

**CITY OF LAREDO
CITY COUNCIL MEETING
M2010-R-08
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
APRIL 19, 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 A. Valdez, Jr.
Cynthia Liendo Espinoza,
Gustavo Guevara, Jr.,
Carlos Villarreal,
Cynthia Collazo,
Horacio De Leon,
Jesus Olivares,
Raul Casso,

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

Motion to excuse Cm. Valdez.

Moved: Cm. Belmares
Second: Cm. Narvaez
For: 7

Against: 0

Abstain: 0

IV. MINUTES

Approval of the minutes of April 5, 2010

Motion to approve.

Moved: Cm. Garcia
Second: Cm. Liendo Espinoza

For: 7

Against: 0

Abstain: 0

Cm. Valdez joined the Council meeting at 5:43 p.m.

V. COMMUNICATIONS AND RECOGNITIONS

Recognitions

- a. Recognition of BMP Radio for their St. Jude Radio-a-thon raising \$272,000.00 dollars in two (2) days for the St. Jude's Children's Hospital.

Mayor Salinas and City Council publicly recognized BMP Radio for their St. Jude Radio-a-Thon fund raising event.

- b. Recognizing Harmony Science Academy Elementary Boys Basketball Team for their 2009-2010 undefeated season and the Middle School Robotics Team for their selection as South Texas Champions.

Mayor Salinas and City Council presented the Harmony Science Academy with a Seven Flags Certificate of Recognition.

Communiqués

- a. Recognition of the Mayor and City Council by Farmers Insurance Group for Council's participation and support of the March of Dimes Fundraiser.

Motion to table.

Moved: Cm. Garza

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

- b. Presentation by the Laredo Public Library Committee regarding the Wall of Tolerance Project, with possible action.

Carmen Escamilla from the Library Board noted that they were present to share a vision of what they would like to do for the City of Laredo. She noted that they would be initiating a *Wall of Tolerance* which will celebrate diversity through the dissemination of education. She said that it would be a museum where people could come and enjoy listening to educators provides sessions on different places throughout the world. She invited the City Council to attend the upcoming event and asked for monetary assistance.

Cm. Belmares discussed the amounts that were being requested from the committee. He said that he would like to make a motion to appropriate \$10,000 out of capital improvements discretionary funds from District V for the Wall of Tolerance.

Cm. Landeck said that he would like to contribute \$5,000.00 and Cm. Garcia noted that he would like to contribute \$5,000.00.

Cm. Valdez suggested dividing the costs between the contributing Council Members not to exceed \$20,000.

Carlos Villarreal, City Manager, said that staff would take it into consideration and would divide the entire amount amongst the entire City Council.

Motion to use discretionary funds for the Wall of Tolerance taken equally from each member of the City Council not to exceed \$20,000.

Moved: Cm. Belmares

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

Motion to deduct \$2,500 from District VI promotional account for the promotional materials.

Moved: Cm. Belmares

Second: Mayor Pro Tempore Garza

For: 8

Against: 0

Abstain: 0

Citizen comments

Tim Franeiscus applauded the efforts of City Council for bringing a third golf course to the community of Laredo. He noted that this was a step in the right direction. He encouraged them to build a quality golf course that is affordable for the citizens of Laredo.

Lisa Longoira and Cindy Bordorf from the Catholic Social Services reported that they have been contracted by the Catholic Social Services to spearhead a campaign for the First Annual Catholic Social Services Recognition Dinner honoring the parents of Congressman Henry Cuellar and Sheriff Martin Cuellar. She invited City Council to attend the dinner.

Rebecca Solloa, Director of Catholic Social Services, explained the difference services that the service provides to citizens of Laredo.

VI. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

- a. Appointment by Mayor Pro-Tempore Mike Garza of Mr. Cristobal Rodriguez to the Board of Adjustments.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

- b. Appointment by Council Member Cynthia Liendo Espinoza to the Transportation and Traffic Safety Committee.

Motion to table.

Moved: Cm. Valdez
Second: Cm. Belmares
For: 7

Against: 0

Abstain: 0

VII. PUBLIC HEARINGS

1. Public hearing and introductory ordinance amending Section 23-3 of Chapter 23 (Parks and Recreation) of the Code of Ordinances of the City of Laredo to allow for a \$5.00 increase of the annual membership fee in public recreation centers for all participants; allowing for a \$25.00 increase per participant for the summer playground program with a cap of \$100.00 per family each session; containing a savings clause; containing a severability clause; and providing an effective date. (Operations Committee has recommended that public hearing be held at City Council Meeting; Finance Committee approved a \$25.00 fee for a two (2) week session provided that the same children are not serviced again unless spaces are available.)

