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, Mayor
Mike Garza, Council Member, District I
Esteban Rangel, Council Member, District II
Alejandro Perez Jr., Council Member, District III
Juan Narvaez, Council Member, District IV
Johnny Rendon, Mayor Pro Tempore, District V
Charlie San Miguel, Council Member, District VI
Jose A. Valdez, Jr., Council Member, District VII
Cynthia Liendo Espinoza, Council Member, District VIII
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

IV. MINUTES

Approval of the minutes of January 18, 2011

Motion to approve the January 18, 2011 minutes.

Moved: Mayor Pro Tem Rendon
Second: Cm. Narvaez
For: 8 Against: 0 Abstain: 0

V. COMMUNICATIONS AND RECOGNITIONS
Recogntions
a. Recognizing Rafael Reyes from Killam Elementary School for his heroism in performing the Heimlich maneuver on his best friend, Victor Valdes, and thus saving his life on Friday, January 28, 2011.

Mayor Salinas and City Council publicly recognized Rafael Reyes for saving the life of his best friend and thanked him on behalf of the City of Laredo.

Citizen comments

Rene de la Viña, Civil Rights Advocate, thanked the Council for finally passing the Employee Civil Service ordinance. He concluded that, for City of Laredo employees, the days of being fired for political reasons were over.

VI. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES
a. Appointment by Council Member Esteban Rangel of Ms. Veronica V. Paramo and Ms. Judith Irene Waworski to the Laredo Commission for Women.

Motion to approve the appointment of Veronica V. Paramo and Judith Irene Waworski to the Laredo Commission for Women.

Moved: Cm. Narvaez  
Second: Cm. Liendo Espinoza  
For: 8  
Against: 0  
Abstain: 0

b. Appointment by Council Member Charlie San Miguel of Mr. Javier Compean to the Planning and Zoning Commission.

Motion to approve the appointment of Javier Compean to the Planning and Zoning Commission.

Moved: Cm. Narvaez  
Second: Cm. Liendo Espinoza  
For: 8  
Against: 0  
Abstain: 0

c. Appointment by Council Member Charlie San Miguel of Mr. Ed Bueno to the Airport Advisory Committee.

Motion to approve the appointment of Ed Bueno to the Airport Advisory Committee.

Moved: Cm. Narvaez  
Second: Cm. Liendo Espinoza  
For: 8  
Against: 0  
Abstain: 0

d. Appointment by Council Member Charlie San Miguel of Mr. George Altgelt to the Board of Adjustments.

Motion to approve the appointment of George Altgelt to the Board of Adjustment.

Moved: Cm. Narvaez  
Second: Cm. Liendo Espinoza  
For: 8  
Against: 0  
Abstain: 0
e. Appointment by Council Member Charlie San Miguel of Ms. Minita Ramirez to the Convention and Visitors Bureau Advisory Committee.

Motion to approve the appointment of Minita Ramirez to the Convention and Visitors Bureau Advisory Committee.

Moved: Cm. Narvaez  
Second: Cm. Liendo Espinoza  
For: 8 Against: 0 Abstain: 0

f. Appointment by Council Member Charlie San Miguel of Mr. Jose Luis “Boni” Benavides, Jr., to the Transportation and Traffic Safety Advisory Committee.

Motion to approve the appointment of Jose Luis “Boni” Benavides, Jr. to the Transportation and Traffic Safety Advisory Committee.

Moved: Cm. Narvaez  
Second: Cm. Liendo Espinoza  
For: 8 Against: 0 Abstain: 0

g. Appointment by Council Member Charlie San Miguel of Mr. B Javier “Cuate” Mendoza to the Third Party Funding Advisory Committee.

Motion to approve the appointment of B Javier “Cuate” Mendoza to the Third Party Funding Advisory Committee.

Moved: Cm. Narvaez  
Second: Cm. Liendo Espinoza  
For: 8 Against: 0 Abstain: 0

h. Appointment by Council Member Charlie San Miguel of Mr. Jerry Sepulveda to the Parks and Leisure Advisory Committee.

Motion to approve the appointment of Jerry Sepulveda to the Parks and Leisure Advisory Committee.

