

**CITY OF LAREDO
CITY COUNCIL MEETING
M2010-R-04
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
February 16, 2010
5:30 P.M.**

I. CALL TO ORDER

With a quorum present, Mayor Raul G. Salinas called the meeting to order.

II. PLEDGE OF ALLEGIANCE

Mayor Raul G. Salinas led in the Pledge of Allegiance.

III. ROLL CALL

In attendance:

Raul G. Salinas,
Mike Garza,
Hector Garcia,
Michael Landeck,
Juan Narvaez,
Johnny Rendon,
Gene Belmares,
Jose Valdez, Jr.,
Cynthia Liendo Espinoza,
Gustavo Guevara, Jr.,
Carlos Villarreal,
Cynthia Collazo,
Horacio De Leon,
Jesus Olivares,
Raul Casso,

Mayor
Council Member, District I
Council Member, District II
Council Member, District III
Council Member, District IV
Council Member, District V
Council Member, District VI
Mayor Pro Tem, District VII
Council Member, District VIII
City Secretary
City Manager
Deputy City Manager
Assistant City Manager,
Assistant City Manager,
City Attorney

IV. MINUTES

Approval of the minutes of February 1, 2010.

Motion to approve.

Moved: Mayor Pro Tempore Garza

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

V. COMMUNICATIONS AND RECOGNITIONS

Recognitions

- a. Recognizing Chelsea Morgensen for being crowned Miss Texas Teen USA.

Mayor Salinas and City Council publicly recognized Chelsea Morgensen for her achievement in being crowned Miss Texas Teen U. S. A.

Citizen comments

Carlos Carranco, Jr. stated that he was present to salute City Council but also to slap them on the wrist. He said that he salutes them because the quality of life in Laredo is wonderful; however, the slap is for not having a library in South Laredo for many years. He asked City Council expedite any movement towards the creation of a library in South Laredo.

Rolando Herrera congratulated the Mayor, Council Members, Carlos Villarreal, and City staff for working hard towards obtaining a library in South Laredo.

VI. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEE

- a. Appointment by Mayor Raul G. Salinas to the International Trade Blue Ribbon Committee.

Motion to approve Tagi Sagafi-nejad, Professor of TAMIU Business Administration.

Moved: Cm. Garcia

Second: Cm. Rendon

For: 8

Against: 0

Abstain: 0

- b. Appointment by Mayor Pro-Tempore Mike Garza of Mr. Peter Venegas to the Citizens Environmental Advisory Committee.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Rendon

For: 8

Against: 0

Abstain: 0

VII. PUBLIC HEARINGS

- 1. Public hearing and introductory ordinance amending the City of Laredo FY 2010 Airport Construction Budget to recognize additional revenues from a grant received from the Federal Aviation Administration Airport Improvement Program being Grant Project No. 3-48-0136-60-09 in the amount of \$2,000,000.00 for noise mitigation under FAR PART 150 Noise Abatement Program at the Laredo International Airport and appropriating said grant revenue and local match to the appropriate expenditure accounts and authorizing the City Manager to implement said budget amendment. The City’s local match of five (5%) percent in the amount of \$100,000.00 is available as follows: \$82,795.00 through the land

purchased in FY2006 (Rash Tract) and the amount of \$17,205.00 is available in the Airport Construction Fund. (Approved by Operations & Finance Committees)

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

Mayor Pro Tempore Garza was no longer present from this point on.

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Valdez

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: City Council

2. Public hearing and introductory ordinance amending Chapter 25 entitled Plumbing of the Code of Ordinance of the City of Laredo by adding a new division III entitled irrigation systems which requires permits and minimum standards for the installation of irrigation systems within the corporate limits of the city; and requiring the registration of irrigation contractors; providing for a penalty for violation of any provisions, hereof; containing a cumulative clause; containing a saving and severability clause; ordering publication; providing for an effective date; and providing for other matters related to the subject. (Approved by Operations Committee)

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Rendon

For: 7

Against: 0

Abstain: 0

Ben Puig, Faskin Oil & Ranch, was present to answer any questions.

Motion to close the public hearing and introduce.