Motion to open the public hearing.

Moved: Cm. Garcia
Second: Cm. Belmares
For: 8

Against: 0

Abstain: 0

Cm. Garza suggested charging non-residents \$200.00 for the summer playground program.

Javier Mendoza encouraged City Council to use their discretionary funds for this item. He continued to say that they are causing a huge tax burden for the citizens of Laredo by implementing such low fees for the special events.

Motion to approve the \$25 fee for a two week session, to charge \$200 for non-residents and to increase the annual membership fee by \$10.

Moved: Cm. Garcia
Second: Mayor Pro Tempore Garza
For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

2. 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. 3-48-0136-063-2010 in the amount of \$145,629.00 to conduct a Wildlife Hazard Study and Assessment 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 \$7,665.00 is available in the Airport Construction Fund. (Approved by Operations & Finance Committees)

Motion to open the public hearing.

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Rendon

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Rendon

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

5. Public hearing and introductory ordinance amending Chapter 24, Article VI, of the Laredo Land Development Code, section 24.93.6: special permit procedures: electronic displays, in order to remove the requirement that displays be located on the premises of an outdoor arena, stadium, or theater; providing for publication and effective date. (Approved by Operations Committee)

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Rendon

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

6. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 9.5 acres, as further described by metes and bounds in attached Exhibit "A", located on the east side of Ejido Road, south of Wormser Road, from R-1A (Single Family Reduced Area District) to R-2 (Multi-Family Residential District); Providing for publication and effective date.

The Planning & Zoning Commission recommended approval of the zone change.
District I

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

George Clower was present to answer any questions on the zone case.

Motion to close the public hearing and introduce.

Moved: Mayor Pro Tempore Garza

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

7. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 7.17 acres, as further described by metes and bounds in attached Exhibit "A", located north of Cielito Lindo Boulevard and west of Slowriver Court, from R-1A (Single Family Reduced Area District) to R-1-MH (Single-Family Manufactured Housing District); Providing for publication and effective date.

Staff supports the application and the Planning & Zoning Commission recommended approval of the zone change. District I

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Rendon

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Mayor Pro Tempore Garza

Second: Cm. Narvaez

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Mayor Pro Tempore Garza

8. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 1.77 acres, located at 5620 E. Saunders Street, from B-3 (Community Business District) to B-4 (Highway Commercial District); Providing for publication and effective date.

Staff supports the application and the Planning & Zoning Commission recommends approval of the zone change. District V

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Rendon

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Rendon

Second: Cm. Narvaez

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Rendon

9. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 42, Block 4, Shiloh I Subdivision, located at 1214 Shiloh Drive, from R-1 (Single Family Residential District) to R-3 (Mixed Residential District); Providing for publication and effective date.

Staff does not support the application and the Planning & Zoning Commission does not recommend approval of the zone change. District VI

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Narvaez

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and deny the zone change request.

Moved: Cm. Belmares

Second: Mayor Pro Tempore Garza

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Belmares

10. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 2.11 acres, as further described by metes and bounds in attached Exhibit "A", located on the northwest corner of McPherson Road and Fenwick Drive, from B-1 (Limited Commercial District) to B-3 (Community Business District); Providing for publication and effective date.

Staff supports the application and the Planning and Zoning Commission recommends approval of the zone change. District VI

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Belmares

11. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit for a flea market on Blocks 1, 2, and 3, Laredo Truck Stop Subdivision, located at 5305 Santa Maria Avenue; Providing for publication and effective date.

Staff supports the application and the Planning & Zoning Commission recommends approval of the Special Use Permit. District VII

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Narvaez

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Valdez

Second: Cm. Belmares

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Valdez

12. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for an amusement redemption machine establishment on all the Lots of Blocks 1024, 1024A, and 1025, Western Division, located at 4100 San Bernardo Avenue, Suites E3 and E4; Providing for publication and effective date.

Staff supports the application and the Planning & Zoning Commission recommends approval of the Conditional Use Permit. District VII

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and table this item.

Moved: Cm. Valdez

Second: Cm. Liendo Espinoza

For: 7

Against: 0

Abstain: 1

Cm. Narvaez

13. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for a forklift repair business on the south 2/3 of Lot 2, Block 552, Western Division, located at 1716 Shea Street; Providing for publication and effective date.