Moved: Cm. Narvaez  
Second: Cm. Liendo Espinoza  
For: 8 Against: 0 Abstain: 0

i. Appointment by Council Member Cynthia Liendo Espinoza of Ms. Clema Owen to the Laredo CVB Advisory Committee.

Motion to approve the appointment of Clema Owen to the Laredo CVB Advisory Committee.

Moved: Cm. Narvaez  
Second: Cm. Liendo Espinoza  
For: 8 Against: 0 Abstain: 0
VII. PUBLIC HEARINGS

1. Public hearing and introductory ordinance authorizing the City Manager to accept a grant from the State of Texas Governor’s Office and to amend the City of Laredo Special Police FY 2010-2011 Annual Budget in the amount of $200,000.00. The grant is for overtime and fringe benefits for Laredo Police Officers working under the Laredo Gang Initiative Grant Program. The grant is to be 100% funded by the State of Texas Governor’s Office for the period of November 1, 2010 through August 31, 2011 at no cost to the City. (Approved by Operations Committee)

Motion to open the public hearing.

Moved: Cm. Garza  
Second: Cm. Liendo Espinoza  
For: 8  Against: 0  Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Mayor Pro Tem Rendon  
Second: Cm. Narvaez  
For: 8  Against: 0  Abstain: 0

Ordinance Introduction: City Council

2. Public hearing and introductory ordinance authorizing the City Manager to accept a grant from the Texas Governor’s Division of Emergency Management (DEM), Hazard Mitigation Grant Program in the amount of $3,768,107.00 with City designating $1,256,036.00 in matching funds for a total of $5,024,143.00 and amending the FY 2010-2011 budget for the Environmental Services Department by appropriating said grant revenue to the appropriate expenditure accounts. Funding will be used for the Canal Street Drainage Improvement Project. Matching monies are available in the 2007 Drainage Bond and 2008 Bond. (Approved by Operations Committee)

Motion to open the public hearing.

Moved: Mayor Pro Tem Rendon  
Second: Cm. Narvaez  
For: 8  Against: 0  Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Mayor Pro Tem Rendon  
Second: Cm. Valdez  
For: 8  Against: 0  Abstain: 0
Ordinance Introduction: City Council

3. Public hearing and introductory ordinance authorizing the acceptance of the 10” and 15” sanitary sewer oversizing main for Old Milwaukee on SH359 that consist of 3,592 feet of 10” sanitary sewer line and 3,610 feet of 15” sanitary sewer line and authorizing the Utilities Department to charge $51.00/gallon per minute (GPM) as calculated on the exhibit “A”. The existing and remaining capacity was calculated for the sewer outfall as shown on exhibit “F”. The fees will be implemented to the property owners shown on exhibit “G” for a total cost of $150,246.00, for their share of the oversized sanitary sewer main. Texas Water Development Board (TWDB) accepted the improvements. The TWDB paid for the cost equivalent to an 8” sanitary sewer main, some property owners as shown on exhibit “E” paid for the cost equivalent to a 10” and 12” sanitary sewer main and the City paid for the cost equivalent to a 15” sanitary sewer main. Funding for the City’s share of the construction for the 15” sanitary sewer line is available in the 2009 Sewer Revenue Bond which will be reimbursed by the revenues generated by the fees of $51.00/GPM. (Approved by Operations Committee)

Motion to open the public hearing.

Moved: Cm. Valdez
Second: Cm. Liendo Espinoza
For: 8    Against: 0    Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. San Miguel
Second: Cm. Liendo Espinoza
For: 8    Against: 0    Abstain: 0

Ordinance Introduction: City Council

4. Public hearing and introductory ordinance authorizing the City Manager to allow Utilities Department to sell LUEs (Living Unit Equivalency) to future landowners that did not participate on the oversizing of both the water and wastewater line extensions to serve the Colonias Project on Mines Road, SH 359 and on the Kansas City Southern Rail Road Right of Way; as a condition of, and requirement for platting any lot that will benefit from these oversized lines. The cost for an LUE approved by City Council was $178.00 for sewer and $137.00 for water, Utilities Department recommends increasing the cost per LUE adding the cost of living index from 2000 to the present at a rate of 2% per year. Any lot greater than one (1) acre shall have a requirement of 3.85 LUEs per acre. Fees collected will be transferred into the Colonias fund to cover additional expenses. (As amended and approved by Operations Committee)

