

**CITY OF LAREDO
CITY COUNCIL MEETING
M2010-R-14
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
JULY 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

Raul G. Salinas,	Mayor
Mike Garza,	Council Member, District I
Hector Garcia,	Council Member, District II
Michael Landeck,	Council Member, District III
Johnny Rendon,	Mayor Pro Tem, District V
Gene Belmares,	Council Member, District VI
Jose Valdez, Jr.,	Council Member, District VII
Gustavo Guevara, Jr.,	City Secretary
Carlos Villarreal,	City Manager
Cynthia Collazo,	Deputy City Manager
Horacio De Leon,	Assistant City Manager,
Jesus Olivares,	Assistant City Manager,
Raul Casso,	City Attorney

Motion to excuse Cm. Narvaez, Cm. Garza and Cm. Liendo Espinoza.

Moved: Cm. Garcia
Second: Cm. Rendon
For: 5

Against: 0

Abstain: 0

IV. MINUTES

Approval of the minutes of June 29, 2010, July 1, 2010, & July 6, 2010

Motion to approve.

Moved: Cm. Garcia
Second: Cm. Rendon
For: 5

Against: 0

Abstain: 0

V. COMMUNICATIONS AND RECOGNITIONS

Cm. Garza joined the meeting at 5:32 p.m.

Recognitions

- a. Recognition by the Mayor and City Council Members of Employees that retired from the City of Laredo with 20 or more years of service.

Cesar Garza, Human Resources Department, introduced the following employees:

Augustin Maya, Jr. – 21 years -- Bridge Department

Jesus E. Cantu – 20 years – Building Department

Pablo Cortez, Jr. – 30 years – Fire Department

Jose E. Gonzalez – 28 years – Police Department

Adrian Rodriguez – 20 years – Police Department

Armando G. Elizondo – 40 years – Police Department

Roel Hernandez – 38 years – Public Works

Communiqués

- a. Invitation by the One City, One Book Committee regarding the 2010 upcoming campaign.

This item was discussed with item #33.

Citizen comments

Juan Avila stated that his heart went out to all the families in Laredo who had losses from the flood but said that some felt that those who helped during the crisis were doing so to get votes. He disagreed with this opinion and felt that those who were not out there helping should be the ones criticized.

James Newland stated that the first responsibility of a citizen of the United States was to protect and defend the constitution. He distributed two documents, one being a letter to the editor of the Laredo Morning Times and the second being a legal request for the managers of El Metro to provide him with all documents pertaining to the insurance cancellation.

To the Editor:

From the onset of El Metro's insurance fiasco my recommendation to the affected employees was to conduct a Vote for the retention of an Expert Attorney. As it often happens, my recommendation was ignored. As I now see it, the situation is evolving into a spinning circus. El Metro, the City, the Insurer, the Insurance Broker, and First Transit – City's contracted Management Company – the primary Entity of said fiasco has so far not uttered a word. By the way, First Transit's motto is or was "A First Class Management Company." None of the above Entities have to date ever presented not even one form of documented information exchanged among them – let alone the whole of it. If we and Citizens of Laredo were to get the full and complete Documentation from all parties, it would be clear to see Who, What, When and WHY. Something Old; When I first started working at El Metro, (10-9-89) all

that I heard was about an administration employee who was – for no apparent reason – becoming richer by the day. Thanks to a whistle blower said employee was found to possess thousands of cash money stashed in his locker, the story ends with no Legal Action because the money had never left El Metro’s Property. Something New; Around May of ’09 an employee on Disability asked where was his check(s) he was told he’d cashed them already. Where was it sent, by whom, where, and how was it cashed? Please help Sherlock Holmes! Lastly for today, at first (6-21-10) the City basically said that everything was utterly Jefferson Pilot’s (Lincoln Financial) failure. At present, and last for today; in this last city council meeting (7/6/10), the City Manager clearly stated that it was not a City problem; it’s a First Transit Problem.