Staff does not support the application and the Planning and Zoning Commission has recommended approval of the Conditional Use Permit. District VIII

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

Feliciano Guardiola spoke in favor of the conditional use permit.

Motion to close the public hearing and introduce with the following provisions except for # 10:

1. The C. U. P. shall be issued to Elidia R. Luna and Leticia Luna Guardiola, and is nontransferable.
2. The C.U.P. is restricted to the site plan, Exhibit "B", which is made part hereof for all purposes.
3. Provide parking spaces in compliance with the Laredo Land Development Code.
4. Provide and maintain trees and shrubs in compliance with the Laredo Land Development Code.
5. Signage will be limited to a three by four foot sign.
6. Banners and window signs are prohibited.
7. All storage of equipment shall be within a wholly enclosed building.
8. Provide a seven foot tall opaque fence along the northern and eastern property lines.
9. the CUP shall be valid for one (1) year of final reading.
10. Welding, grinding, cutting, and all other metal machining is prohibited on site.
11. The hours of operation shall be limited to 8 a.m. to 6 p.m.

Moved: Cm. Liendo Espinoza

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

VIII. INTRODUCTORY ORDINANCES

14. Designating as a one-way southbound the 2000 and 2100 blocks of S. Milmo Avenue, between Chesnut Street and San Luis Street, and as a one-way westbound the 2300 and 2400 blocks of San Luis Street, between S. Jarvis Avenue and S. Milmo Avenue, during the peak hours of 7:30 a.m. to 8:30 a.m., and 2:30 p.m. to 4:15 p.m., Monday through Friday, during school days, providing for the installation of appropriate signs to indicate one-way traffic and providing for publication and effective date. (Approved by Operations Committee)

Ordinance Introduction: City Council

15. Designating as a one-way eastbound the 2900 block of Norton Street, between S. New York Avenue and S. Canada Avenue, as a one-way eastbound the 2900 block of Tinaja Street, between S. New York Avenue and S. Canada Avenue, as a one-way westbound the 2900 block of Thurman Street, between S. New York Avenue and S. Canada Avenue, as a one-way westbound the 2900 block of Palo Blanco Street, between S. New York Avenue and S. Canada Avenue, as a one-way northbound the 2900 block of Canada Street, between Norton Street and Thurman Street, as a one-way southbound the 2700 block of Canada Street, between Tinaja Street and Palo Blanco Street, during the peak hours of 7:30 a.m. to 8:30 a.m., and 2:30 p.m. to 4:15 p.m., Monday through Friday, during school days, providing for the installation of appropriate signs to indicate one-way traffic and providing for publication and effective date. (Approved by Operations Committee, as amended)

Ordinance Introduction: City Council

16. Setting the maximum speed limit on that 1.3 mile section of Loop 20 approaching SH 359, within the City limits of Laredo, Webb County, Texas, as 45 MPH, from mile point 12.158 and ending on mile point 12.854 as defined in the Texas Department of Transportation Control Section Map 0086-14-025, to be in effect during the construction of the Loop 20/SH359 Interchange providing for the installation of appropriate signs to indicate new speed changes in the designated areas and providing for publication, and effective date. (Approved by Operations Committee)

Ordinance Introduction: City Council

17. Authorizing the City Manager to enter into a lease agreement by and between the Laredo Transit Management, Inc., and the City of Laredo Department of Community Development for the lease of 6,628 sq. ft. of building space, second and third floors (East) and 1,016 sq. ft. of building space on 2nd floor (West) wing for a total for a monthly sum of \$5,289.65 at the Laredo Transit Center located at 1301 Farragut Street for a term of three (3) years commencing on February 1, 2010. This action is contingent upon the availability of funds. (Approved by Operations & Finance Committees)

Ordinance Introduction: City Council

Moved: Cm. Belmares
Second: Cm. Rendon
For: 8 Against: 0 Abstain: 0

- 2010-O-038 Amending the City of Laredo Health Department FY2009-2010 annual budget by authorizing the City Manager to accept, execute and appropriate revenues and expenditures in the amount of \$120,912.00 from the Texas Department of State Health Services—Office of Border Health for Public Health Emergency Response (PHER) to support activities in the development of capacity to prepare, monitor and respond to an influenza pandemic and the H1N1 influenza outbreak in the U.S.-Mexico Border Region through enhancement of surveillance, early detection and prevention locally and binationally for the term period March 1, 2010 through August 31, 2010; and amending the FY2009-2010 City of Laredo full-time equivalent positions by adding one (1) full-time position with benefits.

