

**CITY OF LAREDO
CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
5:30 P.M.**

M99-R-14

M I N U T E S

May 17, 1999

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:

Elizabeth G. Flores,	Mayor
Alfredo Agredano,	Councilmember, District I
Louis H. Bruni,	Councilmember, District II
John C. Galo,	Councilmember, District III
Cecilia May Moreno,	Councilmember, District IV
Eliseo Valdez, Jr.	Councilmember, District V
Joe A. Guerra,	Councilmember, District VI
Mario G. Alvarado,	Councilmember, District VII
Consuelo "Chelo" Montalvo,	Councilmember, District VIII
Gustavo Guevara, Jr.,	City Secretary
Florencio Pena, III	City Manager
Jaime L. Flores,	City Attorney

Note: At this time Gustavo Guevara, Jr., City Secretary, announced that for the first time the Council Chambers is equipped with a sound mate. This is a sound device to enhance the hearing for those who are hearing impaired.

IV. MINUTES

1. City Council Meeting, April 19, 1999
City Council Meeting, April 26, 1999
City Council Workshop, April 29, 1999

Motion to approve.

- one year each ending April 30, 2001 and April 30, 2002.
- B. Monthly rent shall be \$500.00 and will be adjusted annually during the primary and extension terms of this lease according to changes in the Consumer Price Index.

Ordinance Introduction: City Council

6. Ordinance rescinding Ordinance No. 99-O-053 and authorizing the City Manager to execute a lease agreement between the City of Laredo (Airport Fund) as LESSOR and the City of Laredo (Laredo Police Department), as LESSEE, for approximately 3,142 square feet constituting office space within the 1st floor of Building 132 located at 4719 Maher Avenue at the Laredo International Airport.
- A. Lease term is for one year commencing on May 1, 1999 and ending on April 30, 2000 and may extended for four (4) terms of one (1) year each ending April 30, 2001 and April 30, 2002 and April 30, 2003 and April 30, 2004.
- B. Monthly rent shall be \$2,750.00 and will be adjusted annually during the primary and extension terms of this lease according to changes in the Consumer Price Index.

Ordinance Introduction: City Council

7. Ordinance rescinding Ordinance No. 99-O-275 and authorizing the City Manager to execute a lease agreement between the City of Laredo (Airport Fund) as LESSOR and the City of Laredo (Laredo Police Department), as LESSEE, for approximately 4,000 square feet constituting office space in Building 132 located at 4719 Maher Avenue at the Laredo International Airport.
- A. Lease term is for five years commencing on May 1, 1999 and ending on April 30, 2004 and may extended for three terms of five years each ending April 30, 2009 and April 30, 2014 and April 30, 2019.
- B. Monthly rent shall be \$3,500.00 and will be adjusted annually during the primary and extension terms of this lease according to changes in the Consumer Price Index, as well as on May 1, 2004, May 1, 2009 and May 1, 2014 according to the Appraisal Fair Market value.

Ordinance Introduction: City Council

8. Ordinance amending the FY1998-99 budget of the Laredo Municipal Transit Systems Fund 518 Revenues to appropriate additional funds in the amount of \$53,481 (an increase from \$435,477 to \$488,958) from the Texas Department of Transportation Grant Agreement No. 51922F1011.

Ordinance Introduction: City Council

- 9. Ordinance consenting to the change of control of the Cable Television Franchise from Tele-communications, Inc. to AT&T Corporation, subject to certain conditions.

Ordinance Introduction: City Council

- 10. Ordinance authorizing and granting the consent of the City Council to the assignment and transfer of control of the Cable Television Franchise and Cable Television System from KBL Cablesystems of the Southwest, Inc., to Texas Cable Partners, L.P., subject to certain conditions.

Ordinance Introduction: City Council

VI. FINAL READING Internet Available: <http://www.cityoflaredo.com>

Motion to waive the final reading of ordinances #99-O-129, #99-O-130, #99-O-131, #99-O-132, #99-O-134, #99-O-135, #99-O-136.

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

Against: 0 Abstain: 0

- 11. 99-O-129 Ordinance authorizing the City Manager to execute a Foreign Trade Zone Operators Agreement with H.K. Tronics, Inc., to operate an approximately 120,000 square foot facility within Foreign Trade Zone No. 94-Site 3 located at the Killam Industrial Park for a term of ten (10) years. (City Council)

Motion to approve Ordinance #99-O-129.

Moved : Cm. Bruni
 Second: Cw. Moreno
 For: 8

Against: 0 Abstain: 0

- 99-O-130 Ordinance authorizing the City Manager to execute a Foreign Trade Zone Operators Agreement with Rafael Quiroz, Jr. d/b/a International Customs Services to operate an approximate 16,000 square foot facility within Foreign Trade Zone No. 94 -Site 1 located at the Laredo International Airport. (City Council)

Motion to approve Ordinance #99-O-130.

Motion to approve.

Moved : Cm. Bruni

Second: Cm. Galo

For: 8

Against: 0

Abstain: 0

Rogelio Rivera, City Engineering, stated that the \$10,000 only covers the redesign.

18. Consideration and acceptance of a proposal by Central Power and Light Company in the amount of \$25,999.00 for removal of an existing primary line conflicting with current contract work at Bridge IV Facilities, and for the installation of a temporary three-phase primary line along the perimeter of the Border Station to restore service to existing CPL customers and provide temporary service to contractor for the Border Station of the Bridge IV and Facilities Project. Funding is available in the Bridge System Bridge #4 - Tax Exempt Bond Improvements Other Than Building.

Motion to approve.

Moved : Cm. Bruni

Second: Cm. Galo

For: 8

Against: 0

Abstain: 0

19. Consideration to approve selection of consultant Turner, Hickey and Associates for the Three Points Park Renovation Project and authorization to negotiate a Professional Services Contract. This project is part of the Community Development Block Grant Program.

Motion to approve.

Moved : Cm. Bruni

Second: Cm. Galo

For: 8

Against: 0

Abstain: 0

20. Consideration to award contract number 99-079, to the SOLE BIDDER, Harvey Schulmier, Canyon Lake, Texas, in the amount of \$23,150.00 per module, to conduct a "Transportation Journeyman Mechanic Certification Program" for the Fleet Maintenance Division. The intent of this program is to provide a means for maintenance employees to acquire expertise in different aspects of vehicle and equipment maintenance. This program will be conducted by this certified trainer at the Fleet Maintenance facilities and will include a handwritten and hands-on exam. All training will be conducted in accordance to

the guidelines of the National Occupational Competency Testing Institute (NOCTI). Thirty employees will be provided 120 hours of classroom work and hands-on training. It is estimated that one training module will be completed per year. Staff is requesting authorization to enter into a one year, one module contract with an option to enter into a second year contract for additional training.

Motion to approve.

Moved : Cm. Agredano

Second: Cw. Moreno

For: 8

Against: 0

Abstain: 0

21. Consideration to award contract number 99-092, to the LOW BIDDER, for the purchase of six utility vehicles equipped with canine cages for the Police Department. These will be replacement vehicles. Funding is available in the Police Trust Fund. Delivery of these vehicles is expected within ninety to one hundred and twenty days.

Francisco Meza, Purchasing Department, reported that the low bidder for the six vehicles is Philpott Ford out of the three bidders at a unit cost of \$30,418.00 for a total contract price of \$182,508.00.

Motion to approve.

Moved : Cm. Agredano

Second: Cw. Moreno

For: 8

Against: 0

Abstain: 0

22. Consideration to award contract number 99-093, to the LOW BIDDER, for the purchase of twelve motorcycles for the Police Department - Traffic Division. Eight motorcycles are replacements for 1995 motorcycles. Funding is available in the Police Trust Fund budget. Delivery of these vehicles is expected within ninety days.