Motion to open the public hearing.
Moved: Cm. Valdez  
Second: Mayor Pro Tem Rendon  
For: 8  
Against: 0  
Abstain: 0  

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Garza  
Second: Cm. Liendo Espinoza  
For: 8  
Against: 0  
Abstain: 0  

Ordinance Introduction: City Council  

5. Public hearing and introductory ordinance amending the City of Laredo fiscal year 2010/2011 Budget by appropriating revenues and expenses in the amount of $122,209.00 in the City of Laredo Fleet Management Division. The insurance reimbursement of $122,208.81 is from the Texas Municipal League (TML) resulting from a claim for fire damage to an 826H Caterpillar compactor. (Approved by Operations Committee)  

Motion to open the public hearing.  

Moved: Cm. Garza  
Second: Cm. Liendo Espinoza  
For: 8  
Against: 0  
Abstain: 0  

There was no public input.

Motion to close the public hearing and introduce.

Moved: Mayor Pro Tem Rendon  
Second: Cm. Narvaez  
For: 8  
Against: 0  
Abstain: 0  

Ordinance Introduction: City Council  

6. Public hearing and introductory ordinance amending the City of Laredo Bridge System FY 2010-2011 Bridge annual budget by appropriating $663,654.00 from the Bridge System Construction Fund opening balance to be used for Bridge related projects to include: resurface parking lot at Bridge I, repaving bridge approach at Bridge II, adding of Automatic Vehicle Identification (AVI) equipment to a lane at Bridge II, purchasing bucket/boom truck, and other related improvements. (Approved by Operations Committee)  

Motion to open the public hearing.  

Moved: Cm. Rangel  
Second: Cm. Liendo Espinoza  
For: 8  
Against: 0  
Abstain: 0
There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Valdez  
Second: Cm. Liendo Espinoza  
For: 8    Against: 0    Abstain: 0  

Ordinance Introduction: City Council

7. Public hearing and introductory ordinance amending Ordinance No. 2003-O-293, Chapter 5.5, Ambulances Article I. of the Laredo Code of Ordinances, by specifically amending Section 5.5-28(a), (c)(1) and (c)(2) to align current fees and to comply with Medicaid and Medicare funded reimbursement services. (Approved by Operations Committee)

Motion to open the public hearing.

Moved: Cm. Garza  
Second: Cm. Liendo Espinoza  
For: 8    Against: 0    Abstain: 0  

There was no public input.

Motion to close the public hearing and introduce.

Moved: Mayor Pro Tem Rendon  
Second: Cm. Liendo Espinoza  
For: 8    Against: 0    Abstain: 0  

Ordinance Introduction: City Council

8. Public hearing and introductory ordinance amending section 24-78, of the Laredo Land Development Code, entitled off-street parking and loading requirements, by amending section 24-78.2(a)(6) from a 25% to a 50% maximum reduction in the number of total on-site parking spaces required if valet parking is provided, amending section 24-78.2(i)(3, 4 & 5) from four hundred (400) feet to six hundred (600) feet distance for an off-premise parking facility, and amending 24-78.2(i)(6) to allow a lease agreement for purpose of meeting parking requirements with an off-premise parking facility; providing for publication and effective date. (Approved by Operations Committee)

Motion to open the public hearing.

Moved: Cm. Valdez  
Second: Mayor Pro Tem Rendon  
For: 8    Against: 0    Abstain: 0  

There was no public input.
Motion to amend the ordinance to increase the distance for an off-premise parking facility in section 24-78.2(i)(3, 4 & 5) from four hundred (400) feet to one thousand (1,000) feet.

Moved: Cm. San Miguel
Second: Cm. Valdez
For: 8 Against: 0 Abstain: 0

Motion to close the public hearing and introduce as amended.