Very Truly Yours,

James J. Newland

*Legal Request Letter
TEXAS PUBLIC INFORMATION ACT Request Letter*

Dear Officer of Records:

This request is made under the Texas Public Information Act, Chapter 552, Texas Government Code, which guarantees the public’s access to information in the custody of government agencies. I respectfully request copies of the following information:

Any and all copies, forms, types and means of correspondence/communications from September 1, 2009 to present, in connection with El Metro – the Trustee responsible of making accurate pay check deductible premiums, payments, adjustments, updates and so forth in accordance with Insurer’s Terms and Conditions towards my several years held, and still unknown Policy accounts number – Supplemental Life and Long Term Disability Group Insurance Coverage to and from my employer; Laredo Transit Management Inc. (El Metro), First Transit, (unknown legal name of) Insurance Brokers, Insurers; Jefferson Pilot/Lincoln Financial, Principal Financial and the City of Laredo, which were canceled without my knowledge or consent effective October 31, 2009.

And because I was never provide it with; I as well demand the honoring of my June 28, 2010 submitted request to Laredo Transit Management Inc., for Employer-Pay Life and Disability Insurance Policy Copies, which I fear suffered the same fate.

I shall look forward to hearing from you promptly, as specified in the law. Thank you for your cooperation.

*Respectfully,
James J. Newland*

VI. PUBLIC HEARINGS

1. Public hearing and introductory ordinance ratifying the City Manager’s acceptance of a

grant from the Economic Development Administration (EDA) under the United States Department of Commerce in the amount of \$1,000,000.00 with \$500,000.00 in matching funds, and amending the City of Laredo's FY 2009-2010 Annual Budget for the Environmental Services Department by appropriating the said grant revenue to the appropriate expenditure accounts. These funds will be used towards the design and engineering of the first phase (promenade and parking structure) of the River Vega project, a riverfront commercial, retail, and green space development along the Rio Grande. Matching funds will come from the Capital Improvements Fund. (Approved by Operations & Finance Committees)

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 6

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Garcia

For: 6

Against: 0

Abstain: 0

Ordinance Introduction: City Council

2. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit for the storage of flammable and explosive products on Lots 31 and 32, Block 4, Milo Distribution Center Phase III, located at 309 Nafta Boulevard; 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. Garza

Second: Cm. Belmares

For: 6

Against: 0

Abstain: 0

Alex Garza, lessee, spoke in favor.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Valdez

For: 6

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Belmares

3. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 0.70 acres, located south of the extension of Shiloh Avenue and approximately 131 feet north of Fishers Hill Loop, from R-1 (Single Family Residential District) to B-1 (Limited Commercial 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. Garza

For: 6

Against: 0

Abstain: 0

Joseph Crabtree spoke against the zone change and stated that no one on this board lived near the area being rezoned. He reminded Council that thirty-six people had attended a previous meeting to speak against the rezoning and asked that they deny the zone change.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Garza

For: 6

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Belmares

4. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 2.71 acres, as further described by metes and bounds in attached Exhibit "A", located west of Riverbank Drive, near the intersection with Cuervo Drive, from R-1A (Single Family Reduced Area District) to R-2 (Multi-Family Residential District); providing for publication and effective date.

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

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Garza

For: 6

Against: 0

Abstain: 0

Ben Puig of Mines Road Development spoke in favor of the zone change.

Motion to close the public hearing and introduce.

Moved: Cm. Valdez

Second: Cm. Belmares

For: 4

Against: 0

Abstain: 2

Cm. Garcia

Cm. Belmares

Ordinance Introduction: Cm. Valdez

5. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 5, 6, 7, and 8, Block 574, Western Division, located at 2719 San Bernardo Avenue, from B-3 (Community Business District) to B-4 (Highway Commercial District); providing for publication and effective date.

Staff does not support the application and the Planning and Zoning Commission recommends approval of the zone change. District VIII

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Garza

For: 6

Against: 0

Abstain: 0

Humberto Ramirez of 1701 San Bernardo business address and owner of property at 2719 San Bernardo said that his property was currently classified as a B-3 and wished for a zone change to a B-4 because those who wished to lease his property were B-4 designates.