Mr. Meza reported that no bids were received for this item and they will rebid again.

23. Consideration to award contract number FY99-077, to Pace Analytical Services, Inc., Houston, Texas, in the total amount of \$19,104.00, for providing laboratory analytical services for groundwater samples collected at the City Landfill. This service is required to comply with requirements of the Texas Natural Resources Conservation Commission (TNRCC). The City

did receive a lower bid from Quanterra Incorporated, Houston, Texas, however this firm was unable to provide all services requested.

Motion to approve.

Moved : Cm. Agredano
Second: Cw. Moreno
For: 8

Against: 0 Abstain: 0

- 24. Consideration to award a construction contract to the SOLE BIDDER, Pete Gallegos Paving, Inc., Laredo, Texas, and approval of change order no. 1 in the amount (decrease) of \$43,999.00, for a net construction contract award of \$241,501.00 for the Chaparral Drainage Improvements from Calton Road to Canal Street. Funding is available in the 1998 CO Issue and Capital Improvement Fund Chaparral - Drainage-Park/Chaparral and Chaparral Pilot Channel.

Motion to approve.

Moved : Cm. Agredano
Second: Cw. Moreno
For: 8

Against: 0 Abstain: 0

- 25. Consideration to award a construction contract to the LOWEST BIDDER, Pete Gallegos Paving Inc., Laredo, Texas, in the amount of \$34,840.00 for the Reconstruction of Los Dos Laredos Park Sidewalk and Fence (West Side Only). Funding is available in the Capital Improvement Fund Los Dos Laredos Project. Additional funding will come from reserve.

Motion to approve.

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

Against: 0 Abstain: 0

- 26. Consideration to award a six month supply contract number 99-082 to the LOW BIDDER, Arnold Oil Co. dba Lone Star Lubricants, Laredo, Texas, in the estimated amount of \$20,531.95, for the purchase of lubricants for the Fleet Maintenance Division. The bid pricing will be firm during this six month period and all items will be purchased on an as need basis. The bid pricing is approximately 3% less than the previous contract period.

Motion to approve.

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

Against: 0 Abstain: 0

27. Consideration to award a contract to the LOWEST PROPOSAL, Transcore, Harrisburg, PA, for the Laredo Toll Collection System Upgrade to all four (4) International Bridges in the amount of \$8,442,136. Funding is available in our interim loan agreement with Norwest Bank Texas, N.A. and in the Bridge Tax-Exempt Bond.

Motion to approve.

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

Against: 0 Abstain: 0

28. Consideration to approve change order no. 3, a net increase of \$25,568.00 to the construction contract with MW Builders, Inc., for additional utilities construction work required on the Border Station Facilities for the Northwest International Bridge (Fourth Bridge). The original construction contract amount was \$29,277,000.00. This change order brings the total construction contract amount to \$30,365,445.50. Funding is available in the Bridge System Bridge #4 - Tax Exempt Bond Improvements Other Than Buildings.

Motion to approve.

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

Against: 0 Abstain: 0

29. Consideration to approve change order no. 3, a net decrease/increase of \$95,854.17 and approval to increase the contract time by 424 calendar days, approval to retain \$55,000 for the completion of pending items; and approval to release partial retainage in the amount of \$191,201 to Reddy Engineers and Contractors, Inc. in Houston, Texas, for the South Laredo Wastewater Treatment Plant Expansion from 3 million gallons per day to 6 million. Change order no. 3 is for miscellaneous additions and deletions of items in the project.

Fernando Roman, Utilities Department, explained the 424 day increase on the contract time. He said there are 14 items that add to that total and explained that the project was started late because of modifications made to the project. He added

that there was a typo on the first line, that it should read "increase" instead of "decrease/increase".

Motion to approve the increase.

Moved : Cm. Bruni
Second: Cw. Moreno
For: 8

Against: 0 Abstain: 0

30. Consideration to approve change order no. 4, an increase of \$75,000.00 to the construction contract with MW Builders, Inc., to accelerate the construction of the Empty Truck inspection building from its current Stage 2 completion to a Stage Substantial I Completion of March 15, 2000, for the Border Station Facilities for the Laredo Northwest International Bridge (Fourth Bridge). The original construction contract amount was \$29,277.00. This change order brings the total construction contract amount to \$30,440,445.50. Funding is available in the Bridge System Bridge #4 - Taxable Bond Buildings.

Motion to approve.

Moved : Cm. Bruni
Second: Cw. Moreno
For: 8

Against: 0 Abstain: 0

31. Consideration to authorize final payment to Dominguez Construction Company, Laredo, Texas, and concurrent approval of change order no. 1 in the amount of \$4,671.00 for the replacement of pool skimmers, ladders and tile safety markers, for a final payment of \$136,671.00 for the Civic Center Swimming Pool Renovation Project.

Motion to approve.

Moved : Cm. Bruni
Second: Cw. Moreno
For: 8

Against: 0 Abstain: 0

32. Consideration to authorize the cancellation of a purchase contract in the amount of \$59,613.00, for the purchase of one 12 cyd. dump truck for the Public Works Department with Laredo Diesel, Laredo, Texas, and authorize that new bids be solicited. The City has been notified by Laredo Diesel that they are unable to provide the dump truck in accordance to bid requirements, due to a shortage of a chassis that meets the City's requirements.

Motion to approve.

Moved : Cm. Bruni
Second: Cw. Moreno
For: 8

Against: 0 Abstain: 0

33. Consideration to authorize the rejection of the two proposals submitted for internet access and authorize that new request for proposals be accepted. The two proposals submitted do not fully comply with our requirements for dedicated internet service access. Staff will modify the proposal document to include provisions for faster access to the Internet through the City's Institutional Network (I-Net).

Motion to approve.

Moved : Cm. Bruni
Second: Cw. Moreno
For: 8

Against: 0 Abstain: 0

34. Consideration of refund of property tax to the following taxpayer and company:
- a. Perez, Alma U. in the amount of \$571.89 due to a double payment by the Mellon Mortgage Company and by Webb County Title and Abstract Company.
 - b. IH 35 TXDOT ACQUISITION, LTD., in the amount of \$597.42 due to the state exemption not being valid as per ARB order, Supplement 3, Cause #99-1152.

Motion to approve.

Moved : Cm. Bruni
Second: Cw. Moreno
For: 8

Against: 0 Abstain: 0

35. Consideration to authorize to terminate a contract agreement with World Tire Recycling for the rental of the tire shredder belonging to the City of Laredo.

Motion to approve.

Moved : Cm. Bruni
Second: Cw. Moreno
For: 8

Against: 0 Abstain: 0

36. Consideration to approve the General Fund Aid to Other Agencies Interlocal Government Agreement with the County of Webb for the

Elderly Nutrition Program of the Community Action Agency (CAA) for the Fiscal Year October 1, 1998 through September 30, 1999, in the amount of \$20,000.

Motion to approve.

Moved : Cm. Agredano

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

IX. STAFF REPORTS

37. Presentation to City Council regarding the Capital Improvement Program that will be on the City of Laredo's web page.

Keith Selman made the presentation highlighting the changes and updates since the last presentation. A video presentation of various projects was shown, and he also made a demonstration on how to access the CIP updates from the Web Page.