Moved: Cm. Rendon

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: City Council

3. Public hearing and introductory ordinance amending the City Of Laredo Fiscal Year 2010 Full Time Equivalent positions (FTE) by adding two (2) positions, one (1) Civil Engineer II (P.E.) grade 42 and one (1) Construction Inspector grade 32; These two (2) positions will be mainly responsible for project management, engineering/construction

monitoring and quality control of the waterline replacement and sanitary sewer system rehabilitation improvement projects. Total cost for these positions, including benefits, is \$94,000.00 and funding is available in the 2008 Utility Bonds. (Approved by Operations & Finance Committees)

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

Cm. Belmares registered his concern regarding the approval of said ordinance.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Rendon

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: City Council

4. Public hearing and introductory ordinance amending the City of Laredo 2009-2010 Utilities Bond by appropriating revenues and expenditures in the amount of \$848,180.00 for the Cuatro Vientos Water and Wastewater Improvements. The Texas Department of Transportation (State) and the City of Laredo (City) executed a Standard Utility Agreement for the relocation of the TXDot Water and Wastewater Utilities Relocation LP20/SH359 Project. The State will reimburse the City an amount not to exceed of \$848,179.61, which consists of \$746,398.06 to the 2009 Water Bond and \$101,781.55 to the 2009 Sewer Bond. (Approved by Operations & Finance Committees)

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Narvaez

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: City Council

VIII. FINAL READING OF ORDINANCES

Motion to waive the Final Reading of Ordinances 2010-O-017, 2010-O-018, 2010-O-019, 2010-O-020, 2010-O-021, 2010-O-022, 2010-O-023, and 2010-O-024.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 7

Against: 0

Abstain: 0

5. 2010-O-017 Creating a civil service commission for city employees (except employees who are subject to a collective bargaining agreement); providing for the appointment of members to the commission; setting forth its purposes, powers and functions; providing a classified service for city employees and for exceptions; abolishing at-will employment; providing for severability; providing for the manner in which this ordinance can be amended and providing an effective date.

Motion to adopt Ordinance 2010-O-017.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 7

Against: 0

Abstain: 0

- 2010-O-018 Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for a tire shop on Lots 1 & 2, Block 355, Eastern Division, located at 2901 & 2903 Springfield Avenue. Staff supports the application and the Planning and Zoning Commission has recommended approval of the Conditional Use Permit.

Motion to adopt Ordinance 2010-O-018.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 7

Against: 0

Abstain: 0

- 2010-O-019 Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for an oriental food, liquor, and beer store, and professional offices, on Lot 4, Block 666, Eastern Division, located at 1219 Bustamante Street. Staff supports the application and the Planning and Zoning Commission has recommended approval of the Conditional Use Permit with the addition of the following provision: alcohol sales are prohibited.

Motion to adopt Ordinance 2010-O-019.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 7

Against: 0

Abstain: 0

- 2010-O-020 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning

Lots 5, 6, and 7, Block 1, San Isidro Business Park, located at 402, 406, and 410 Crossroads Street, from B-4 (Highway Commercial District) to M-1 (Light Manufacturing District). Staff supports the application and the Planning and Zoning Commission has recommended approval of the zone change.

Motion to adopt Ordinance 2010-O-020.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 7

Against: 0

Abstain: 0

2010-O-021 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning .72 acres, as further described by metes and bounds in attached Exhibit "A," located west of F.M. 1472 and north of Pico Road, from AG (Agricultural District) to B-3 (Community Business District). Staff supports the zone change and the Planning and Zoning Commission has recommended approval of the zone change.

Motion to adopt Ordinance 2010-O-021.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 7

Against: 0

Abstain: 0

2010-O-022 Amending City of Laredo Ordinance No. 96-186 to provide an exception for Laredo Convention & Visitors Bureau Advisory Committee members to allow for excused absences.

Motion to adopt Ordinance 2010-O-022.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 7

Against: 0

Abstain: 0

2010-O-023 Designating as a one-way westbound the 2400 and 2500 blocks of E. Elm Street, between N. Martin Avenue and N. Texas Avenue, as a one-way southbound the 3300 and 3400 block of N. Texas Avenue, between E. Montgomery Street and E. Elm Street, and as a one-way northbound the 3300 and 3400 block of N. Martin Avenue, between E. Montgomery Street and E. Elm Street, during the peak hours of 7:30 a.m. to 8:30 a.m., and 2:30 p.m. to 3:30 p.m., Monday through Friday, during school days, providing for the installation of appropriate signage to indicate one-way traffic and providing for publication and effective date.

Motion to adopt Ordinance 2010-O-023.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 7

Against: 0

Abstain: 0

2010-O-024 Authorizing the City Manager to execute a budget amendment appropriating operating funds from the Federal Transit Administration Grant No. TX 90-X848 from fiscal year 2008-2009 in the amount of \$1,151,292.00 to be used for operating expenses in fiscal year 2009-2010, by increasing the federal contribution and decreasing the sales tax match in the El Metro fund and increasing the reserve appropriation in the transit sales tax fund by the said amount.