Motion to close the public hearing and introduce as recommended by the Planning and Zoning Commission.

Moved: Cm. Valdez

Second: Cm. Garza

For: 6

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Valdez

6. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 3.20 acres, as further described by metes and bounds in attached Exhibit "A", located at 5221 S. Zapata Highway, from R-1 (Single Family Residential District) to M-1 (Light Manufacturing District); providing for publication and effective date.

Staff does not support the application and the Planning and Zoning Commission recommends approval of the zone change. District I

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Valdez

For: 6

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce as per recommendation of the Planning and Zoning Commission.

Moved: Cm. Garza
Second: Cm. Garcia
For: 6

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Garza

7. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 29-A, Block 77, Ferraez Subdivision, Calton Gardens, located at 260 W. Calton Road, from B-3 (Community Business District) to B-4 (Highway Commercial District); providing for publication and effective date.

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

Motion to open the public hearing.

Moved: Cm. Garcia
Second: Cm. Valdez
For: 6

Against: 0

Abstain: 0

Magdalena Villarreal, representing Mr. Trevino, spoke in favor of the zone change.

Motion to close the public hearing and deny as per Planning and Zoning recommendation.

Moved: Cm. Belmares
Second: Cm. Garcia
For: 6

Against: 0

Abstain: 0

VII. INTRODUCTORY ORDINANCES

8. Authorizing the City Manager to execute a lease with Texas Migrant Council for approximately 1.158 acres (50,442 square feet of land) located at 5102 North Bartlett Avenue on Tract 3 of Block 25 at the Laredo International Airport;
 1. Lease term is for two (2) years commencing on August 1, 2010, and ending on July 31, 2012, and may be extended for three (3) terms of one (1) year each ending on July 31, 2013; July 31, 2014; and July 31, 2015;
 2. Monthly rent shall be \$2,423.04 and will be adjusted annually according to changes
 3. in the Consumer Price Index; providing for an effective date. (Approved by Operations & Finance Committees)

Ordinance Introduction: City Council

9. Authorizing the City Manager to execute an Amendment between the City of Laredo, as Lessor, and Webb County Juvenile Board, as Lessee, for the Juvenile Justice Alternative Education Program (JJAEP) at the Laredo International Airport. Extending the lease term twenty (24) months ending on June 30, 2012, and amending Section 1.03, to

provide that Lessee shall vacate that portion of the leased premises which encumbers Lot No. 3 of Block No. 23 upon receipt of six (6) months written notice and providing Lessee with an equal sized portion of land from Lot No. 2 of Block No. 23 for the duration of the lease term. All other terms and conditions of the lease remain unchanged and in effect; providing for an effective date. (Approved by Operations & Finance Committees)

Introduction Ordinance: City Council

10. Confirming a proclamation declaring a local state of disaster issued by Mayor Raul Salinas on July 7, 2010 pursuant to Chapter 48 of the Texas Government Code.

Introduction Ordinance: City Council

VIII. FINAL READING OF ORDINANCES

Motion to waive the following Ordinances 2010-O-089 and 2010-0-090.

Moved: Cm. Belmares

Second: Cm. Garza

For: 6

Against: 0

Abstain: 0

11. 2010-O-089 Accepting a supplemental grant awarded and amending the City of Laredo FY 2009-2010 Financial Task Force grant budget by increasing revenues and expenditures in the amount of \$25,000.00 for the operational expenses awarded by the Office Trafficking Area (HIDTA). Funds will be used to pay overtime expenses for The Laredo Financial Narcotics Enforcement Team Task Force agents and Laredo Police Officers from January 1, 2010 through December 31, 2010.

Motion to adopt Ordinance 2010-O-089.