Mr. Selman went over the video presentation as follows:

- Land Acquisition at the Airport & Noise Abatement - 13 properties have been acquired.
- Bridge No. 4 NW Laredo - The bridge is about 74% complete, facilities are 11% complete.
- Tinaja/Chacon Creek Pilot Channel (Phase I) - is under design.
- Roofing Repairs-Ladrillera NHC Housing - Construction contract awarded on 4-29-99.
- Hamilton Hotel 108 Loan- demolition started on April, 1999.
- East Hachar Recreation Center - Design completed and pending council approval.
- Zacate Creek Linear Park - project is 65% complete.
- CD Sidewalk Program (H/C ramp/school approaches CD area) - 77% complete.
- Paving Project #60 - utility 96% & paving project 50% - 9 blocks completed.
- Paving Project #61 - A/E under design
- Calle del Norte & W. St. James Signalization - Controller equipment on order.
- CBD Traffic Signal Controller Upgrade - Controller equipment on order.
- Industrial/Santa Maria Signalization - Controller equipment on order.
- McPherson/Fenwick Signalization - Controller equipment on order.
- Speed Hump Initiative - bids being solicited 5/13 and the

- bid opening will be forth coming.
- Street Signs - contract for installation to begin on 5/5/99.
 - US 59 Street Lights - installation to begin May 5, 1999.

Cm. Valdez requested that the Del Mar Widening Project (Springfield/McPherson) be deleted from the list. He is concerned that constituents will see this project on the Web Page and start calling him about it.

Mr. Selman explained the project was approved for engineering purposes only and not for construction. The money for the engineering has been spent already.

Cm. Valdez then asked to list it from McPherson to the Loop.

Mr. Selman replied they will recommend this project to be moved into subsequent years, probably until 2004, and it would be presented as an unfunded proposed project. It was determined to have this project labeled as "deferred".

Cm. Agredano asked about a traffic light for Hwy 83 and Southgate. He said that the foundation is already prepared.

Mr. Selman replied this was not programed into this year's CIP, but if the foundation is there, then the traffic device may be on order.

Cw. Moreno asked about the Frost drainage project that was funded through last year's bond sale. Supposedly, this was going to be one of the priority projects.

Rogelio Rivera, City Engineer, replied that they just received the plans. He explained that problems arose on San Francisco, McPherson/Plum and Frost, because the design became much more complicated than expected; therefore, increasing the estimated cost. He said the revised cost estimate will be provided at the next Council meeting.

After further discussion on the Frost Project it was determined that somehow it was not listed on the CIP list. City Manager Pena requested that this item be included on the CIP.

Larry Dovalina, Assistant City Manager, gave an update on the Killam Project. He said the design was awarded on April 6th and after continued negotiations they got a contract today. The Legal Department is working on the paperwork to have the rights-of-way donated.

38. Presentation regarding the status of the Laredo Northwest International Bridge (Fourth Bridge) for the month of April 1999.

Erasmus Villarreal, Community Development Assistant Director, presented a video on the Fourth Bridge construction progress and made the presentation.

**LAREDO INTERNATIONAL BRIDGE (FOURTH BRIDGE)
STATUS REPORT**

BRIDGE STRUCTURE

A construction contract was awarded to Summit Contracting, Inc. of Weslaco, Texas in the amount of \$2,182,436.60.

Construction Status of U.S. portion of bridge:

Substructure

Drilled Shafts	41 of 41	100% complete
Columns	32 of 32	100% complete
Caps	5 of 5	100% complete

Superstructure

Beams Fabricated	80 of 80	100% complete
Beams Erected	80 of 80	100% complete
Precast Panels Fabricated	915 of 915	100% complete
Precast Panels Erected	915 of 915	100% complete
Cast-in-place Slab	0 of 5	0% complete

Miscellaneous Items

Concrete Approach Slab	0% complete
Interior Rail	0% complete
Exterior Rail	0% complete
Light Poles	0% complete
Security Fence	0% complete
Rip Rap	63% complete
Excavation at Bridge end	95% complete

Amount of Bridge's construction complete is 71%. The scheduled date for completion is July 1999, a month ahead of the required completion date of August 27, 1999.

BORDER FACILITIES

A contract was awarded on January 4, 1999 to M.W. Builders, Inc. from Temple, Texas in the amount of \$29,277,000.

The construction will be completed in 2 stages:

Stage I - Would allow the City to commence operations on March 15, 2000.

Stage II- Would follow with an additional 6 months of construction and therefore completion of Phase IA of the Border Facilities would be fully constructed by September 15, 2000.

The City identified in the plans and specs liquidated damages of \$4,500/day for completion after March 15, 2000.

On January 18, 1999, following the meeting in Mexico City, City Council was presented with Change Order No. 1 to the Construction Contract with M.W. Builders, Inc. The change order includes the following:

1. The original Construction Contract time was changed from September 15, 2000 to March 15, 2000.
2. Also, as an incentive, the contractor will be paid \$4,500 for each calendar day that all work and construction in Stage I Facilities is complete and operational prior to March 15, 2000. This incentive will be paid up to a maximum of 60 calendar days for a maximum of \$270,000.00.

CONSTRUCTION STATUS OF U.S. BORDER FACILITIES

<u>Item</u>	<u>Qty. Complete</u>	<u>% Complete</u>
Mobilization	1.00	100%
Clear & Grub Site	0.90	90%
Site Cut & Fill	0.45	45%
Import Dock	0.20	20%
Site Utilities	0.35	35%
Off-Site Utilities	0.20	20%

Amount of U.S. Border Facilities Construction completed: 11%

Note: Those items for which work has not yet commenced are not included above.

ROADWAY - TXDOT:

Milo Approach:

It is 24.57% complete and the total time used 15.10%. A total contract amount of \$32,842,589.99 was awarded in February 1999.

Embankments on the project	75% complete
Concrete Box Culvert #2	100% complete
Concrete Box Culvert #3	75% complete
Concrete Box Culvert #4	10% complete

Riverbank Bridge:

Drill shafts	100% complete
Concrete columns	100% complete
Large box Culvert (Culvert #1, just needs the wing wall to be constructed)	100% complete
FM 1472 Bridge:	
Drill shaft work	100% complete
Columns	95% complete
Retaining Walls on the west side of the roadway	60% complete
FM 1472 Roadway:	
Concrete roadway pavement	15% complete
FM 1472 Connector:	
The drill shaft work for the connector has started	45% complete

Phase II includes 2 bridges for railroad tracks, 4 new bridges on IH35 and 2 direct connectors from southbound IH35 to northbound Loop and eastbound Loop to northbound IH35. The phase will be let in July 1999.

MEXICO

A contract was awarded to Empresas ICA in the amount of \$18 million pesos and construction began August 1998.

CONSTRUCTION STATUS OF MEXICO'S PORTION OF BRIDGE

Substructure

	Quantity Complete	% Complete
Drilled Shafts	41 of 41	100% complete
Columns	32 of 32	100% complete
Caps	5 of 5	100% complete

Superstructure

Beams Fabricated	80 of 80	100% complete
Beams Erected	80 of 80	100% complete
Precast Panels Fabricated	1240 of 1290	96% complete
Precast Panels Erected	1125 of 1290	87% complete
Cast-in-place Slab	0 of 5	0% complete

Miscellaneous Items

Concrete Approach Slab	0% complete
Interior Rail	0% complete
Exterior Rail	0% complete
Light Poles	0% complete
Rip Rap	63% complete

Embankment at Bridge's end 95% complete
Amount of Bridge construction completed: 60% complete

Roadway/Interchange and Border Facilities:

A contract was awarded on January 8, 1999 to Andrade Gutierrez at a cost of \$456,228,818.18 pesos for both the Border Facilities and the Roadway Contractor has not started yet.
(End of report)

Florencio Pena, City Manager, informed Council that the City awarded a contract to Transcore for the Weigh-In-Motion System, but an additional \$1.4 million is being added to the cost of this project in order to meet the April 15, 2000 date. He explained there is a phasing in which the provider has to make to the system to become operational on Bridge IV for commercial cargo. That's costing us \$1.4 million. If we have had waited to finish the project in September, as originally established, that \$1.4 million cost would not have been there. The rest of the Weigh-In-Motion system would be completed on September, 2000. Current plans call for the Weigh-In-Motion system to be placed for traffic going southbound. Staff has talked to Mexican Customs about extending the system over to their side.