Motion to adopt Ordinance 2010-O-024.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 7

Against: 0

Abstain: 0

IX. RESOLUTIONS

6. 2010-R-006 Amending the City of Laredo Deferred Compensation Plan to allow employees to participate in a loan program, and providing for an effective date. (Approved by Operations Committee)

Motion to approve Resolution 2010-R-006.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 7

Against: 0

Abstain: 0

7. 2010-R-008 Authorizing the City Manager to amend a contract with the South Texas Development Council in the amount of \$6,630.00 for a total of \$426,080.00 for continuation of the Department's HIV/Ryan White Program which provides medical care, case management and supportive care for the term period beginning April 1, 2009 through March 31, 2010. (Approved by Operations & Finance Committees)

Motion to approve Resolution 2010-R-008.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 7

Against: 0

Abstain: 0

8. 2010-R-009 Authorizing the City Manager to submit a grant application in the amount of \$499,840.00 to the State of Texas for the purpose of funding the Recovery Act Edward Byrne Memorial JAG or Justice Assistance Grant for the period of June 1, 2010 through May 31, 2011. This grant will be 100% funded at no cost to the city and will be used to pay overtime for Police Border Security & Trafficking Project Operations. (Approved by Operations & Finance Committees)

Motion to approve Resolution 2010-R-009.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 7

Against: 0

Abstain: 0

9. 2010-R-010 Authorizing the City Manager to accept and execute a funding agreement with the Texas Department of Transportation in the amount of \$1,640,655.64 which includes a local match of \$158,377.05 for the proposed rehabilitation and or reconstruction of the airport industrial and truck route streets located as further identified in attached Exhibit "A". Funds are available in the Capital Grants Fund. (Approved by Operations & Finance Committees)

Motion to approve Resolution 2010-R-010 as amended.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 7

Against: 0

Abstain: 0

10. 2010-R-011 Authorizing the dedication of thirty six (36) acres of land in Independence Hills Regional Park, more particularly described in Exhibit A, as an open space area in accordance with the Texas Parks and Wildlife Department outdoor recreation grant; approving the terms and conditions of the agreement; repealing all resolutions in conflict; providing a severability clause, and providing an effective date.

Motion to approve Resolution 2010-R-011.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 7

Against: 0

Abstain: 0

X. MOTIONS

11. Authorizing the City Manager to execute a two (2) year property title & abstract services contract with Stewart Title Company in support of the Neighborhood Stabilization Program (NSP). The NSP is funded by the Texas Department of Housing and Community Affairs. Funding is available under the Neighborhood Stabilization Program. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

12. Refund of property tax in the amount of \$1,435.32 to the following taxpayers;
1. A refund in the amount of \$865.62 payable to Tax Ease Funding, LP due to an erroneous payment. Account #922-30005-100.
 2. A refund in the amount of \$569.70 payable to Maria Del Carmen Hernandez due to an overpayment. Account #905-00017-250.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

13. Approving monthly adjustments to the tax roll. The amounts to be adjusted for the month of January 2010 represent a decrease of \$21,402.70. These adjustments are determined by the Webb County Appraisal District and by other court orders.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

14. Consideration to award a software maintenance contract to the sole source provider, HTE Sungard, in the amount of \$285,582.68. This maintenance contract provides customer support and service for the HTE OSSI computer software system utilized by the Police and Fire Departments. The term of the contract is for twelve (12) months ending on December 31, 2010. Funding is available in the Police and Fire Department annual budgets. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

15. Consideration to ratify the City Manager's approval of an emergency purchase authorization to Mickie Service Company, Inc., Houston, TX in the estimated amount of \$53,500.00 for emergency repairs on three broken butterfly valves located on Main and Scott Streets. The three valves were severely deteriorated and in need of replacement. Funding is available in the 2009 Utilities Bond, Series D. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

16. Consideration to amend contract FY10-002 currently awarded to Rafter P. Transport, New Braunfels, Texas, in the amount of \$60,000.00 for providing additional hauling and disposal services of wastewater bio-solids for the Utilities Department. This service supplements the department's equipment capabilities and helps control wastewater bio-solids overflow during the rainy season. The bid price is based on a per load rate. Funding is available in the Utilities Department—Wastewater Division budget. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

17. Consideration to award contract FY10-012 to the low bidder Closner Construction Co., Laredo, Texas, in the estimated amount of \$305,735.00 for the rehabilitation of eighty one (81) manholes for the Utilities Department. The rehabilitation shall consist of manhole wall repairs, re-framing work and asphalt paving reconditioning. Funding for this project is available in the Utilities Department 2009 Series C Bond. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

18. Authorizing the City Manager to execute amendment no. 2, an increase of \$60,000.00, to the professional engineering services contract with Porras Nance Engineering, Laredo, Texas for the 24"/36" transmission water main. The consultant will provide engineering and surveying to develop reports, plans, specifications, bid documents, as-built drawings and cost estimates to extend the 24" water transmission main from Saunders to Bustamante; 12" diameter water main from the proposed 24" water main at the Clark bridge to the existing 12" waterline at Wal-Mart; 12" gravity sewer bypass with bore and casing from the Eastwood Lift Station to the existing 15" sanitary sewer south of Clark; and drainage improvements at the SH359 Booster Station. The total new contract amount is \$965,000.00. Funding is available in the 2009 Utility Bond, Series D. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