Motion to adopt Ordinance 2010-O-038.

Moved: Cm. Belmares
Second: Cm. Rendon
For: 8 Against: 0 Abstain: 0

- 2010-O-039 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 Grant No. 3-48-0136-061-2010 in the amount of \$2,803,152.00 to rehabilitate General Aviation Apron Construction Phase 5/Design Phase 6 and reimbursement for the ARFF vehicle acquisition cost at the Laredo International Airport and appropriating said grant revenue to the appropriate revenue and expenditure accounts and authorizing the City Manager to implement said budget amendment. The City's local match in the amount of \$147,535.00 (5%) is available in the Airport Construction Fund.

Motion to adopt Ordinance 2010-O-039.

Moved: Cm. Belmares
Second: Cm. Rendon
For: 8 Against: 0 Abstain: 0

- 2010-O-040 Accepting a grant awarded by the Office of the National Drug Control Policy (ONDCP) High Intensity Drug Trafficking Area (HIDTA) in the amount of \$836,020.00 to fund the Laredo Financial Task Force and the Public Corruption Task Force at no cost to the City, and to amend the Financial Task Force FY 2009-2010 budget by \$45,469.00 to reflect actual grant amount. Funds will be used to pay personnel, travel, and operational expenses from January 1, 2010 through December 31, 2010.

Second: Cm. Rendon

For: 8

Against: 0

Abstain: 0

2010-O-044 Amending the City of Laredo full-time equivalent (FTE) positions by adding one (1) full-time temporary Administrative Assistant II (Grade 35) position with no benefits for the Neighborhood Stabilization Program (NSP). This position is for the implementation of the NSP Contract with the Texas Department of Housing and Community Affairs (TDHCA) which is for a term of two (2) years. The contract term started September 1, 2009 and ends on August 31, 2011. Funding is available under the Community Development Budget—ARRA-Neighborhood Stabilization Program.

Motion to adopt Ordinance 2010-O-044.

Cm. Landeck expressed his concerns for employees that are being hired to work with the city and will not be receiving insurance.

Carlos Villarreal, City Manager, stated that the federal government would not pay for fringe benefits because it is a part time program and the City of Laredo is in no condition to be picking up those benefits at this point.

Motion to provide health benefits for all new employees.

Moved: Cm. Landeck

Motion dies for lack of second.

Ronnie Acosta, Community Development Director, noted the two said position were being funded with stimulus funds and are targeted to create jobs. Once the funds are exhausted they will not be able to continue their employment with the City.

Moved: Cm. Belmares

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

2010-O-045 Amending the City of Laredo full-time equivalent (FTE) positions by adding three (3) full-time temporary positions with no benefits consisting of an Administrative Assistant II (Grade 35), Housing Technician (Grade 28) and a Housing and Rehabilitation Inspector (Grade 32) for the Weatherization Assistance Program (WAP). These positions are for the implementation of the WAP Contract with the Texas Department of Housing and Community Affairs (TDHCA) which is for a term of two (2) years. The contract term started September 1, 2009 and ends on August 31, 2011. Funding is available in the Community Development Budget—A.R.R.A. Fund—Weatherization Grant.

4. Laredo Morning Times in the estimated amount of \$18,000.00;
5. El Mañana Inc., in the estimated amount of \$14,000.00.

Funding is available in the Assistance to Firefighters (AFG) Grant in the Special Fire Grants Fund. (Approved by Operations & Finance Committees)

Motion to approve.

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

Against: 0

Abstain: 0

27. Consideration to authorize the purchase of an upgrade to the ASTRO 25 System Master Switch (800 MHz Trunked Radio System) from its current System Release 7.2 to 7.7, including Integrated Voice & Data with programming Over the Air and Global Positioning System capability through the Houston-Galveston Area Council (HGAC Buy Board) contract from Motorola, Inc. (H-GAC contract no. RA01-08), in the amount of \$801,327.00. Funding is available in the 2009 State Homeland Security Grant in General Fund. (Approved by Operations & Finance Committees)

Motion to approve.