Moved: Cm. Belmares

Second: Cm. Garza

For: 6

Against: 0

Abstain: 0

- 2010-O-090 Authorizing the City Manager to execute a lease with Laredo Little Theater for approximately 5,801 square feet constituting Building No. 52 located at 4802 Thomas avenue at the Laredo International Airport; 1) Lease term is for ten (10) years commencing on October 1, 2009 and ending on September 30, 2019 and may be extended for one (1) term of five (5) years ending on September 30, 2024; 2) Monthly rent shall be \$500.00 and will be adjusted annually during the primary and extension term of this lease according to changes in the Consumer Price Index; providing for an effective date.

Motion to adopt Ordinance 2010-O-090.

Moved: Cm. Belmares

Second: Cm. Garza

For: 6

Against: 0

Abstain: 0

IX. RESOLUTIONS

12. 2010-R-064 Authorizing the City Manager to submit an application to the United States Foreign-Trade Zones Board for a temporary boundary modification on behalf of PG Distribution, LLC., in accordance with Ordinance No. 2000-O-183 dated July 24, 2000. The Temporary Boundary Modification consists of temporarily transferring the designation of one (1) acre from the City of Laredo, Foreign-Trade Zone Site No. 1, located at the Laredo International Airport to the new temporary site which shall be designated as Site No. 10 located at 8417 Amparan Road within the El Portal Industrial Park. (Approved by Operations Committee)

Motion to approve Resolution 2010-R-064.

Moved: Cm. Garza

Second: Cm. Valdez

For: 6

Against: 0

Abstain: 0

13. 2010-R-065 Authorizing the City Manager to enter into a contract with the Texas Commission on Environmental Quality (TCEQ) in the amount of \$70,000.00 to continue to operate and maintain three (3) continuous air monitoring stations (CAMS) by the Health Department for the term period beginning September 1, 2010, through August 31, 2011. (Approved by Operations & Finance Committees)

Motion to approve Resolution 2010-R-065.

Moved: Cm. Garza

Second: Cm. Valdez

For: 6

Against: 0

Abstain: 0

14. 2010-R-066 A resolution expressing official intent to reimburse costs of \$750,000.00 associated with the construction of the Independence Park—Phase II from a proposed bond to the Capital Improvements Fund. (Approved by Operations & Finance Committees)

Motion to approve Resolution 2010-R-066.

Moved: Cm. Garza

Second: Cm. Valdez

For: 6

Against: 0

Abstain: 0

X. MOTIONS

15. Authorizing the City Manager to approve change order no. 1 for the South Laredo Wastewater Treatment Plant Interim Improvements and Expansion Project to Wright Construction Co. for a total cost of \$59,412.03, due to unforeseen underground utilities

conflicts. This change order will not increase the Contract Cost Estimate, as contract order bid includes a line item allowance in the amount of \$123,000.00 for approved change requests and additional work.

Motion to approve.

Moved: Cm. Garza
Second: Cm. Garcia
For: 6

Against: 0

Abstain: 0

16. Consideration to award a DIR professional service contract to the sole source provider, Dell, in the amount of \$118,855.87. This professional services contract provides an upgrade to the existing backup software. Funding is available through the 2009-2010 Bureau of Justice Assistance Grant (JAG). This purchase will be a one time expense. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garza
Second: Cm. Garcia
For: 6

Against: 0

Abstain: 0

17. Consideration to award contract FY10-062 to the sole bidder BC Equipment Sales Inc., Corpus Christi, Texas, in the amount of \$547,025.00 for the purchase of one (1) lattice boom crawler crane with dragline attachment for the Utilities Department. Funding for the purchase of this equipment is available in the Utilities Department Fund. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garza
Second: Cm. Garcia
For: 6

Against: 0

Abstain: 0

18. Consideration to exercise the renewal option for annual contract FY09-054 awarded to:

1. Clark Hardware, Laredo, Texas, in the estimated amount of \$160,000.00; and

2. Lowe's Home Center, Laredo, Texas, in the estimated amount of \$36,000.00.

This contract is for the purchase of plumbing supplies for city maintenance and repair projects. The term of this contract will be for one (1) year and all items will be purchased on an as needed basis throughout the year and for various City Departments. Funding is available in the Parks and Leisure, Airport, Public Works, Civic Center, Health, Solid Waste, Laredo Transit Management Inc., Laredo Municipal Housing Corporation and Utilities Department budgets. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garza
Second: Cm. Garcia
For: 6