19. Awarding a construction contract to the lowest bidder Qromex Construction, Granite Shoals, Texas, in the amount of \$85,187.70 for the Hwy 359 Booster Station and authorizing the City Manager to execute all related contract documents contingent upon receipt of insurance and bond documents. Funding is available in the 2009 Utility Bond, Series D. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

20. Authorizing the City Manager to execute a contract to Howland Engineering and Surveying Co. of Laredo, Texas, in the amount of \$148,864.00 for construction materials testing services for the Jefferson Water Treatment Plant 65 MGD Process & Electrical Improvements Project. Funding is available in the 2008 Utility Bond. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

21. Consideration for approval of change order no. 1 to Pesado Construction, Schertz, Texas, for the Hendricks, Milmo and Lyon Water Booster Pump Station Improvements Project. The construction time is amended from 330 calendar days (Substantial Completion) and 360 calendar days (Final Completion) to 236 Working Days (Substantial Completion) and 258 Working Days (Final Completion) to reflect the contact time approved in the original plans and specifications. There is no change to the original contract amount of \$3,966,115.00. The project is subject to Texas Water Development Board approval. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

22. Consideration for the acceptance, release of retainage, and extension of 20 calendar days to SLC Construction, L.P. Conroe, Texas for the NADB-02 Mines Road Sanitary Sewer Collection System at Peñitas subject to North Development Bank (NADBANK). This extension of time is due to the installation of electricity by AEP. The new contract time including this change order is 445 calendar days. The total contract amount is for \$2,900,933.39, funding is available in the Colonias Project Fund. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

23. Consideration for the acceptance, release of retainage, extension of 80 days and approval of final change order no. 6, a decrease in the amount of \$194.10 to Jimmy Closner and Sons Construction Co., Inc., Mercedes, Texas for the project on SH 359 Planning Area Water Distribution and Wastewater Collection Systems Work Order no. 3, subject to approval from the TWDB. This change order was due to delays of acquisition of the automatic meter devices. The credit reflects increases and decreases to match actual constructed quantities. The revised contract amount is \$5,572,060.19; the new construction time is 1,055 calendar days. Funding is available in the Colonias Project Fund. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

24. Consideration for the acceptance and release of retainage, to CG Construction, Inc. DBA CC Construction Laredo, Texas for the Nadbank-2, Phase "B", Peñitas Wastewater Treatment Plant. This project is funded by the North American Development Bank (NADB) and is subject to their approval. The total contract amount is for \$1,387,119.98, funds are available in the 1998 Sewer Bond and the Colonias Project Fund. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

25. Consideration for approval of the Laredo Street Drainage Improvements Phase III Project as complete and approval of change order no. 1 a decrease of \$40,107.00 for the balance of quantities actually constructed in place, release of retainage, and approval of final payment in the amount of \$51,078.50 to ALC Construction, Inc., Laredo, Texas. Final construction contract amount is \$282,635.00. Funding is available in the 2007 Environmental Services C.O. and 2008 Utilities Bond. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

26. Consideration for approval of the Dryden Park Improvements Project as complete and approval of final change order no. 3, zero"net change" for the balance of quantities actually constructed in place and to add thirteen (13) working days to the construction contract time, release of retainage, and approval of final payment in the amount of \$24,950.82 to CG Construction, Inc., Laredo, Texas. Final construction contract amount is \$499,016.37. Funding is available in the Community Development Fund 30th, 32nd and 33rd Action Year and Capital Improvements Fund - District II Discretionary Funds. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

27. Award of construction contract to the lowest bidder Zertuche Construction, LLC.,

Laredo, Texas, in the negotiated amount of \$2,500,000.00 for the Laredo Independence Hills Regional Park - Phase I with a construction contract time of one hundred eighty (180) calendar days; and authorizing the City Manager to execute all related contract documents contingent upon receipt and approval of insurance and bond documents. Funding is available in the 2007 C.O., 2008 C.O., Capital Improvements Fund and Parks Capital Grants. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

28. Ratification of the City Manager's approval on the issuance of a purchase order to Sanofi Pasteur through the Texas Department of State Health Services federal contract pricing for the purchase of 7,000 vaccines for the 2010-2011 flu season up to \$73,863.00. Funding is available in the Health Department budget for the Immunization Program to compensate for the cost of the vaccine that will protect those vulnerable persons against the flu and pneumonia. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

XI. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

29. A. Request by Mayor Raul G. Salinas

1. Presentation by Dr. Hector Gonzalez, Health Department Director informing the public on regulations for the Service Animals as authorized by the American Disabilities Act.