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

Against: 0

Abstain: 0

28. Consideration for acceptance, final payment and release of retainage of \$28,079.70 to Insituform Technologies Inc. for a contract in the amount of \$249,843.00 for the rehabilitation of 1,670 LF of 8" Sanitary Sewer and 396 LF of 30" Sanitary Sewer at the following locations:

- * Springfield Avenue from Mann Road to Sunset
- * Mann Road from Springfield Avenue to Encino Drive
- * Ortiz from San Dario to San Francisco Avenue

Funding was provided under 2008 Utilities Bond. (Approved by Operations & Finance Committees)

Motion to approve.

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

Against: 0

Abstain: 0

29. Consideration to authorize the purchase of two (2) Chevrolet Suburbans, for the Police Department, from Caldwell Country Chevrolet, Caldwell, Texas, in the total amount of \$83,890.00 through the Houston-Galveston Area Council of Governments (H-GAC) Cooperative Purchasing Program's contract pricing. Funding is available from SHSP

State Homeland Security Grant in General Fund. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

30. Consideration to award contract number FY10-041 to the low bidder, Schindler Elevator, San Antonio, Texas, in the estimated amount of \$93,857.52 for a three (3) year elevator and escalator maintenance service contract. This contract will provide for monthly maintenance on the elevators and escalators at the following municipal buildings: Airport Terminal, Bridge III and IV, City Hall, Police Department, Public Library, El Mercado building, and the Parking Division building. Funding is available in the respective departmental budgets and subject to future budget appropriation. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

31. Amending the FY 09-10 contract with the Laredo Animal Protective Society to provide for an additional \$34,000.00 in funding to the Laredo Animal Protective Society. The contract would increase from \$266,000.00 to \$300,000.00. Funding is available in the General Fund Reserves. (as amended)

Motion to approve.

Moved: Cm. Valdez

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

32. Approving monthly adjustments to the tax roll. The amounts to be adjusted for the month of March 2010, represent a decrease of \$3,363.19. These adjustments are determined by the Webb County Appraisal District and by court orders.

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

33. Refund of property tax in the amount of \$1,358.58 to the following taxpayers;

1. A refund in the amount of \$666.05 payable to FSRG Ltd. due to an overpayment. Account #332-00401-110.

Marcel Notzon, Attorney at Law representing Price Construction, mentioned that Price Construction has been a strong member of this community for over 65 years. The low bidder that had these defects has been in existence for two years. He pointed out that they have changed names several times and at one point filed bankruptcy. He said that if they cannot comply with bid specifications and documents then he recommended that Council go with the recommendations of the Airport Advisory Board, Operations and Finance Committee and approve Price Construction.

Motion to waive the minor irregularities and go with the lowest bidder.

Moved: Mayor pro Tempore Garza

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

37. Authorizing the award of a contract in the amount of \$395,000.00 to Kell Muñoz Architects for Professional Services in the Development of a Downtown Master Plan. Funding for the project is available in the Capital Improvement Fund and the 2008 Certificate of Obligation. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Mayor Pro Tempore Garza

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

38. Consideration to authorize the purchase of Hewlett Packard servers and related items for the Laredo Bridge System computer server upgrade from Sequel Data Systems, Inc., Austin, TX, through the State of Texas DIR Cooperative Purchase Contract SDD-223, in the total amount of \$77,649.85. Funding is available in the Bridge System 2005A Revenue Bond. (Approved by Operations & Finance Committees)

Motion to approve in the corrected amount of \$71,878.04.

Moved: Mayor Pro Tempore Garza

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

39. Consideration to award a contract to each of the identified bidders providing the best value of weatherization goods and services in support of the Weatherization Assistance Program (WAP) funded by the Texas Department of Housing and Community Affairs (TDHCA). The selected bidders have been ranked in order as per bid specifications scoring criteria. The primary contract will be awarded to (1) Efficient Attic Systems DBA Weatherization Management Group LLC for an amount up to \$1,000,000.00. If and when the primary contractor is unable to take on additional work orders (2) Marion Services LLC, (3) Zertuche Construction LLC, (4) E3 Solutions Inc., and (5) Paragon Builders Inc. will be contracted to provide services for overflow work at a contract price of up to approximately \$5,500.00 per unit. The term of the contract will be for approximately one (1) year and may be renewed for a second year at the option of the City and the contractor. Funding is available in the Community Development A.R.R.A. Fund – Weatherization Grant.

Motion to approve.

