division; and Cause No.2002-CVQ-001309-D2; City of Laredo, Texas v. Texas

Transportation Commission; Commissioner of Transportation, John W. Johnson, in his

official and individual capacities; et al.; In the 111th District Court of Webb County, Texas; and return to open session for possible action.

Moved: Cm. Galo

Second: Mayor Pro Tempore Agredano

For: 8

Against: 0

Abstain: 0

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

46. Request for executive session pursuant to Texas Government Code §551.071(1)(A) to

consult with City Attorney regarding pending litigation, namely, Civil Action No. L02 CV 21, City of Laredo, Texas v. United States General Services Administration; Administrator Stephen A. Perry, in his official and individual capacities; et. al.; In the United States District Court for the Southern District of Texas, Laredo Division; and Cause No.2002-CVQ-001309-D2; City of Laredo, Texas v. Texas Transportation Commission; Commissioner of Transportation, John W. Johnson, in his official and individual capacities; et al.; In the 111th District Court of 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, namely, Civil Action No. L02 CV 21, City of Laredo, Texas v. United States General Services Administration; Administrator Stephen A. Perry, in his official and individual

capacities; et. al.; In the United States District Court for the Southern District of Texas,  
Laredo Division; and Cause No.2002-CVQ-001309-D2; City of Laredo, Texas v. Texas  
Transportation Commission; Commissioner of Transportation, John W. Johnson, in his  
official and individual capacities; et al.; In the 111th District Court of Webb County, Texas; and return to open session for possible action.

Moved: Cm. Galo

Second: Mayor Pro Tempore Agredano

For: 8

Against: 0

Abstain: 0

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

Motion to authorize the City Manager to execute a Settlement and Release Agreement in the matter of Sylvano Sanchez, et al, v. City of Laredo, U.I.S.D. and Texas Parks and Wildlife Department, Civil Action No. L-01-118, in the United States District Court, Southern District of Texas.

Moved: Cm. J. Valdez, Jr.

Second: Cm. E. Valdez, Jr.

For: 8

Against: 0

Abstain: 0

## **XV. ADJOURNMENT**

Motion to adjourn.

Time: 9:50 p.m.

Moved: Cm. Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

I, Gustavo Guevara, Jr., City Secretary, do hereby certify that the above minutes contained in pages 01 to 38 are true, complete and correct proceedings of the City Council Meeting held on the 2<sup>nd</sup> day of December, 2002.

---

Gustavo Guevara, Jr.  
City Secretary