Dr. Hector Gonzalez, reported that he met with Dr. Cassandra Luna who enlightened the City of a concern with the American Disability Act more specifically service animals. He explained that there is a federal statute regarding service animals that supersedes any local statute and the City of Laredo needs to educate the public that a service animal is not a pet but must be allowed in local businesses because he is a working animal. He added that staff will initiate an educational campaign for all establishments to learn the statute.

2. Report by Police Chief Carlos Maldonado on efforts to enforce speed limits in school zones in cooperation with LISD and UISD Police Departments and all other law enforcement agencies. (Co-Sponsored by Mayor Pro-Tempore Mike Garza & Council Member Cynthia Liendo Espinoza)

Police Chief Carlos Maldonado reported that the City of Laredo Police Department has partnered with the local school districts in efforts to enforce the speed limits in school zones. He said that they initiated a very aggressive program that will include public

awareness. The program highlights hotspots where activity is prevalent and those are the areas where they will focus.

Motion to initiate an educational program with the City of Laredo Police mascots and school systems to stress the importance of safety to all students.

Moved: Cm. Valdez

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

B. Request by Mayor Pro-Tempore Mike Garza

1. Discussion and presentation on revenue and actual crossings for all ports of entry in the State of Texas.

Mario Maldonado, Bridge System Manager, reported:

Border City Revenue & Traffic Comparisons – FY 2009

Revenue Comparison

Total Revenue	\$102,003,293	
Laredo	\$40,757,784	40%
El Paso	\$14,691,911	14.4 %
Del Rio	\$ 4,385,476	4.3%
Brownsville	\$13,740,264	13.5 %
Eagle Pass	\$ 8,112,404	8%
McAllen/Hidalgo	\$11,190,709	10.9%
Pharr	\$ 9,124,745	8.9%

Revenue Comparison

(excluding El Paso)
2009

Laredo	\$40,757,784	46.7%
Del Rio	\$ 4,385,476	5%
Brownsville	\$13,740,264	15.7%
Eagle Pass	\$ 8,112,404	9.3%
McAllen/Hidalgo	\$11,190,709	12.8%
Pharr	\$ 9,124,745	10.5%

Commercial Traffic

(excluding El Paso)
2009

Laredo	\$1,400,969	64.3%
Del Rio	\$ 50,888	2.3%
Brownsville	\$ 200,900	9.2%

Eagle Pass	\$ 81,357	3.8%
McAllen/Hidalgo	\$ 34,758	1.6%
Pharr	\$ 409,336	18.8%

Commercial Traffic Laredo – McAllen/Hidalgo FY 2009

Laredo	1,400,969	97.6%
McAllen/Hidalgo	34,758	2.4%

Total Commercial Traffic 1,425,727

Total Non-Commercial Traffic 22,375,356

Laredo	5,045,664
Pharr	1,444,912
McAllen/Hidalgo	4,502,287
Eagle Pass	2,637,625
Brownsville	3,865,020
Del Rio	1,438,872
El Paso	3,440,976

Non-Commercial Traffic

(excluding El Paso)

Laredo	5,045,664	26.7%
Pharr	1,444,912	7.6%
Brownsville	3,865,020	20.4%
Eagle Pass	2,637,625	13.9%
McAllen/Hidalgo	4,502,287	23.8%

Non-Commercial Traffic

Laredo – McAllen/Hidalgo FY 2009

Laredo	5,045,664	52.8%
McAllen/Hidalgo	4,502,287	47.2%

Non-Commercial Traffic 9,547,951

Pedestrian Traffic

FY 2009

Laredo	4,124,272	30.6%
McAllen/Hidalgo	1,575,193	11.7%
Eagle Pass	652,568	4.8%
Brownsville	1,891,969	14%
Del Rio	54,929	0.4%
El Paso	5,197,318	38.5%

Pedestrian Traffic (excluding El Paso)

Total Pedestrian Traffic 8,298,931

FY 2009

Laredo	4,124,272
Del Rio	54,929
Brownsville	1,891,969
Eagle Pass	652,568
McAllen/Hidalgo	1,575,193

2. Update of the Merida Extension Project and the Ejido Extension Project, with possible action.

Rogelio Rivera, City Engineer, advised that staff will be awarding the Merida Project at the next City Council meeting. He added that the bids were received and the consultant has made the recommendation for the eight months contract. He reported that the Ejido Project is 45% complete including the utilities.

C. Request by Council Member Hector “Tito” Garcia

1. Status report on the potential purchase of the Paul Young Car Center located at Bob Bullock Loop to house various City Departments.

Motion to table.

Moved: Cm. Garcia

Second: Mayor Pro Tempore Garza

For: 8

Against: 0

Abstain: 0

2. Discussion with possible action to have the Laredo City Council support and adopt a resolution to the Metropolitan Planning Organization to request transfer of Cross Border Initiative (CBI) funds to Webb County for the Loop 20 Stimulus Initiative. (Co-Sponsored by Council Member Gene Belmares)

Motion to table.