Moved: Mayor Pro Tempore Garza

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

40. Consideration for approval of change order no. 1 an increase of \$2,154,000.00 to the construction contract with Modern Construction, Inc., Laredo, Texas, for the James and Maria Luisa Haynes Health and Wellness Center for the addition of a larger aquatic center (pool and pool play equipment), pool equipment room and outdoor showers, additional pool hardscape, additional jogging trail with rubber flooring and additional retaining walls. New work also includes four (4) tennis courts and accessories, tennis court lighting and bleachers, covered walkways and card access entry, and additional gates and railing and to add one hundred fifty (150) calendar days to the construction contract time which includes 46 days for rain/mud days accumulated to date. The new construction contract amount will be \$10,777,300.00 and the date of substantial completion as of this change order is September 2010. Funding is available in the 2008 and 2009 C.O Bonds Streets/ Sidewalks Account. The 2008 Bond will be reimbursed \$1.5 million from a future proposed bond sale.

Motion to approve.

Moved: Mayor Pro Tempore Garza

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

XII. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

41. A. Request by Mayor Raul G. Salinas

1. Discussion with possible action on the status of the City of Laredo Ethics Commission.

Carlos Villarreal, City Manager, said that staff would be including this item on the May 10, 2010 workshop agenda.

2. Discussion with possible action on the issue concerning “wait times” at the international bridge crossings.

Gene Garza, Laredo Port Director, explained the process of “wait times”. He noted that “wait times” are monitored on an hourly basis and staff is adjusted accordingly. He stated that their mission is detecting and preventing terrorist and terrorist weapons from entering into the United States while facilitating the orderly and efficient flow of a legitimate trade in people entering through our nation’s borders. He added that the waiting time was increased after the 911 because the security mission needs to be balanced security with the enforcement.

3. Update regarding the installation of specialized equipment at our parks and recreation centers for children with special needs, with possible action.

Oswaldo Guzman, Parks & Leisure Manager, noted that it has been somewhat difficult to modify the current recreational centers. He stated that the department purchases specialized equipment but will not have a specialized facility until the Haynes Parks and Recreation Center opens. The Haynes Center will be a progressive facility inclusive of all activities/equipment for students with special needs.

B. Request by Mayor Pro-Tempore Mike Garza

1. Discussion with possible action regarding a donation of two (2) surplus police units for patrol assistance within the Laredo Housing Authority's Project jurisdiction. (Co-sponsored by Mayor Raul G. Salinas & Council Member Cynthia Liendo Espinoza)

Mayor Pro Tempore Garza reported that there are several hundred homes in District I that are part of the housing authority. He added that housing projects have a tendency for criminal activity and that is why the Laredo Police Department has off-duty police officers patrolling the different projects. He noted that this item is an offshoot to be able to provide some assistance in those vehicles to be able to curtail some of the issues that are taking place .

Motion to approve the donation of two surplus police units for patrol assistance within the Laredo Housing Authority's Project jurisdiction.

Moved: Mayor Pro Tempore Garza

Second: Cm. Linedo Espinoza

For: 8

Abstain: 0

Against: 0

2. Discussion with possible action on installing speed cushions on Avenida Mexico, between Los Presidentes and Monclova, as part of the speed cushions pilot project utilizing District 1 discretionary funds.

Motion to approve the installation of speed cushions on Avenida Mexico, between Los Presidentes and Monclova as part of the speed cushions pilot project utilizing District 1 discretionary funds.

Moved: Mayor Pro Tempore Garza

Second: Cm. Liendo Espinoza

For: 8

Abstain: 0

Against: 0

3. Presentation by Lyndon B. Johnson High School National Honor Society on Earth Day Project.

Mrs. Cardenas, National Honor Society Sponsor from Lyndon B, Johnson High School and her students gave the following presentation:

Lyndon B. Johnson

National Honor Society Green Team

“Save the Planet”

Who We Are

We are the National Honor Society Green Team that consists of 13 members whose duty is to design a community service project that contributes to saving the planet.

2009 – 2010 Projects

100 Acres Wood park at North Central Park

Recycling project in school

Unwanted cellular phones

Future Projects

Tree planting in the Cielito Lindo park

Beautify the Zapata Hwy Median

Why we chose this project...

Save the Planet

Plants release oxygen

Plants aid in lowering temperatures

Beautify South Laredo

Help business boom

Laredoans would be proud of their City of Laredo

Where?