Against: 0

Abstain: 0

19. Consideration to award a contract to Graybar, Corpus Christi, Texas, through the U.S. Communities Cooperative Purchasing Program, in an amount not to exceed \$353,600.00, for the purchase of approximately two hundred thirty two (232) LED lighting fixtures and related materials. These new lighting fixtures will result in a 50% energy savings. Funding is available utilizing grant funding from the Department of Energy—Energy Efficiency and Conservation Block Grant (EECBG) Program in the Environmental Services Fund. (Approved by Operations Committee; Finance Committee recommended item be sent to Council)

Motion to approve.

Moved: Cm. Garcia
Second: Cm. Garza
For: 6

Against: 0

Abstain: 0

20. Consideration for approval to award a professional services contract to Howland Engineering and Surveying Co., Laredo, Texas, for an amount of \$79,315.00 to provide laboratory, sampling and testing services of materials for quality assurance for the Northwest Laredo Community Center to be located at 15201 Cerralvo Drive located in the Villas San Agustin Subdivision Unit 3. Contract time is for the duration of the project approximately four hundred twenty (420) calendar days. Funding is available in the 2009 C.O. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia
Second: Cm. Garza
For: 6

Against: 0

Abstain: 0

21. Consideration of an amendment of the professional services contract with Don Durden Inc., (dba) Civil Engineering Consultants (CEC), and Puig Engineering, LLC for the performance of professional services related to the development of the McPherson Road Capacity and Mobility Analysis, such that: the fee is increased by \$19,040.00, from \$135,810.00 to \$154,850.00, for project Phase C services, which include a travel time study, accident data analysis, and traffic studies at the Shiloh and International intersections. Funding is available in the Planning Grant Account. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia
Second: Cm. Garza
For: 6

Against: 0

Abstain: 0

22. Authorizing the City Manager to convey fee simple title of “the surface only” of a

surplus tract of land containing 9,375 sq. ft. more or less, identified as Lot 8 in Block 10 of Belmont Plaza Subdivision Plat, Unit I, recorded in Page 195, Volume 2, in the map records of Webb County in the City of Laredo, Texas, located at 109 Sage Drive to Felipe Sanchez, the sole bidder for the property for the bid amount of \$42,501.00. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Garza

For: 6

Against: 0

Abstain: 0

23. Authorizing the City Manager to convey fee simple title of “the surface only” of a surplus tract of land containing 5,786 sq. ft. more or less, identified as the North 2/3 of Lot 4, Block 860, Western Division, recorded in Page 655, Volume 309, in the map records of Webb County in the City of Laredo, Texas, and located at 3305 Convent Avenue to Alonzo and Michelle Morin, the sole bidders for the property for the bid amount of \$30,000.00. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia

Second: Cm. Garza

For: 6

Against: 0

Abstain: 0

24. Authorizing the City Manager to amend the City of Laredo’s 2009 Consolidated One-Year Action Plan for the purpose of reprogramming Community Development Block Grant (CDBG) funds totaling \$263,244.00 to (1) make additional improvements to El Eden Recreation Center/Park; and (2) acquire properties for the Chacon Creek Acquisition project. It is proposed that a total of \$125,700.00 in funds allocated to Sidewalks in District I derived from 34th and 35th AY CDBG funds be reprogrammed for the El Eden Recreation Center/Park Improvements project; and a total of \$137,544 in funds derived from 33rd and 34th AY CDBG fund balances from completed projects also be re-allocated to the Chacon Creek Acquisition project as noted below.