Moved: Cm. Garza
Second: Cm. Liendo Espinoza
For: 8 Against: 0 Abstain: 0

VIII. INTRODUCTORY ORDINANCES

9. Approving the donation of an approximate 3.90-acre tract (surface estate only all improvements located thereon) of non-aeronautical use land located at the Laredo International Airport to the Board of Regents of the University of Texas System for the public purpose of establishing and operating a Veterans Clinic jointly with the University of Texas Health Science Center at San Antonio in accordance with Section 272.001 (J) of the Local Government Code and authorizing the City Manager to execute all necessary documents. The Fair Market Value of the subject property is $1,230,332.00.

Ordinance Introduction: City Council

10. Authorizing the City Manager to execute a Lease Agreement with M & M Air Cargo and Delivery Service, Inc., as Lessee for approximately 6,017 square feet constituting Section 1 and 2,646 square feet constituting Section 2 of Building No. 170 located at 5103 Maher Avenue at the Laredo International Airport. The term is for three (3) years effective January 1, 2011 and ending on December 31, 2014. The initial monthly rent shall be two thousand three hundred thirty eight dollars ($2,338.00), providing for annual CPI rent adjustments; and providing for an effective date. (Approved by Operations Committee)

Ordinance Introduction: City Council

IX. FINAL READING OF ORDINANCES


Moved: Cm. Liendo Espinoza
Second: Cm. Valdez
For: 8 Against: 0 Abstain: 0
11. 2011-O-009 Amending Ordinance 2007-O-101 by adding Exhibit “A”, “E”, “F” and “G” for the Colonias SH359 Planning Area Work Order No. 3 and the City of Laredo FY 2010-2011 Colonias project in order to reflect the actual construction and engineering costs for the Wastewater Annual Budget by appropriating revenues and expenditures in the new amount of $150,246.00 from the Wastewater Fund and appropriating the transfer in and expenditure in the amount of $150,246.00 for the Colonias Project Fund.

Motion to approve Ordinance 2011-O-009.

Moved: Mayor Pro Tem Rendon  
Second: Cm. Garza  
For: 8 Against: 0 Abstain: 0

2011-O-010 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 5 and 6, Block 832, Eastern Division, located at 1519 O’Kane Street, from R-1 (Single Family Residential District) to B-1 (Limited Commercial District); providing for publication and effective date.

Motion to approve Ordinance 2011-O-010.

Moved: Mayor Pro Tem Rendon  
Second: Cm. Garza  
For: 8 Against: 0 Abstain: 0

2011-O-011 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 1, Block 1, McPherson Acres Unit V, located at 6020 McPherson Road, from B-3 (Community Business District) to B-4 (Highway Business District); providing for publication and effective date.

Motion to approve Ordinance 2011-O-011.

Moved: Mayor Pro Tem Rendon  
Second: Cm. Garza  
For: 8 Against: 0 Abstain: 0

2011-O-012 Amending Section 24.82 Signs and Outdoor Advertising of the Laredo Land Development Code, as follows: by the addition of requirements for the AE District (Arts and Entertainment District) to the following: Section 24.82.4.1 Permitted Sign Dimensions – Freestanding; Section 24.82.4.2 Permitted Sign Dimensions – Attached; Section 24.82.4.3 Permitted Sign Dimensions Historic – Freestanding; Section 24.82.4.4 Permitted Sign Dimensions Historic – Attached; Section 24.82.4.5 Permitted Sign Dimensions – Freestanding; providing for publication and effective date.

Motion to approve Ordinance 2011-O-012.
Moved: Mayor Pro Tem Rendon
Second: Cm. Garza
For: 8  Against: 0  Abstain: 0

2011-O-013  Authorizing the City Manager to execute a lease agreement with Zertuche Construction, LLC., a Texas Limited Liability Company for approximately one (1) acre of land located at the southwest corner of the intersection of Thomas and Cherry Hill streets on Block No. 2, at the Laredo International Airport. Lease term is for one (1) year commencing on December 1, 2010, and ending on November 30, 2011. Monthly rent shall be $500.00; providing for an effective date.

Motion to approve Ordinance 2011-O-013.