Mr. Pena stated that Mexico terminated its contract with the border facilities and roadway contractor and the contract was not executed. Our Mexican counterparts anticipate receiving bids by June 15, 1999 and confirmed that March 15, 1999 is still the deadline.

Mayor Flores suggested that we schedule weekly meetings with Mexico, in case the date is changed.

Mr. Pena replied that we need to contact Secretaria de Comunicaciones y Transportes (SCT), which is the entity which we entered into contract with. He added that SCT headquarters are in Mexico City and they need to meet with them and ask them for a set schedule to meet every two or three weeks. He said the trip can be planned sooner than the award date and right after that contract is awarded, they shall meet with Mexico on a continual basis.

He added that the bid was put out with the February 28th completion date and we need to insist to them to phase the project since we phased this project in order to meet a deadline that they wanted us to meet.

Mayor Flores said that we have asked them if they wanted us to move to June instead of April and they said no, they are saying that everything will be finished by March to open in April.

Cm. Valdez pointed out that he has been a part of those trips to Mexico and they have always insisted on pushing the project up so they have to follow through.

Mayor Flores said that the only advantage of going with June is that by June we will have a lot of the other roadways done.

Mr. Pena said that the change order approved today is to complete the empty truck facility by March 15th, so we are continuing to work with that deadline.

Mayor Flores added that we have tried to do everything they have asked us to do so, so now it is in their ball court.

At this time Cm. Alvarado spoke in reference to a traffic incident that occurred at the area of Mines Road whereby some lanes were close due to pouring of concrete. He said he received many complaint calls and there was a police officer that lives at La Bota Ranch who called his office insisting that he should go out to the area and view first hand for himself the amount of traffic generated due to the closing of lanes forcing traffic operation into one lane. He added he wants the Chief of Police to instruct officers that patrol that area to act immediately to provide traffic management in order to facilitate traffic movement and not get into another situation such as the one mentioned where people were stuck in such a short distance for a very long period of time to get across.

Chief of Police Agustin Dovalina stated that Cm. Alvarado's complaints and concerns are noted and he will look into the matter.

39. Status report of the City of Laredo International Airport Noise Compatibility Program for the month of May 1999 and adoption of the changes to the Noise Compatibility Program Policy Guide.

Erasmus Villarreal of Community Development, reported that on Group I the first 50 families were selected. Out of the first 50 selected, 20 appraisals were completed under Fee Simple Acquisition. Out of the 20 offers presented, 16 parcels have been currently acquired; seven families have chosen the acoustical treatment process; 13 have chosen the avigation

easement process; two are undecided as to which of the three methods they want to go with; four were not owners and currently did not qualify for the program; and four did not choose to participate in neither of the three programs.

Under the Avigation Easement, out of 13 families that have chosen this program, 13 letters have been presented informing them of the 8 percent to be offered to acquire avigation easements. Five (5) have signed up for the program and appraisal work is proceeding. Eight (8) are pending and will reply shortly.

In reference to Acoustical Program, the proposed contract for the consulting work on this program was received on May 10th. Staff is reviewing the draft and shortly they will make recommendations to council. The Acoustical Program will take between 5 and 6 months to actually start with construction due to necessary procedures as dictated by FAA.

Fifty letters were mailed out to prospective Group II Program participants to invite them to a meeting. The meeting was held on May 13th and the program was explained to 37 attendees. Out of the 37 residents, 17 chose to do Fee Simple Acquisition. Five (5) chose Avigation Easement; two (2) decided to do Acoustical Treatment; four (4) did not qualify for the program; and nine (9) are undecided. The non-attendees will be contacted individually.

Mr. Villarreal said that they would like City Council to adopt some changes to the Noise Compatibility Program Guidelines which were adopted in July 6, 1998. He explained that in the course of running the program they found out that an appraisal of the property has to be done anyway. If the person decides to change his/her mind as what he/she would like to do whether Fee Simple Acquisition or Avigation Easement, the city has already incurred an expense. Mr. Villarreal asked Council to give them flexibility to allow residents a choice in case they change their mind on what they originally indicated. That would allow staff to possibly give these residents three choices instead of one. The only time whereby they will not be offered a change would be for example if residents chose an acoustical program and the consultant determines that it is not feasible to do an acoustical treatment. At that point and time we would just say, "I am sorry, that choice is not available to you because it is not feasible".

Second change proposed would be that all residences constructed after October 14, 1994 should not be eligible to participate in

the program. The original cut-off date was January 3, 1994 as per City Council ordinance. They are proposing to concur with October 14, 1994 which is the date that FAA approved under this program as opposed to January 3rd.

Third change proposed is that rather than going out designating different areas/residences that would be acquired, that once an area/residence is acquired that we add one more on a continuing program so that it be a continuous process.

The original guidelines give the owner/occupant a maximum of 90 days to accept an offer from the city, but in order to expedite the process, Mr. Villarreal recommends that after an offer is made a follow-up call from our staff to the resident should be made within 5-10 days. If there is no response, then a certified letter would follow allowing the resident a maximum of 30 days to accept or decline the offer. The deadline can be extended in a case by case basis if there are extenuating circumstances.

Motion to bring the four items proposed by staff in the form of an ordinance for council consideration.

Moved : Cm. Bruni

Second: Cm. Galo

For: 8

Against: 0

Abstain: 0

40. Request for Executive Session pursuant to Texas Government Code Section 551.072 in regards to deliberating the purchase, exchange, lease, or value of real property, because deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with the incumbent commercial passenger airlines operating at the Laredo International Airport, and return to Open Session for possible action.

Motion to go into Executive Session pursuant to Texas Government Code Section 551.072 in regards to deliberating the purchase, exchange, lease, or value of real property, because deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with the incumbent commercial passenger airlines operating at the Laredo International Airport, and return to Open Session for possible action.

Moved : Cm. Alvarado

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

San Miguel and Assistant Chief Granados. Chief Dovalina expressed that National Police Week 1999 was a successful endeavor. The Laredo Police Department observed National Police Week this past week (May 9 through May 15th). He mentioned a number of activities that took place to honor all the city's law enforcement officers. He added that all were well attended events enjoyed by everyone.

They had originally wanted to honor the Mayor and the City Council at their awards night, but there was a conflict with the previously scheduled workshop and they were unable to attend, but they did send a special treat in their place, the Mariachi Popular. At this time he presented Mayor Flores and the City Council with a plaque as a token of their appreciation for all they do for their Police Department and their continued support.

- B. Mayor and Council presented a Certificate of recognition to United South High School Marine Corp Jr. ROTC Drill Team for placing first at the 1999 Challenge level armed drill team National Championship at Daytona Beach, Florida and to the Ladies unarmed drill team for placing 10th nationally.
- C. Mayor Flores asked Mr. Joe Garcia and Mrs. Diana Miranda to the podium. She said that often Councilmembers don't get recognized for the work they do, but from time to time there are citizens who would like to make a special recognition.

Joe Garcia, District VI resident, and Diana E. Miranda, Trautmann Elementary School Principal, made a presentation to Cm. Joe Guerra in appreciation for the sidewalk project. Ms. Miranda quoted, "Due to Cm. Guerra's efforts and through his colleagues support there are sidewalks around our school." She thanked City Council for the approval of this project.

- D. Jesus Ponce and Luis Diaz De Leon, from the GI Forum, spoke on behalf of Mr. Jesus Hernandez regarding the 37 Hispanic Congressional Medal of Honor recipients. They would like to erect a monument honoring these people, and perhaps display their names at the library.