Hwy 83's median from Lomas del Sur to Cielito Lindo

Native plants/trees (Ideas)

Lemongrass

Spanish Dagger

Sunflowers

Purple Sage

Top Anacahuita

Needle Palm Tree

Mesquite

Texas Mountain Laurel

Contributors to our project...

Keep Laredo Beautiful

Lynne Nana

Wal-Mart

TxDOT

Council Member Mike Garza

Motion to instruct the City Manager to work an agreement with TxDOT to assist the students in this project.

Moved: Mayor Pro Tempore Garza

Second: Cm. Garcia

For: 8

Against: 0

Abstain: 0

C. Request by Council Member Johnny Rendon

1. Discussion with possible action to provide funding for two (2) score boards for the Taylor Field & Base No. 2, using discretionary funds.

Motion to approve to provide funding for two (2) score boards for the Taylor Field & Base No. 2, using discretionary funds.

Moved: Cm. Garcia

Second: Cm. Narvaez

For: 8

Against: 0

Abstain: 0

2. Status report on the Bartlett Avenue Extension Project.

Rogelio Rivera, City Engineer, noted that he included color prints and information in the Friday packet. He noted that despite the rain they are still predicting the original completion time of late May or early June.

3. Discussion with possible action on the establishment of a concrete crushing facility to be located in Laredo, Texas.

Ted Teegarden, Price Construction, advised that there is a common problem facing the the construction industry which is the lack of a cost effective and environmentally friendly solution to the disposal of demolition concrete and destruction debris. Due to this problem construction is often dumped illegally or in an environmentally sensitive location. He noted that the best solution to this is for demolition concrete and rubble to be crushed and recycled so it can be used in a variety of construction materials. Recycled construction can be used in a variety of construction materials including streets, parking lots or any other construction projects.

City Manager, Carlos Villarreal, reported that the engineering companies would like to see how the recycled material would work in the Laredo area and how it would compare to some of the other elements.

Motion to send this item back to staff for review and testing and return to City Council with recommendations.

Moved: Cm. Garcia

Second: Cm. Narvez

For: 8

Against: 0

Abstain: 0

D. Request by Council Member Gene Belmares

1. Discussion with possible action on acquiring 1.4 acres from McPherson Investments for an amount not to exceed \$40,000.00. The acreage is needed for additional access and parking for the North Central Park Phase 1.

Motion to approve the acquisition of 1.4 acres from McPherson Investments for an amount not to exceed \$40,000.00.

Moved: Cm. Belmares
Second: Cm. Landeck
For: 8

Against: 0

Abstain: 0

2. Discussion with possible action on purchasing three (3) playground stations, twelve (12) water fountains, four (4) misting stations, and forty (40) benches for the North Central Park. The benches will be available for purchase and dedication by the general public.

Motion to initiate an acquisition of the 2008 park bond because there is available funding for the park.

Moved: Cm. Belmares
Second: Cm. Rendon
For: 8

Against: 0

Abstain: 0

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

1. Discussion with possible action to consider speed reduction devices on Lafayette Street.

Cm. Valdez advised that there have been major accidents on Lafayette Street and he asked for recommendations on how to slow the traffic in that area.

Roberto Murillo, Traffic Director, stated that in regard to signage there are enough speed limit signs through the area of Lafayette. He added that they have installed slow signage approaching the overpass. He said that they have also installed a flashing beacon. He further explained that a speed hump is not recommended because the area is not residential.

Cm. Valdez expressed his concern because individuals increase their speed when they are traveling from San Bernardo to Santa Maria to make a green light and they lose control of their vehicle.

Motion to increase the patrolling in the early mornings and install additional flashing beacons on Lafayette Street.

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

Abstain: 0

Against: 0

2. Discussion with possible action to install seven (7) speed cushions on Rio Grande Drive and Zebra Drive as part of the pilot project using District 7 discretionary funds at a cost of \$4,000.00 each.

Motion to install seven (7) speed cushions on Rio Grande Drive and Zebra Drive as part of the pilot project using District 7 discretionary funds at a cost of \$4,000.00 each.

Moved: Cm. Landeck.
Second: Cm. Liendo Espinoza
For: 8

Abstain: 0

Against: 0

F. Request by Council Member Cynthia Liendo Espinoza

1. Discussion with possible action regarding flooding problems at the corner of Santa Maria Avenue and Blair Street.

Motion to instruct staff to meet with the effected parties and bring back a recommendation with funding alternatives to address the issue.