Moved: Mayor Pro Tem Rendon
Second: Cm. Garza
For: 8  Against: 0  Abstain: 0

2011-O-014  Amending Chapter 19, “Motor Vehicles and Traffic”, Article VIII, stopping, standing, or parking, of the Code of Ordinances of the City of Laredo: specifically section 19-364(9), restricted parking areas, establishing a “no parking anytime/tow away zone” on the east and west side of east Country Drive, between Del Mar Boulevard and Gracie Lane, within City limits of Laredo; providing severability and for an effective date and publication.

Motion to approve Ordinance 2011-O-014.

Moved: Mayor Pro Tem Rendon
Second: Cm. Garza
For: 8  Against: 0  Abstain: 0

2011-O-015  Authorizing the City Manager to execute a Second Amendment to Ground Lease (Cellular Tower) by and between the City of Laredo, a municipal corporation (Landlord), and New Cingular Wireless PCS, LLC, a Delaware limited liability company (Tenant) (or their respective predecessors-in-interest); dated September 1, 1996 and attached hereto; to allow Landlord to modify Landlord’s existing communications equipment described in Exhibit C-1 of Lease with communications equipment as described in Exhibit C-2, therefore replacing Exhibit C-1 with Exhibit C-2; and to allow Tenant to modify the Notice Section thereof; all other terms and conditions remain.

Motion to approve Ordinance 2011-O-015.

Moved: Mayor Pro Tem Rendon
Second: Cm. Garza
For: 8  Against: 0  Abstain: 0
X. RESOLUTIONS

12. 2011-R-07 Declaring a public necessity to utilize the area under IH-35, between Park Street, and Sanchez Street, as a parking area on February 17, 2011, for the annual youth parade and on February 19, 2011, for the Washington’s Birthday Parade and authorizing the City Manager to enter into an agreement with Texas Department of Transportation for the use of said property. (Approved by Operations Committee)

Motion to approve Resolution 2011-R-07.

Moved: Cm. Garza
Second: Cm. Rangel
For: 8 Against: 0 Abstain: 0

13. 2011-R-08 Authorizing the City Manager to purchase a 0.4133 acre tract of land from the Texas Department of Transportation for the amount of $76,517.00 to provide for the construction of parking facilities for the Municipal South Laredo Library. This tract is located on the northeast corner of U.S. Highway 83 and Palo Blanco Street, more particularly described by survey and metes and bounds in attached exhibit “A”. Funding is available in the Capital Improvement Fund. (Approved by Operations Committee)

Motion to approve Resolution 2011-R-08.

Moved: Cm. Garza
Second: Cm. Rangel
For: 8 Against: 0 Abstain: 0

14. 2011-R-09 Authorizing the City Manager to execute a design-build contract, not to exceed $245,000.00, with South Texas Solar Systems, Inc., of Laredo, Texas, to provide for the design-build of a 38.24 Kilowatt photovoltaic solar array rooftop mounted system, as well as a 2.4 Kilowatt wind generator at the City of Laredo’s Environmental Services Department. This will offset approximately half of the energy consumption for this building. Funding is available through the State Energy Conservation Office (SECO) Grant. (Approved by Operations Committee)

Motion to approve Resolution 2011-R-09.

Moved: Cm. Garza
Second: Cm. Rangel
For: 8 Against: 0 Abstain: 0

15. 2011-R-10 Authorizing the City Manager to execute a design-build contract, not to exceed $250,000.00, with Mardel Souza, Inc., DBA Atlantis Solar Texas, of Brownsville, Texas, to provide for the design-build of a 21 Kilowatt photovoltaic solar array rooftop mounted system at the
N.E. Hillside Recreation Center and a 21 Kilowatt photovoltaic solar array rooftop mounted system at the LBV Tech Rec Center. This will offset approximately a third to half of the energy consumption for these recreation centers. Funding is available through the Energy Efficiency and Conservation Block Grant (EECBG). (Approved by Operations Committee)

Motion to approve Resolution 2011-R-10.

Moved: Cm. Garza
Second: Cm. Rangel
For: 8 Against: 0 Abstain: 0

16. 2011-R-11 Authorizing the City Manager to enter into and execute a Memorandum of Understanding between the City of Laredo and Al Roker Productions for the purposes of recording footage of the activities of the Laredo Police Department for the purposes of a ten (10) episode television series to air on a nationally syndicated television network.