Moved: Cm. Garcia

Second: Mayor Pro Tempore Garza

For: 8

Against: 0

Abstain: 0

D. Request by Council Member Gene Belmares

1. Discussion with possible action locating sites and funding for tournament complexes for baseball and softball.

Cm. Belmares said that they should incorporate baseball field complex in the design of North Central Park. He expressed a desire to incorporate additional sites for fields. He noted that funding is available through park bonds.

Richard Rosas, Pony Baseball League, spoke in favor of the baseball/softball complex.

Oswaldo Guzman, Parks & Recreation Director, explained that the other sites being considered for softball/baseball fields are off of Borchers’ Elementary and the

Springfield extension. He also noted that he has been talking to UISD to use Clark Middle School for a field.

Motion to begin to prepare an RFQ for the different sites that are available in the inventory for the baseball/softball fields and open discussion with the United Independent School Districts to initiate an interlocal agreement with them to use their land to build a facility for softball/baseball.

Moved: Cm. Belmares

Second: Cm. Narvaez

For: 6

Against: 1

Abstain: 0

Cm. Liendo Espinoza

Cm. Belmares said that there are three important factors that come into play when considering the baseball/softball fields. One being an economic multiplier because it will increase the heads and beds for the city; Second, the quality of life issue, and lastly the projects will require for him to shuffle monies around for the project. He further added that he wanted to go out for requests for proposals on two complexes that the City has all the funding and to begin to search for other sites by consulting with surveyors and engineers to make sure that they will fit. He went on to say that he would like to include the larger complex in the Capital Improvement Plan.

Motion to move forward with requests for proposals for two softball/baseball complexes and begin the sighting for the other softball projects that are necessary for the city and permission to use discretionary funds from District VI for surveyors and engineers for future parks.

Moved: Cm. Belmares

Second: Cm. Valdez

For: 6

Against: 1

Abstain: 0

Cm. Liendo Espinoza

2. Discussion with possible action on acquiring additional park land for Shiloh Crossing Park.

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

3. Discussion with possible action on improving the Police Department's Fleet Management and acquiring additional police units.

Cm. Belmares expressed his concerns for the vehicles that are being stored at the Fleet Management Department noting that they need to be repaired and ready for patrol in an expedient manner. He suggested at looking at the process for repairs to see if there is room for improvement.

Carlos Villarreal, City Manager, said that he is going to be making changes at the Fleet Department depending upon an analysis that will be initiated. He gave a comprehensive report on the analysis stressing that he is working diligently with the Police Chief and the Union to consider all needs and issues.

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

1. Discussion with possible action regarding the status of the Flecha Lane Realignment Project.

Keith Selman, Planning Director, reported that staff has completed a feasibility study which indicated that even though mobility would be enhanced the delayed time would increase through the intersection by creating a four way verses the three way that is in currently in place. He added that the project would be federally funded which needs a contract for the engineer.

Motion to move forward with the Flecha Lane Realignment Project.

Moved: Cm. Valdez

Second: Cm. Espinoza

For: 7

Against: 0

Abstain: 0

F. Request by Council Member Cynthia Liendo Espinoza

1. Discussion with possible action on constructing additional sidewalks in District VIII.

Cm. Liendo Espinoza reported that a Capital Improvement Plan was completed under budget so she asked to include an additional twenty blocks to the original fifty sidewalks that are currently being worked on by a private contractor.

Motion to add an additional twenty sidewalks to District VIII to be funded with the funds from the Capital Improvement Plan.

Moved: Cm. Liendo Espinoza

Second: Cm. Valdez

For: 7

Against: 0

Abstain: 0

XII. STAFF REPORTS

30. Presentation by FirstCall, Inc., regarding emergency notification service for the City of Laredo.

Jessica Hein, from 311, reported introduced the representatives from FirstCALL.

Matthew Teak, President, and Devin Broom, Senior Vice President from FirstCall gave the following presentation:

Introduction and Experience

We specialize in emergency communications

FirstCall has learned over the years what is necessary to serve the emergency communications needs of our valued clients. FirstCall has communication centers located in three (East, Central and West) different power grids in the United States. This redundancy ensures that we remain a reliable channel for your emergency communication under the worst conditions.

FirstCall has proven our services during the harshest of times including the East Coast Blackout and east coast hurricanes and Hurricanes Katrina, Rita, Gustav, and Ike. Our techs worked around the clock to activate inbound systems, in record time, to relieve congestion at 911 centers and disseminate information to the public. During Hurricanes Gustav and Ike, FirstCall delivered 2.8 million messages primarily to citizens and college students within the first days of the disaster. We protect the U. S. Coastline. First responders and emergency personnel functioned more efficiently for the public by not having to answer repetitive questions.