Cm. Galo stated he would sponsor Mr. Jesus Hernandez in this project. He asked that the City Secretary put this item for the next council meeting.

- E. Luis Tinajero from the Police Department introduced some of the graduates of the Citizens Police Academy. He said this was the first class, it had 38 graduates, and spoke of their experiences.

- F. Mayor Flores thanked the news media for the excellent coverage they gave on Laura Bush's trip to Laredo on the kick-off of Folic Acid Campaign. The reports given were that in fact the Folic Acid Campaign has in fact reduced the neural tube births in Webb County and across the border. She thanked Health Department Director, Jerry Robinson, for holding a wonderful reception for Mrs. Laura Bush.
- G. Cm. Galo thanked the city staff and all the departments that worked on the Meadow Street overpass. He asked that they look at the sidewalk that goes over which is not passable by a wheelchair.
- H. Cm. Bruni submitted the cloud seeding activity report for the record as follows:

Southwest Texas Rain
Enhancement Association

Weekly Report 5/10/99 - 5/16/99

<u>Date</u>	<u>Weather</u>	<u>Activities Summary</u>
5/10/99	No report received	Late afternoon 5:52 P.M. the Cotulla aircraft was launched and worked a 20,000 foot cell in North Central LaSalle County. 22 burn-in-place flares were used. Excellent results.
5/11/99	Partly cloudy skies with chance of late afternoon thunderstorms	No seeding operations
5/12/99	Mostly sunny with temperatures near 90	No seeding operations
5/13/99	Partly cloudy with breezy southeasterly winds	No seeding operations
5/14/99	Partly cloudy w/brisk southeasterly winds	No seeding operations
5/15/99	Partly cloudy w/brisk southeasterly winds	No seeding operations

5/16/99 Partly cloudy skies by No seeding operations
 afternoon w/skies becoming
 overcast by night

(End of Report)

XI. CITY COUNCIL PRESENTATION AND DISCUSSION

42. Requests by Mayor and City Council members for presentation and discussion.

A. Request by Mayor Elizabeth G. Flores

1. Status report on Legislative issues.

Mario Martinez and Rep. Henry Cuellar reported on pending legislation.

Representative Cuellar provided the following information:

- The "big" bills such as public education, electric deregulation, and telecommunications, among others are still pending.
- One of the bills that passed was the one that would allow the University of Texas to accept some property.
- Rep. Cuellar is expecting a letter from the Governor's Office in which they are willing to fund \$200,000 to set up a juvenile boot camp in Laredo.
- Senate Bill 1421, pertaining to the Colonias issues, is in the House.

Mr. Mario Martinez elaborated on three issues:

- There were five bills pertaining to tire recycling issues. Four bills died but one, HB 3132 made it all the way through the system and was tagged in the Senate.
- Addressing a concern by our Tax Department, he informed on Senate Bill 1118 which relates to the date by which the governing body of a taxing unit was to adopt a valorem tax rate for the unit. This bill clearly stated that 31 days was the maximum time span for the taxing unit to post the actual tax rate. Mr. Martinez worked with Rep. Cuellar on this issue and Rep. Cuellar met with Rep. Dora Olivo (the house sponsor on that bill) and they were able to get an amendment that extended the 31-day period up to a 45-day minimum and a 60-day maximum.
- There is still some action on the Garvie Bond Bill. They are trying to work with the chairman on trying to, at least, get the bill streamed in committee, allow the bill

to come out in the script version, get it to conference, and then try to work some type of negotiation on the Conference Committee. That discussion took place today and there are still some serious considerations on it.

- Mr. Bob Strauss reported on two issues:
- Prime security services on the Sunset Bill which relates to private security services, finally passed in the house today.
 - He reported that on the sales tax exemptions it appears that diapers and medicine sales tax exemption are most likely to pass. There are two versions, HB 2171 (diapers) and HB 2372 (drugs). These bills are out of the House and are in the Senate Finance Committee. The Senate has taken out the language that the House put in permitting the cities to opt out. There is no opportunity in those bills for city exemption.

Mrs. Andrea McWilliams gave an update report on Senate Bill 7 (Electric Bill) and House Bill 1777 (Telecommunications Municipal Franchise).

- On reference to the electric bill, she said that the electric restructuring bill passed at the House Affairs Committee last Wednesday. It has been since, at the house calendar's committee today and will be in the house calendar for consideration sometime between Wednesday and Friday of this week.
- Under the bill competition for electricity will begin January 1, 2002. It freezes rates at September 1, 1999 all the way to January 1, 2002. On January 1, 2002 there will be a 6% rate reduction for all customers who receive electricity.
- Municipal Franchise Fees, any franchise fee agreement that was effective before January 1, 2002 which would include the City of Laredo is automatically grandfathered.
At the start date of competition, Laredo does have the option to oppose the franchise fee to the Electric Utility or Transmission/Distribution Utility that services the municipality. They calculated on "a kilowatt hour" to each retail customer within the city boundaries. The charges at least equal to the total municipal franchise revenue received by Laredo in 1998, so that is a big win for us, we stay at current level and any other growth, meaning any other kilowatt hours that are over and above will be adjusted to increase our

amount that we received in 1998.

- The bill actually prohibits the municipal franchise fee from being passed on to the consumers which is a great thing for the City of Laredo, because instead of consumers paying the municipal fee, the retail electrical provider will be required to pay it instead.
- It allows us to conduct audits of the utility.
- Also, notwithstanding the kilowatt charge calculating the bill after the expiration of our existing franchise fee agreement Laredo and the Utility Commission agree to a different level of compensation, but it has to be a mutual agreement, it can't be upon decision of the utility.
- A real win to Laredo are that two amendments were added in the bill that allows for aggregation. Aggregation allows for different entities to aggregate together in order to be more attractive to retail electric providers so they can negotiate lower rate for their electricity.
- Two provisions that will help the City of Laredo are:
 - 1) The city will be allowed to aggregate their facilities together. Meaning all facilities and different facilities in order to negotiate a lower price for service.
 - 2) Also, allow the city to serve as an aggregator on behalf of the citizens, so if a citizen opts into an aggregation agreement (that the city draws up), the city will be allowed to be the aggregator for its citizens. Should the city decide to become an aggregator, there is a requirement to register with PUC.
- There is a big win on "stranded cost allocation". This are investments made by utilities in a regulated environment. Those stranded costs pay for essentially bad investments that were made by the utilities. On the "old version of the bill" the stranded costs were allocated to consumers as well as the large industrial users. The way the new bill is written, "50% will be paid by the large industrial users instead of the consumers". In addition to the 6% rate reduction, Laredo will see when competition starts on January 1, 2002. They are also going to see less of that stranded cost allocation on the consumers and instead on business of large industrial users.
- House Bill 1777 is a Telecommunications Municipal Franchise Fee legislation that is on the Senate calendar for tomorrow. It's expected to pass tomorrow on the Senate floor with no changes.

- This requires the telecommunications provider to pay the city for use of the rights-of-way.
- The good news about the bill is that it grandfathers all the franchise fee agreements that the city executed before January 12, 1999.
- Another great thing is that it is light the electric bill, it establishes a base amount. What we received in 1998 it will not go any lower than that.
- It allows the PUC to establish an average access line rate. This means that by March 1, 2000 the commission has to look at every access line rate charged.
- Allows Laredo to initiate legal action against any telecom provider that has not paid municipal franchise fees according to our old agreement.