CDBG PROJECT FUND BALANCES

33rd AY

Chacon/Guatemozin Acq. & Relocation \$ 7,945.00

Total 33rd AY Fund Balances \$7,945.00

34th AY

CD Administration \$46,189.00

Housing Rehab Administration \$16,726.00

Code Enforcement \$60,982.00

Graffiti Removal \$ 5,702.00

Total 34th AY Fund Balances \$129,599.00

Moved: Cm. Garcia
Second: Cm. Belmares
For: 6

Against: 0

Abstain: 0

27. Consideration to approve the recommendation of the Golf Evaluation Committee and authorizing the City Manager to negotiate a design build contract with the team selected by Council.

Horacio De Leon, Assistant City Manager, reported on the results of the Golf Evaluation Committee. He introduced the committee members and gave a presentation.

This presentation can be viewed at the City Secretary's Office, 1110 Houston St., Laredo, TX 78040.

Motion to approve Landscapes Unlimited and Robert Trent Jones II Design Build Team.

Moved: Cm. Rendon
Second: Cm. Belmares
For: 4

Against: 2
Cm. Garza
Cm. Landeck

Abstain: 0

XI. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

28. A. Request by Mayor Raul G. Salinas

1. Discussion with possible action requesting a resolution to be sent to International Boundary and Water Commissioner, Edward Drusina, to establish an IBWC field office in the City of Laredo.

Motion to approve.

Moved: Cm. Belmares
Second: Cm. Garcia
For: 6

Against: 0

Abstain: 0

2. Discussion with possible action requesting Hamilton Housing Partnership to establish an emergency response contact to insure the health and safety of elderly residents at the Hamilton Hotel. (Co-Sponsored Cynthia Liendo Espinoza)

Mayor Salinas reported that the reason that they placed this item on the agenda is because on an incident that was reported that the residents were without water and air conditioning for three days. He said that it is not acceptable to have these citizens without those services. He said that they want to make sure that it doesn't happen again by creating a partnership so tenants can have a management that may be able to respond in case of emergencies. He went on to say that the residents are senior citizens who may be on medication and cannot be without water and air

conditioning. He also mentioned issues regarding security at the Hamilton Housing. The Mayor stressed that this situation should not ever happen again.

Bill Skeen agreed with Mayor Salinas. He said that he had received a telephone call regarding the water/air conditioner outage on Sunday. He agreed that it was not handled properly because of a lack of communication. He said that the housing partnership has an emergency response plan that is now in writing with a backup system in place. He said the system should ensure in the future if there is a cessation of services of the building that all individuals know whom to contact. He said that they are very dissatisfied with what happened; however, they now have a plan in place. He went on to give detailed facts of what they have done to assure that this will not happen again. Lastly, he mentioned that he gave the emergency plan to the Community Development and Building Directors.

XII. STAFF REPORTS

29. Report on the recent flooding event resulting from Hurricane Alex, with possible action.

Cm. Valdez stated that some people still had issues regarding the mobile homes that were totally damaged, for example families in Los Martinez.

Erasmus Villarreal, Building Director, reported that he had a meeting that afternoon with a representative of the State of Texas and they were working on this issue with FEMA to replace the mobile homes.

Cm. Landeck asked what was being done about the residence at 402 India.

Building Director Erasmus Villarreal responded that the residence was totally damaged and that they would be working with the property owner to see what could be done with the building.

Motion to move \$200,000 from CDBG projects put on hold toward helping those who lost their homes.

Moved: Cm. Valdez

Second: Cm. Garza

For: 6

Against: 0

Abstain: 0

30. Discussion with possible action regarding a time frame for the submittal of the Fiscal Year 2011 Annual Budget and the scheduling of the proposed FY2011 Budget Workshop.

City Manager Carlos Villarreal stated that they would like to have the submission of the Budget on July 26, 2010 so that they could review it before the Budget Workshop.

31. Report by Police Chief Carlos Maldonado regarding the International Association of Chiefs of Police (IACP) Border Summit held last week in Laredo.