Motion to approve Resolution 2011-R-11

Moved: Cm. Garza
Second: Cm. Rangel
For: 8 Against: 0 Abstain: 0

XI. MOTIONS

17. Authorizing the City Manager to approve change order # 4 to Liberty Mutual Surety for the 8” Waterline Replacement Project (at various locations). This change order will add additional days to the contract time to allow the additional time to the new contractor, CCC & ROVAN, as well as to add additional fittings needed for connections. The original contract amount of $6,680,503.08 will not change. SLC was the contractor that failed and was replaced by Liberty Mutual. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Garza
Second: Cm. Rangel
For: 8 Against: 0 Abstain: 0

18. Authorizing the City Manager to award an Engineering Contract to Porras Nance Engineering of Laredo, Texas, in the amount of $245,000.00 for engineering and surveying services for the 16 inch water main along FM 1472. Funding is available in the 2009 Utility Bond. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Garza
Second: Cm. Rangel
For: 8 Against: 0 Abstain: 0
19. Consideration to award supply contract number FY11-015 to the following bidders:

1. AOC Welding Supply, Laredo, Texas
2. DPC Industries, Corpus Christi, Texas
3. General Chemical, Paris, New Jersey
4. Kemira Water Solutions, Lawrence, Kansas
5. Polydyne Inc., Riceboro, Georgia
6. Altiva Corp., Houston, Texas

for the purchase of water and wastewater treatment chemicals for the Utilities Department. The term of these contracts shall be for a period of two (2) years. Approximately $1,200,000.00 is spent on an annual basis. Funding is available in the Water and Wastewater Treatment Division’s operating budgets. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Garza
Second: Cm. Valdez
For: 8                      Against: 0                   Abstain: 0

20. Consideration to renew contract FY10-032 awarded to Aguaworks, Brownsville, Texas, in the estimated amount of $250,000.00, for the purchase of PVC pipe used by the Utilities Department. This is the fifth of eight sixty (60) day supply extensions. These materials are purchased on an as needed basis for construction and repair projects. Funding is available in the Utilities Department Budget. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Garza
Second: Cm. Valdez
For: 8                      Against: 0                   Abstain: 0

21. Consideration for approval of amendment no. 2 an increase of $364,346.14 and the addition of 2,035 calendar days to the professional services contract with Arcadis, Laredo, Texas, for the West Laredo Corridor – Calton Road Railroad Grade Separation for additional work on Phases I and II of the design scope due to additional railroad requirements and coordination of agreement with City and TxDot and for Phase III which includes construction phase services including review of submittals, review and approval of construction invoicing, construction site meetings and to provide survey control points. Current engineering contract amount including this amendment no. 2 is $1,695,064.14. Funding is available in the Capital Improvement Fund. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Garza
Second: Cm. Valdez
For: 8                      Against: 0                   Abstain: 0
22. Consideration for approval of change order no. 2 to add forty-eight (48) working days (with no change in the construction contract amount) to the construction contract with Reim Construction, Inc., Alton, Texas, for the Industrial Streets Project (CSJ: 0922-33-132). Change order no. 2 is for weather delays, revisions to the pavement design, and for additional work for requested street repairs. Current construction contract amount with this change order is $3,504,476.50. Current construction contract time with this change order is two hundred sixty-eight (268) working days. The original project completion date was December 2010. The project is expected for Substantial completion of this project is estimated by the end of January 2011. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Garza
Second: Cm. Valdez
For: 8  Against: 0  Abstain: 0

23. Consideration for approval of change order no. 1 a decrease of $21,983.70 to the construction contract with Zertuche Construction, LLC., Laredo, Texas, for the 5th Industrial Streets Project (CSJ: 0922-33-138) for the addition and re-design of an existing parking lot at Pappas Street and Daugherty Avenue to correct a drainage problem and for re-design, reinforcement at street intersections per TxDot recommendations. Current construction contract amount with this change order is $2,440,048.50. There is no change in the completion date. Funding is available in the Capital Grants Fund. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Garza
Second: Cm. Liendo Espinoza
For: 8  Against: 0  Abstain: 0