2. Presentation and status report by the Airport Advisory Board.

Dr. Crispin E. Sanchez spoke in reference to a newspaper article and stated that he had a polite request as mentioned in his interview for the newspaper. He quoted, "I think the process is the one that is bad. I do not see how this can function, and function well." He gave an overview of the history of the problem and quoted that City Manager Marvin Townsend was the one that caused the problem. He added that they do not have any power in the Airport Board due to the fact that he changed a word, "shall" to "may". He reported that the board actually doesn't do much because they don't have any power. He asked that City Council do something about the process. Mr. Sanchez said they are basically an advisory board, they are toothless tigers, and they don't have "no say so". The solution to the problem is simple - change the board's authorizing ordinance that defines and expands the authority of the airport board and allows the board to report directly to council.

Mr. John Fitzgibbons said that airlines were deregulated in 1978 and as a result, over four times the number of people flying then are now flying. Prices have come down in accordance with the present economic situations, but like any other large industry that affects a large number of people, especially one that operates in a profit motive, there are certain abuses that come into play. Ambitious CEO's of the airlines, the company, etc., which become an absolute burden and is an unfair discrimination to towns and cities of the United States. He added we are not the only ones hostage by the airlines, others are

also, but what some of those people are doing is joining together with others such as Chamber of Commerce, City Councils, County Governments, etc. in writing and calling their representatives and senators.

He now sees that a couple of City Councilmembers have something to say about the airlines from time to time; however, it does not get any farther than the Laredo Times or the Laredo Sun. He suggests that we do what these other cities are now doing and that is to have their Chamber of Commerce and all these other organizations join in and write or call our congressmen, senators, or representatives in this regard. He suggested that we get the county, other organizations, colleges, maquiladoras, and CEO's to join together so that we will have more power.

Mr. Charles Martens spoke in reference to the airport fund. He said the airport fire protection cost and the new passenger terminal figures have burdened the airport fund.

After elaborating on the airport fund subject, he made reference to the 50 acres that were transferred to Mercy Regional which were approved by City Council and FAA (to sell the property that adjoins the Mercy Medical Regional Facility). He said three tracks were sold and one was left. As a group they will be discussing this at the board meetings, but wants to touch on this issue at this time and describe if they can get an easement which has been already discussed with Mr. Morgan from Mercy so they can raise the value of that property by not being landlocked. He said that way traffic can ingress/egress off at Saunders instead of going onto the property and having to exit the property on Saunders. All that is needed is like a curb cut easement which would help raise the value of the property and help with the budget problems.

He added that another thing that they would like to keep is the Airport Marketing Manager's position.

He also went over other issues that will be discussed at the Advisory Board level which will then be brought before City Council.

Jorge Trevino, Chairman of the Airport Advisory Board, reported that he felt that allowing citizens to serve as

board members is a good way to manage the political and public process of assets and investments of the City of Laredo. In this process, the board members have the ability to speak to the individual Councilmember, have discussions with him/her and then go back to the board to make presentations and advise city staff. However, this process has difficulties like other organizations. For instance, different board members come and go.

A very important item that was accomplished by the board is the master plan. There are new streets, a new terminal, among other benefits. However, along with the development and growth, the board had encountered additional problems. One is the revenue, in which City Council can help. Some of the problems include negotiating leases with the airlines, the airport not being reimbursed for providing land to Parks and for providing some facilities for Public Works, and paying the city for firefighting services. The airport receives in-kind services, but it has never been listed as to what is the monetary value for those services. The airport is having a \$700,000 shortfall this year. Part of it is the firefighting services and others are energy or services being required by our maintenance contractors.

Another matter that needs to be worked is the marketing of our airport. Although there is a shortfall, marketing services, which require money, must be provided. The airport is the least advertised asset. Also, we need to find a solution to the traffic that will be generated if the airport grows like we are planning. We need to plan for growth now, and that costs money.

Mr. Trevino added that the growth has been financed through grants, approximately \$48 million, but the airport had to match them. Most of the money came out from the sale of land, and now there isn't any more land to sell. He feels that we just need to get other matters in line.

Cm. Bruni presented remarks regarding American Airlines as follows:

"Madame Mayor and fellow Council Members:

No doubt you have read the developments which occurred last week regarding one of our air service carriers, American Airlines.

For those of you unaware of the situation, the United States Department of Justice has filed an anti-trust lawsuit against American Airlines, accusing that company that does business here at our airport, of monopolizing DFW Airport in the Metroplex.

In a nutshell, American Airlines was slashing prices and adding flights in an attempt to drive its smaller competitors into oblivion. Once the other airlines flew out the door, American Airlines shot its prices up and decreased its flight schedule. The consumer was left dangling in the after-math.

In the words of Attorney General Janet Reno, regarding American Airlines: "It is the public who loses out when major airlines succeed in driving low-cost competitors out."

These kinds of practices are a throwback to the goings-on which occurred in America during the last turn-of-the-century when steel mills and railroads were being monopolized. The only solution available was the passage of the Sherman Anti-Trust Act. But, just as the architects of this Act chose to be pro-active and not tolerate the vicious trade practices employed by the steel and railroad industry, so should this Council make every effort to show American Airlines and any other entity wanting to do business in the City of Laredo that we will not look the other way if the situation repeats itself in our area.

Madame Mayor and fellow Council Members, if you recall last week's City Council meeting, we received testimony from our Airport Advisory Board regarding American Airlines and other airport entities.

I strongly suggest that we invite a representative from this particular airline to come before Council and state its intentions about how it plans to continue conducting business here in Laredo.

I furthermore suggest that the representative explain to us and to the Laredo consumer about the situation at DFW. I have always remained steadfast in my commitment to securing jet service for Laredo. That has been chief among my priorities since I first took office. But, if we are going to have jet service in Laredo, let's make

sure that it's done in a fair and equitable manner, not in the way we've seen at DFW.

The Justice Department doesn't tolerate it and neither should this City Council.

Thank you."

Motion to instruct staff to fill the airport marketing position and seek the funding source for that particular position.

Moved : Cm. Bruni

Second: Cm. Galo

For: 8

Against: 0

Abstain: 0

Note: At this point items 42(E)1 and 42(F)1 were moved up.

3. Recognition of the City of Laredo Time Warner Scholarship recipients.

Texas A&M International University (TAMIU)

(4) YEAR SCHOLARSHIP

a. Antonio Ibarra Cigarroa High School - \$12,000

b. Brenda A. Trujillo Cigarroa High School - \$12,000

Texas A&M International University (TAMIU)

(2) YEAR SCHOLARSHIP

a. Norma P. Cantu Laredo Community College - \$6,000

b. Steven Gutierrez Laredo Community College - \$6,000

c. Jaime Mendoza Laredo Community College - \$6,000

Mr. Esteban Ventura, on behalf of Paragon Cable/Time Warner, made the presentation of scholarships and thanked the City of Laredo, City Council, TAMIU, the committee that selects these students, and congratulated all the recipients of the scholarships.

Scholarships were presented to Antonio Ibarra, Brenda A. Trujillo, Norma P. Cantu, Steven Gutierrez, and Jaime Mendoza.

B. Request by Council member Alfredo Agredano

1. Consideration to center the Mayor's name on the plaque to be dedicated for the Laredo Northwest International Fourth Bridge with possible action.

Motion to approve.

away, firefighters want to ensure that their families would be covered by paying the appropriate premium. Mr. Alarcon referred to TML's book on medical benefits. He quoted, "Termination date of coverage retired persons and their dependents," at the end, enclosed by parentheses written by pen, it says, "Coverage for dependents cannot extend beyond the date coverage for the retiree ends, unless the dependent is a surviving spouse or dependent children of the retiree and were (was) covered under the plan at the time of the retiree's death. Surviving spouse coverage terminates upon remarriage, not upon his death."

Jose Gonzalez, firefighter, said he filed a grievance on the contract. Under the contract the City would provide the health benefit plan for our retirees. He questioned, what is the health benefits plan for the retirees? His question was, if this is in the City Policy why do they have to go through a grievance process? Spouses should be covered under a policy that was approved by City Council already?