Police Chief Carlos Maldonado reported that they had a follow-up meeting that stemmed through a visit from Vice-President Biden's office. He went on to say that they had about forty-eight chiefs and members of the law enforcement community that visited and that they discussed a whole host of issues including seeking advocacy in Washington, D. C. He concluded that they hoped to gain administrative control over Stonegarden funding, since they had received nothing since 2004.

32. Presentation by Geoffrey Howland of Chevron Company on the results of an eight (8) week study of the City as it relates to energy efficiency solutions and authorizing the City Manager to proceed with the second phase of the project. The second phase consists of soliciting Request for Qualifications (RFQ's) in order to select a performance contractor, who will identify, design, install, maintain, monitor and arrange financing of a comprehensive energy/utility conservation program with possible action.

Geoffrey Howland reported that he and his team had worked with staff to review the City facilities in terms of looking for opportunities for energy conservation and operational improvements across the city. He presented a summary to Mayor Salinas and City Council.

This presentation can be viewed at the City Secretary's Office, 1110 Houston St., Laredo, TX 78040.

Motion to solicit RFQ's in order to select a performance contractor.

Moved: Cm. Garza

Second: Cm. Belmares

For: 6

Against: 0

Abstain: 0

33. Staff report by Maria Soliz, Public Library Manager, regarding the donation of time and services by Mary Benavidez, former B. Dalton Book Sellers Manager, to help organize and manage literary projects at the Laredo Public Library.

Maria Soliz reported that in January, Laredo became the largest city in the United States without a bookstore. She continued saying that they were faced with the fact that they did not have a local new bookstore. She concluded that Mary Benavidez had agreed to donate her time, services and expertise to promote One City, One Book and man the Friends of the Library used book sales.

Mary Benavidez stated that she had been working in conjunction with the Laredo Public Library and was willing to donate her services to the community of Laredo to bring progress to the city's literacy.

34. Report on the Business Future of the Americas Conference, held in Lima, Peru on June 21st-24th.

Jose Flores, Airport Director, reported that the Power Point on the website was the same that they had been using for Peru, Chile and Ecuador. He added that currently about 20% of all manufactured goods are crossing borders, but in the next ten years, approximately 80% of all manufactured goods will cross borders. This would suggest for Laredo that more international trade will be coming in the future.

Herbert Molina reported that he believed that Laredo is opening up new ports everywhere. He went on to say that Peru was projecting a growth of \$40 billion in exports by 2010 and that Laredo should be able to grab some of those imports through Miami. He continued that to cross the Panama Canal costs \$500 per container; therefore, Laredo was competing now with big ports like Los Angeles, New York and Miami. He thanked Mayor Salinas and City Council for their support.

XIII. EXECUTIVE SESSION

None.

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. Garcia
Second: Cm. Landeck
For: 6

Against: 0

Abstain: 0

35. 2010-RT-003 Authorizing the City Manager to submit an application for State Public Transportation Funds for FY2010-2011 in the amount of \$661,226.00 with the Texas Department of Transportation which is authorized to distribute state funds for Transit Capital and operating assistance in urbanized areas under 200,000 in population. (Approved by Finance Committee)

Motion to approve 2010-RT-003.

Moved: Cm. Garcia
Second: Cm. Garza
For: 6

Against: 0

Abstain: 0

36. Authorizing the City Manager to waive bus fare collection on August 2nd through August 6th for people attending Operation Lone Star Clinics for free medical and limited dental exams. The bus route will operate Monday through Thursday from 8:00 am to 4:00 pm and Friday from 8:00 am to 2:00 pm, to and from the Transit Center and the clinic station at Alexander High School located at 3600 E. Del Mar Blvd. (Approved by Operations & Finance Committees)

Motion to approve.

Moved: Cm. Garcia
Second: Cm. Garza
For: 6

Against: 0

Abstain: 0

37. Request by Board Member Dr. Michael Landeck

Discussion with possible action regarding the clarification of Transit employees' insurance issues and all other related issues including related managerial and procedural matters to include a response by the City with a possible presentation by Union Representatives.