Our battle-tested system is built on our experience as the Industry's original creator and innovator. Our strength is that we have met the test of true large-scale disasters multiple times. We have lived and breathed every nuance of these incidents. We are experienced whether you face a hurricane, earthquake, flood, tornado, or any man made incident at dealing with multiple departments, agencies and the main EOC Center. FirstCall provides some of the largest emergency inbound services for hundreds of chemical companies in the U. S.

Equally important but on a smaller scale we also have handled emergency notifications for clients that include hurricane evacuations, missing persons, requests for public to help locate fugitives, hostage situations, murder investigations, tracking bank robbers, water emergencies, floods, Amber Alerts and many more important notifications for our clients.

We have provided, for more than 10 years, nationally recognized high-speed emergency notifications. We are the only emergency mass notification company that has a director with 20 years of experience as a FEMA-IAEM Certified Emergency Manager.

During these years, the same founders have been at the helm of the company. We pioneered emergency notification and the staff's average length of employment is 8 years. FirstCall is a critical resource for clients including municipalities, State agencies, Federal agencies, Higher Education, corporations and industry. FirstCall has grown with the increased demand for emergency notification, citizen safety and public awareness. Since 1997, our priority has been to build the fastest, most accurate and most reliable emergency notification system that exists.

Capacity Sensing Technology – Proprietary Information

In the event that large volumes of calls are necessary, Capacity Sensing technology provides two equally important benefits in this situation:

1. FirstCall senses and dynamically adjusts in real time when the volume of emergency calls will overload the CO. When the CO can take more calls, we immediately increase the volume of FirstCall emergency calls.

2. Capacity Sensing technology improves efficiencies so that FirstCalls's mass notification Network Call Operation Center platforms internally handle more call deliveries than older first generation technology. During multiple client notifications, we eliminated the inherent inefficiencies that occur with other vendors' first generation mass calling platforms.

FirstCall has the only Capacity Sensing technology in the industry. It was developed by our system engineers in the R & D Group as a proprietary service pack upgrade. Like all of our innovations for the system platform, it was implemented at no additional cost to any of our clients.

Experience

We have dealt directly with Federal (FEMA), State, City and Cities metropolitan areas during the hurricane and flood seasons for over 10 years. We have in depth experience when governmental entities have multiple notification events occurring at the same exact time and coordination is critical.

Your use of our service during a federally declared disaster may be reimbursed by the State or by federal funds (FEMA). We have sent out millions of messages and can assist you with our experience with reimbursement programs that we have seen utilized in the past.

We have worked with clients faced with all of these situations (many times for the same incident):

- Evacuation
- Evacuation and care for pets and livestock
- Access control
- Hazardous materials management
- Coroner operations
- Emergency medical care
- Transportation management
- Urban search and rescue
- Disease prevention and control
- Utility restoration
- Flood operations
- Initial damage assessments
- Safety assessments
- Shelter and feeding operations
- Emergency food and water distribution
- Re-entry
- National Guard assignment

Feature

Unlimited Online Training

Unlimited Sub Accounts

Benefit to you

FirstCall will come to your location and perform training during the initial setup. FirstCall offers unlimited online webinar training at anytime.

Sub accounts will allow you to provide

Interoperability check numbers	multiple agencies with their own notification system through FirstCall. Sub accounts have the ability to use the system independently. This will allow selected personnel to know what emergency messages are being set as soon as they are sent.
FirstCall provides and maintains all Phone lines, hardware/equipment, Maps and personnel Security	You can concentrate on the incident at hand. We handle the rest!
Capacity Sensing Technology	You can feel safe knowing that only authorized users can access the system. Calls are delivered faster and more reliably than any other notification system.
Staffed 24 hours a day	A real person is always available to help
Feature	Benefit to You
Message recipients can be chose by Geographic area (GIS) or by selecting Determined list	Be able to select exactly who you want to delivery emergency notifications to
Multiple emergency back-up systems With gas generators and complete Redundancy	Uninterrupted operations during emergencies and power outages
Base map, street layer and telephone Number database updated at no Multi-lingual translation, pre Recorded messages	Stay updated and have complete confidence that your FirstCALL services are up to date Allow citizens to select language; Record messages either at the time of notifications or Use a pre-recorded message
Citizen Registration System	Citizens can add any phone number to the FirstCall system for emergency notification This can be done by web, phone, or e-mail
Online Account Management	Allows you to update and create call lists, view Activation/statistics in real time and manage Other account information
Interactivity	Allows you to send an interactive message that allows the message recipients to respond to the Message. Each response is printed on the report provided by client
Transmission of client incident	No confusion for citizens receiving long distance numbers
Complete and detailed incident	After each activation, you can document the Complete activation breakdown
FirstCalls mapping system can Utilize 911 data and is fully Compatible with most mapping Systems, including ESRI	FirstCall can easily be implemented with your existing mapping systems

31. Presentation of the fiscal year 2008-2009 Comprehensive Annual Financial Report (CAFR) prepared by the City of Laredo's Financial Services Department and audited by the Independent Audit Firm of Garza, Martinez, & Co.