Florencio Pena, City Manager, said they have been working on this for three or four months. Mr. Dan Migura and City Attorney Flores have looked at it and basically it is a contract matter. He said that Mr. Migura will give an overview of the difference between what the plan says and what the medical benefits are in contract with the union.

Dan Migura, Administrative Services Director, explained that there are two different issues that are being addressed here 1) a collective bargaining issue of what the contract says and 2) whether or not the contract addresses this issue.

The contract refers to the health benefits plan which is a plan that all of our employees are administered by. Our current health plan does have a continuation of coverage provision. In the case of a retiree, whether a firefighter, police officer, or whether they are a regular employee, (if the retiree is deceased) the family will then be allowed to continue their health insurance coverage providing they pay the premiums for 36 months.

He said that what we have is not uncommon, the industry standard is 36 months. He is not aware of any that exceeds that 36 month surviving spouse benefit. We do

have reports from TML (third party administrator) and they are not able to identify any cities that are currently part of that system that exceed the 36 month spouse benefit. He added that because we are a self funded organization meaning that when we incur a claim, we pay the claim and it comes out of our city fund. That fund is comprised of contributions from employees as well as contributions from our departments, as we put that fund together to off-set the cost of our claims. He said they need to look at that very carefully. Any additional burden to that fund in the way of extended benefits is going to have an impact. He added that they need to discuss that issue and look at that it intelligently.

He added that when looking at insurance companies many times people don't draw the distinction between an insurance plan where you pay a provider to provide the coverage of a self funded plan. There might be some exceptions out there, but generally they stick to the COBRA mandated provision of a 36-month continuation of coverage for a surviving spouse and/or dependents.

Cm. Valdez stated that in looking at the list of firefighters some have died very young, it is a high incidence, and the profession contributes to that. Some of their spouses are raising their children and he is seriously concerned about it. He would like to see what can be done.

Cw. Moreno question, what does this mean then?

Mr. Migura answered, that it talks about the termination of a benefit saying that the continuation of coverage will cease at the time that the spouse remarries.

Cw. Moreno stated that it says that it will continue.

Mr. Migura answered that this does not address the continuation of coverage benefit that is also in that booklet, that very clearly specifies that.

Cw. Moreno asked if what we are saying is that this is not true.

Mr. Migura said that we are saying that the qualification will supersede the continuation of coverage benefit, that if you are a surviving spouse and you remarry.

Cw. Moreno said that is alright, but if the spouse doesn't remarry, then what Mr. Migura is saying is that this does not address the issue.

Mr. Migura said it's not addressing the continuation of benefits under the COBRA or the continuation of coverage benefits which are addressed elsewhere.

Cw. Moreno said this is addressing the continuation of your benefits with or without COBRA. COBRA is apart, it is not something that we provide, Cobra is federal law, it is just an insurance out there to make sure that we don't just let people out there with nothing, but if our plan says that they will be covered, is this "not" what our plan says?

Mr. Migura replied, "What it says and what we do are two different things."

Cw. Moreno questioned the fact that Administrative Services is supposed to do what the benefits book says.

Mr. Migura added that it provides the terminology there, but it may be misleading when looking at the terminology. What addresses the continuation of coverage is COBRA.

Cw. Moreno quoted, "We have this plan here, it says that they are covered. So how can we have a plan and say we don't follow it?"

City Attorney Flores said they have met with Mr. Gonzalez several times on both issues on whether it is a collective bargaining issue or whether it is a health benefits plan issue. The intent of the meeting was to try to specifically define an effort to see whether this plan says something different for firefighters than it does for city employees or whether, in fact, a collective bargaining provides different benefits for firefighters than for employees.

Cw. Moreno asked, "Are you saying that employees don't have this benefit either?"

Mr. Flores confirmed. He said that the plan has to be read entirely. Under COBRA, the plan provides for extension of benefits to surviving spouses, page 51. COBRA eligibility determination maybe shortened by a remarriage of a surviving spouse. He further stated that

developers.

Moved : Cm. Bruni

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

D. Request by Council member Eliseo Valdez Jr.

1. Status report on community park improvements.

John Vidaurri, Parks & Recreation Director, reported that \$15,000 were budgeted for the community ball fields improvements. Eight bleachers, costing \$15,000 were purchased. The intention of this project is to improve the installation of regulation lighting, improve the parking lot and landscape, modify the irrigation system, install bleachers. Phase I was the bleacher installation; Phase II is the actual construction at the park site. The preliminary design for Phase II calls for the conversion of the senior league field to a regulation little league field with lighting and the construction of a new tea-ball field. The lighting installation is estimated at \$40,000. Out of the \$60,000 budgeted, there will not be much left for other improvements; however they expect the improvements construction to begin in July. The bids for the lighting system would be advertised in June.

2. Consideration with possible action for the City of Laredo to joint venture with local churches in any current or future recreational activities targeted for the youth of Laredo.

Cm. Valdez stated that he would like the Legal Department to look into having the City of Laredo joint venture with local churches in current or future recreational activities targeted for the youth of Laredo. He thinks we need to find innovative ways of leveraging our funds for recreational facilities in our community. If we cannot joint venture with local churches, perhaps we can waive some tapping or meter fees just to encourage this kind of projects.

Jaime Flores, City Attorney, reported that there are certain things that we can extend to work with churches. For instance, churches can donate property so that we can co-create recreational areas. As long as the city doesn't support the religion itself.

It was determined that if the City participates with local churches, the general public must be allowed to use the facilities.

Cm. Valdez instructed Mr. Vidaurri to take the lead and to contact the San Luis Rey Church and see if something can be worked out.

E. Request by Council member Joe A. Guerra

1. Presentation by Chuck Owen on the parking at El Metro Transit Center with possible action.

Chuck Owen reported that he pretended to park his motorcycle at El Metro garage, but found out that no motorcycles were allowed. Mr. Owen researched this further and found out it was not a city law. Mr. Gilbert Segovia, from El Metro, explained to him that the equipment was not designed to accommodate motorcycles. In fact, Mr. Owen had a demonstration proving that the system did not work with motorcycles. However, El Metro management gave instructions that the equipment gate be operated manually to let motorcycles park at El Metro.

F. Request by Council member Mario G. Alvarado

1. Status report on the proposed Robert Muller Park, with possible action.

Steve Snow, stated that the Planning, Engineering, and Environmental Departments have been satisfied. All the components are in place for Council to accept this park. In fact, the Parks Board Board has recommended that Council accept it. Environmental Engineering has only one concern, which is future pollution of the lake from run-off of hazardous material. The lake has been tested as clean. Because of the natural terrain, this could be a park with more wilderness. Mr. Snow added that we could possibly ask for a grant to keep the lake at a cost level with Park and Wildlife restocking it with fish.

John Vidaurri, Parks and Recreation Director, stated that Sierra Homes, the developer, is proposing to lever some funding into the project. Although there are different developmental schemes, he is proposing an open space type with nature trails, some park furniture, and construct a pier on the small lake that can be used for fishing.

Motion to accept the studies that have been done so that we can continue with the development of this park.

Moved : Cm. Alvarado

Second: Cm. Galo

For: 8

Against: 0

Abstain: 0

Note: At this point item #42(B)3.

XII. PUBLIC HEARINGS

43. Public hearing providing community residents an opportunity to comment on their housing and community needs and the projects they wish to see funded through the 25th Action Year (AY) Community Development Block Grant (CDBG), the 1999 HOME Investment Partnerships Grant, and the 1999 Emergency Shelter Grant in support of the preparation and submission of the 1999 Consolidated Plan to the U.S. Department of Housing and Urban Development. Also for discussion and comment is the FY97/98 Consolidated End-of-Year Performance Review regarding the City's administration of HUD Programs.