Moved: Cm. Liendo Espinoza

Second: Cm. Valdez

For: 8

Agaisnt; 0

Abstain: 0

XIII. STAFF REPORTS

42. Selection of an operator for the municipal golf course with possible action.

Horacio De Leon, Assistant City Manager, said that at the last meeting Council directed staff to go back and pursue a best and final offer from the proposers who had proposed a lease agreement with the city. He thanked the individuals who submitted proposals. He gave the following presentation:

Max A. Mandel Memorial
Municipal Golf Course at Las Islitas

Request for Proposals from Golf Operators

Lease Proposer

Kemper Sports
Meadowbrook Golf
Foresight Golf

Max A Mandel Memorial
Municipal Golf Course at Las Islitas

	Kemper	Meadowbrook	Foresight
Experience	A+	A	A
Marketing Plan	B+	B+	B+
Financial Status	A+	B+	A
References	A+	A+	A+
Lease Proposal	C	A	A+

	Monthly Compensation	# Months	Total Dev. Cost	Lease Payments	Capital Investment	Term	Total Income to City @ 10 yrs.
KEMPER SPORTS							
<i>Development</i>	\$3,000	8	\$24,000	5% Gross			\$774,454
<i>Construction</i>	\$5,000	10	\$50,000	25% Net (Gross Profit less payroll, operating exp, management fee & rent payment)	\$0	20 Years	(\$122,000)
<i>Grow-In</i>	\$8,000	6	\$48,000				
<i>Travel</i>	At cost						
Total			\$122,000				
MEADOW-BROOK GOLF							
<i>Development</i>	\$10,000	8	\$80,000	10% Green Fees Cart Fees	\$0	5 Yr term with option for two additional 5 yr terms	\$1,205,492
<i>Construction</i>	\$10,000	10	\$100,000				
<i>Grow-In</i>	\$15,000	6	\$90,000				
<i>Travel</i>	At cost						
Total			\$270,000				\$935,492
<i>A full time individual will be provided as a project coordinator from day one.</i>							
FORESIGHT GOLF							
<i>Development</i>	\$7,500	8	\$60,000	50% Net	\$200,000 (2)	10 Yr term with option for three additional 5 yr terms based on performance	\$1,168,432
<i>Construction</i>	\$7,500 *	10	\$75,000				
<i>Grow-In</i>	\$7,500 *	6	\$45,000				
<i>Ext .Cost (1)</i>	\$5,417	10	(\$54,167)				
<i>Travel</i>	No cost						
Total			\$125,833				\$1,042,599
<i>(1)*Includes a Superintendant once installation of the irrigation begins.</i>							
<i>(2)Operator will only recover any amount in excess of the proforma for the first five years up to \$200,000.</i>							

Thank you Mayor and City Council and the Evaluating Committee

Francisco Meza, Purchasing Agent for the City of Laredo
Osbaldo Guzman, Parks Director
Martin Aleman, Budget Manager
Rogelio Rivera, City Engineer
Raul Casso, City Attorney
Gary Jacobs, Developer
Horacio De Leon, Assistant City Manager
Carlos Villarreal, City Manager

Mayor and Council participants:

Mayor Raul G. Salinas
Cm. Hector Garcia
Cm. Jose A. Valdez

Motion to go with recommendation of staff which is Foresight Golf.

Moved: Cm. Garcia
Second: Cm. Valdez
For: 7

Against: 0

Abstain: 0

Mayor Pro Tempore Garza was not present.

XIV. EXECUTIVE SESSION

The City Council hereby reserves the right to go into executive session at any time during this public meeting, if such is requested by the City Attorney or other legal counsel for the City, pursuant to his or her duty under Section 551.071(2) of the Government Code, to consult privately with his or her client on an item on the agenda, or on a matter arising out of such item.

43. Request for executive session pursuant to Texas Government Code Section 551.072 in order to deliberate the value of land subject to a potential real estate transaction to be used for municipal and recreational purposes and being certain lots out of Block 2169 E.D. and Block 2156 E.D.

Motion to go into Executive Session pursuant to Texas Government Code Section 551.072 in order to deliberate the value of land subject to a potential real estate transaction to be used for municipal and recreational purposes and being certain lots out of Block 2169 E.D. and Block 2156 E.D.

Moved: Mayor Pro Tempore Garza

Second: Cm. Liendo Espinoza

For: 8

Against: 0

Abstain: 0

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

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. Garcia

Second: Cm. Narvaez

For: 7

Against: 0

Abstain: 0