Mrs. Rudy Castaneda reported that the firm has completed their audit for the City of Laredo. The firm issued an unqualified opinion that they agree that the financial statements are fairly stated and that the City of Laredo has complied with all laws and regulations as required by the federal and state grants. In addition, the City of Laredo's internal control structure is adequate to enable it to properly prepare its financial statements.

Adrian Galvan submitted the following information:

The City of Laredo, Texas closed FYE 9/30/2009 with a General Fund Balance of \$30,692,423, which represents 23.23% as a percent of expenditures. The General Fund Balance grew by \$4,071,818 or 1.36%, when compared to FYE 9/30/2008.

XIII. 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.

32. Request for executive session pursuant to Texas Government Code Section 551.071(1) (A) to consult with attorney on pending litigation: City of Laredo vs. Hilda Negrete; Appeal No. 04-08-00737-CV; Fourth Court of Appeals District of Texas, San Antonio; arising out of trial court cause no. 2006-CVQ-001879-D2; and return to open session for possible action.

Motion to go into executive session pursuant to Texas Government Code Section 551.071(1) (A) to consult with attorney on pending litigation: City of Laredo vs. Hilda Negrete; Appeal No. 04-08-00737-CV; Fourth Court of Appeals District of Texas, San Antonio; arising out of trial court cause no. 2006-CVQ-001879-D2; and return to open session for possible action.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

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

David Reagan, representative from Texas Mutual League, explained that TML is the organization that provides the liability coverage in reference to the Negrete vs. City of Laredo case. He announced that there are two areas that he would like to report to point out to Council. TML Risk Pool has been providing the defense and all damages that were awarded in this case including attorneys fees, prejudgment interest, court costs, post judgment interest, including post judgment interests into the future until the judgment is paid. Secondly, he reported that the decision on whether to continue on after the Court of Appeals has rendered their decision whether it is filing appropriate motions for rehearing or filing a petition with the Texas Supreme Court is made by the TML Risk Pool. This case is vastly important to all political subdivisions in the State

of Texas. The decision that was rendered by the Court of Appeals in San Antonio goes against the grain of law, creates strict liability where strict liability did not exist. He continued to say that it is important to the Risk Pool and the other political subdivisions. He further stated that the attorneys will file appropriate motions for rehearing and also petition with the Texas Supreme Court.

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

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

Moved: Cm. Valdez

Second: Cm. Garcia

For: 7

Against: 0

Abstain: 0

33. Staff Report: Presentation by Mr. Joe Lyle, an independent contractor for First Transit, regarding the findings on the report of El Metro's fixed route service; and Mr. David Braun, Director of Business Development, to report on the findings of the El Lift paratransit service.

Feliciana Garcia from El Metro introduced Joe Lyle, an independent contractor for First Transit.

Joe Lyle, independent contractor for First Transit, said that he is an independent contractor who has written a 13 page report on the City of Laredo El Metro/Transit. He noted that the City of Laredo should be proud of the findings in his report although he did outline some problems in the report.

Motion to table and send it back for a workshop.

Moved: Cm. Garcia

Second: Cm. Landeck

For: 6

Against: 0

Abstain: 0

Cm. Liendo Espinoza and Mayor Pro Tempore were not present.

34. Consideration to award contract 010-006 to the low bidder Kone Inc., San Antonio, Texas for a five (5) year elevator maintenance service contract. The first year maintenance contract for FY 09-10 is for the amount of \$8,083.80. This contract will provide for monthly maintenance on the three elevators at the Laredo Transit Management Center. Funding is available in the Laredo Transit Management Inc. System Fund. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Valdez

For: 6

Against: 0

Abstain: 0

35. Consideration to exercise the renewal option for one (1) additional year for contract number FY06-023 awarded to Goodyear Tire and Rubber Company, Akron, Ohio in the estimated annual amount of \$100,000.00 for the leasing of tires used for the bus and para-transit vehicles. Funding is available in the Transit System budget. (Approved by Operations & Finance Committee Agendas)

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Valdez

For: 6

Against: 0

Abstain: 0

XV. ADJOURN AS THE LAREDO MASS TRANSIT BOARD AND RECONVENE AS THE LAREDO CITY COUNCIL AND ADJOURN

Motion to adjourn as the Laredo Mass Transit board and reconvene as the Laredo City Council and Adjourn.

Moved: Cm. Belmares

Second: Cm. Valdez

For: 6

Against: 0

Abstain: 0