Motion to open the public hearing.

Moved : Cm. Bruni

Second: Cm. Galo

For: 8

Against: 0

Abstain: 0

Mayor Flores instructed Mr. Villarreal to contact Ms. Juanita De Luna who have signed to comment on this issue.

Cm. Valdez asked if there was something being done about housing for the homeless.

Ronnie Acosta, Community Development, informed Council that the Laredo Homeless Coalition is in the process of preparing an application to HUD.

Mr. Jesus Ponce asked that funds for shelter be made available to the veterans.

Motion to close the public hearing and introduce.

Moved : Cm. Bruni

Second: Cm. Galo

For: 8

Against: 0

Abstain: 0

September 1, 1998, through August 31, 1999.

INTRODUCTION OF AN ORDINANCE

Ordinance approving a budget revision in the amount of \$37,941, transferring this amount from the FY98 fund balance to the current budget, for the Maternal and Child Health (MCH) Program of the City of Laredo Health Department for the period September 1, 1998, through August 31, 1999.

Motion to open the public hearing.

Moved : Cm. Galo
Second: Cw. Moreno
For: 8

Against: 0 Abstain: 0

Jerry Robinson, Health Department Director, informed they are requesting this budget transfer. These are funds that were earned and accrued in a prior fiscal year, but they are wishing to transfer those forward into the current fiscal year to pay the current bills.

There was no public input.

Motion to close the public hearing and introduce.

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

Against: 0 Abstain: 0

Ordinance Introduction: City Council

48. Public hearing closing as public easements those sections of:
- A. Cross street between the West Right-of-Way line of the U.S. Highway 83 to the River Vega, including the intersections.
 - B. Ireland Street between the West Right-of-Way line of the U.S. Highway 83 to the River Vega, Including the intersections.
 - C. Hall Street between the West right-of-way line of the U.S. Highway 83 to the River Vega, including the intersections.
 - D. Frees Street between the west right-of-way line of Meadow Avenue and the River Vega, including the intersections.
 - E. Mendiola Avenue between the south right-of-way line of Bayard Street and the north right-of-way line of Frees Street.
 - F. Meadow Avenue between the south right-of-way line of Bayard Street to the north right-of-way line of Frees Street.

- G. Seymour Avenue between the south right-of-way line of Bayard Street and the Original South City Limits.
- H. Loring Avenue between the south right-of-way line of Bayard Street and the Original South City Limits.
- I. Stone Avenue between the Original South City Limits and the River Vega; all streets being situated in the Eastern Division, City of Laredo, Webb County, Texas and providing for an effective date.

INTRODUCTION OF AN ORDINANCE

Ordinance closing as public easements those sections of:

- A. Cross street between the West Right-of-Way line of the U.S. Highway 83 to the River Vega, including the intersections.
- B. Ireland Street between the West Right-of-Way line of the U.S. Highway 83 to the River Vega, Including the intersections.
- C. Hall Street between the West right-of-way line of the U.S. Highway 83 to the River Vega, including the intersections.
- D. Frees Street between the west right-of-way line of Meadow Avenue and the River Vega, including the intersections.
- E. Mendiola Avenue between the south right-of-way line of Bayard Street and the north right-of-way line of Frees Street.
- F. Meadow Avenue between the south right-of-way line of Bayard Street to the north right-of-way line of Frees Street.
- G. Seymour Avenue between the south right-of-way line of Bayard Street and the Original South City Limits.
- H. Loring Avenue between the south right-of-way line of Bayard Street and the Original South City Limits.
- I. Stone Avenue between the Original South City Limits and the River Vega; all streets being situated in the Eastern Division, City of Laredo, Webb County, Texas and providing for an effective date.

Motion to open the public hearing.

Moved : Cm. Bruni

Second: Cm. Galo

For: 8

Against: 0

Abstain: 0

County Judge Mercurio Martinez and Tomas Rodriguez representing Sacred Heart Orphanage Board asked that the City donate them the streets or sell them at the price that the City would pay for 40 feet easement.

County Judge Martinez stated that all they are asking is an

Motion to close the public hearing and introduce.

Moved : Cm. Agredano

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

50. Public hearing amending the City of Laredo's FY 1998-99 annual budget in the amount of \$114,994 for the Criminal Justice Division Grant from the Office of the Governor. The Office of the Governor is contributing \$80,000 with the City designating \$34,994 in matching funds. These funds for the Domestic Violence grant under the Violence Against Women Act (VAWA) is for the period June 1, 1999 through May 31, 2000.

INTRODUCTION OF AN ORDINANCE

Ordinance amending the City of Laredo's FY 1998-99 annual budget in the amount of \$114,994 for the Criminal Justice Division Grant from the Office of the Governor. The Office of the Governor is contributing \$80,000 with the City designating \$34,994 in matching funds. These funds for the Domestic Violence grant under the Violence Against Women Act (VAWA) is for the period June 1, 1999 through May 31, 2000.

Motion to open the public hearing.

Moved : Cm. Galo

Second: Cw. Moreno

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved : Cm. Agredano

Second: Cw. Moreno

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

51. Public hearing amending the City of Laredo's FY 1998-99 annual budget in the amount of \$27,616 with the Office of National Drug Control policy (HIDTA) contributing \$24,600 and City of Laredo designating \$3,016 to fund the Multi-Agency Major Organization Investigation Task Force for the period of January 1, 1999 through December 31, 1999.

Moved : Cm. Galo
Second: Cw. Moreno
For: 8

Against: 0 Abstain: 0

- 55. Consideration to award contract 99-091, to the LOW BIDDER, Stewart and Stevenson Services, Inc., Corpus Christi, Texas, in the amount of \$32,130.00, for the purchase of two replacement engines for the 1991 Gillig buses. The engines are factory re-manufactured, Detroit Diesel engines and are tested and warranted for a one year period. There is a potential rebate of \$5,000 per engine based on delivery of the old engine cores to the vendor. Delivery is expected within thirty days.

Motion to approve.

Moved : Cm. Galo
Second: Cw. Moreno
For: 8

Against: 0 Abstain: 0

Motion to adjourn as the Mass Transit Board and reconvene as City Council.

Moved : Cm. Galo
Second: Cw. Moreno
For: 8

Against: 0 Abstain: 0

VIII. MOTIONS

Consideration to appoint Mayor Pro-Tem as per Ordinance No. 90-O-101 which states that at the second meeting of the month of May or at the first meeting after all council members are selected and qualified, City Council shall confirm one of the Council members who shall be known and designated as Mayor Pro-Tem.

At this time Mayor Flores read the members in seniority order and asked that those members who have not served as Mayor Protem to say whether they will want to serve or whether they yield to the next member. She asked that if they have served as Mayor Protem, that they yield to the next member.

Cm. Joe A. Guerra declined the offer and yielded to the next member.

Cw. Cecilia Moreno declined the offer and yielded to the next member.

Cw. Consuelo "Chelo" Montalvo accepted the offer.

Motion to confirm the appointment of Cw. Consuelo Montalvo as the new Mayor Pro-Tem.

Moved : Cw. Moreno

Second: Cm. Galo

For: 8

Against: 0

Abstain: 0

XV. ADJOURNMENT

Motion to adjourn.

Adjournment time: 10:55 p.m.

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

Against: 0

Abstain: 0

I hereby certify that the above Minutes contained in pages 01 to 52 are true, complete, and correct proceedings of the City Council Meeting held on the 17th day of May, 1999. A certified copy is on file at the City Secretary's Office.



Gustavo Guevara, Jr.
City Secretary

Minutes approved on: June 7, 1999