Cm. Landeck stated that he felt that one of the most vulnerable areas of Laredo was the public transportation. He continued saying that the quality and timing needed improvement, but the problem today was the lingering issue of the insurance. He went on to say that people working for El Metro did not know where they stood. He wished to give people from El Metro an opportunity to bring forward their questions so that they could close this issue and move forward.

Mr. Enrique Diaz stated that in the ill situation that was brought upon the city from the catastrophic storm, people in his part of the city who are sick no longer have insurance policies. He asked who would be picking up their medical bills without insurance. He mentioned that those responsible failed to tell them that they were no longer covered, and now it was too late for those with terminal illnesses.

Mr. William Koehn, General Chairperson of the Local 1679 Transportation Union, representing the drivers and mechanics of El Metro, said that the City Manager had stated at the last meeting that he would give a full report of the situation. He reviewed the situation that had occurred in June when they discovered that they had been uninsured for months.

City Manager Carlos Villarreal responded that he had carried out a full police investigation into the matter and a separate staff investigation and stated that when they found out that insurance salesmen had appeared at El Metro without their knowledge, they put a stop to it. He continued to say that they were presented with the problem once it had already begun with First Transit.

Feliciano Garcia, El Metro General Manager, responded that the insurance termination was concerning Employee Life and Long Term, nothing to do with cancer. This insurance was cancelled by the insurance company. He went on to say that another insurance was provided to everyone, the same insurance for Life and Long Term. He continued saying that the period of time in question when they were charged and not insured was 5 ½ months. He stated that they had a procedure in place and that what the City had to do with El Metro was arms-length only. He explained that a grievance process was necessary in Union matters.

City Manager Carlos Villarreal said that they couldn't be having one check covering three pay periods without the remainder being compensated. He said that they wanted to make sure that whatever payments had been deducted from the employees had been delivered to an insurance company and that there were no monies missing or going into someone's pocket. He went on to say that he had no paperwork and that no one else had any, either to prove what had been done.

Cm. Garza asked if there were a board of insurance in the state of Texas that they could submit a letter of complaint to. He asked that they look into that.

Cm. Landeck commended City Manager for looking into the matter since it was not technically a City matter and asked that they would resolve this problem which was part of a larger issue. He went on to say that if it were a corporation, therefore they had bylaws because they were part of the Laredo Mass Transit Board.

Motion to table and discuss this item at a future workshop.

Moved: Cm. Garcia

Second: Cm. Garza

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.

Moved: Cm. Garza

Second: Cm. Garcia

For: 6

Against: 0

Abstain: 0

SUPPLEMENTAL AGENDA

I. MOTIONS

1. Consideration for approval to award a professional services contract to Hickey Peña Architects, Laredo, Texas, for an amount not to exceed \$231,292.00 for the design and preparation of plans and specifications for the North Central Park Baseball Field Complex. Design work is to be on a fast track basis. Funding is available in the 2009 CO – North Central Park Baseball Field.

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Valdez

For: 6

Against: 0

Abstain: 0

2. Consideration for approval to award a professional services to Humphries & Sanchez Architects, PLLC., Laredo, Texas, for an amount not to exceed \$198,850.00 for design and preparation of plans and specifications for the Shiloh Crossing Baseball Field Complex. Design work is to be on a fast track basis. Funding is available in the 2006 and 2009 CO – Shiloh Crossing.

Motion to approve.

Moved: Cm. Belmares

Second: Cm. Valdez

For: 6

Against: 0

Abstain: 0

II. ADJOURNMENT

Motion to adjourn.

Moved: Cm. Garza

Second: Mayor Pro Tem Rendon

For: 6

Against: 0

Abstain: 0

I, Gustavo Guevara, Jr., City Secretary, do hereby certify that the above and foregoing is a true and correct copy of the minutes contained in pages 01 to 20 and they are true, complete, and correct proceedings of the City Council meeting held on July 19, 2010.

Gustavo Guevara, Jr.
City Secretary