24. Consideration to amend supply contract number FY09-084 awarded to Leyendecker Materials, Laredo, Texas, for the purchase of asphalt type “D” hot mix and asphalt type “D” hot mix with 1% lime by extending the contract term by ninety (90) days and authorizing payment for additional materials in the amount of $68,000.00. All materials are purchased on an as needed basis utilizing the Public Works Department, construction projects budgets. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Garza
Second: Cm. Liendo Espinoza
For: 8  Against: 0  Abstain: 0

25. Consideration to reject all bids received for FY10-078, for the purchase of asphalt type “D” hot mix and asphalt type “D” hot mix with 1% lime materials and authorizing the City Manager to solicit new bids. (Approved by Operations Committee)
Motion to approve.

Moved: Cm. Garza
Second: Cm. Liendo Espinoza
For: 8 Against: 0 Abstain: 0

26. Consideration to award a contract for the purchase of one (1) vacuum truck for the Environmental Services Department utilizing the BuyBoard Cooperative Purchasing Contract to Southwest International Trucks, Inc., Arlington, Texas, in the total amount of $304,327.00. Funding is available in the 2010 PPFCO bond budget. (Approved by Operations Committee)

Motion to postpone until the next Council meeting.

Moved: Cm. Garza
Second: Cm. Liendo Espinoza
For: 8 Against: 0 Abstain: 0

27. Authorizing the City Manager to initiate termination of the construction contract with Rhino Builders, Ltd., Laredo, Texas, for the Eistetter Park Restroom Facility approximately 343 s.f. pursuant to paragraph C-9.08 of the construction contract documents and the Engineer’s Certificate stating that sufficient cause exists to justify termination of the construction contract, and take actions as are permitted under the terms of the construction contract. Funding is available in the Community Development 34th Action Year. (Approved by Operations Committee)

Motion to approve.

Moved: Mayor Pro Tem Rendon
Second: Cm. Rangel
For: 8 Against: 0 Abstain: 0

28. Consideration to authorize a purchase contract with Motorola Inc., C/O RZ Communication through the Houston-Galveston Area Council of Governments (H-GAC) Cooperative Purchasing Program Contract number RA01-08, in the amount of $50,125.02 for the purchase and installation of mobile data terminals (MDT), mobile radio equipment and video systems to outfit three (3) F-150 trucks for the Police Department. Funding is available in the Police Trust Fund. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Rangel
Second: Cm. Liendo Espinoza
For: 8 Against: 8 Abstain: 8

29. Authorizing the City Manager to exercise the City’s option to renew the professional service contracts (FY10-005) between the City of Laredo and both Dr. David H. Cruz and Dr. Francisco J. Gutierrez to perform drug and alcohol testing pursuant to the City’s Drug and Alcohol Testing Ordinance. The renewal term is
for two (2) years. The cost is $50,000.00 per year, per provider, for a total of $100,000.00 each year; increase is due to the Random Testing Program. Funding is available in the Risk Management Fund Employee Health and Wellness Division. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Rangel
Second: Cm. Liendo Espinoza
For: 8   Against: 0   Abstain: 0

30. Authorizing the City Manager to execute a management contract with First Transit, Inc., a Delaware Corporation, for management of the City’s Transit System for a five (5) year term beginning February 1, 2011, with one option to renew for an additional five years, in accordance with the terms of the negotiated contract.

Motion to approve.

Moved: Cm. Rangel
Second: Cm. Liendo Espinoza
For: 8   Against: 0   Abstain: 0

31. Motion to reschedule the first City Council meeting in March 2011 due to the Washington Legislative Trip.

Motion to approve.

Moved: Cm. Garza
Second: Cm. Liendo Espinoza
For: 8   Against: 0   Abstain: 0

Motion to hold only one Council meeting in March 2011.

Moved: Mayor Pro Tem Rendon
Second: Cm. Liendo Espinoza
For: 8   Against: 0   Abstain: 0

XII. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

32. A. Request by Mayor Raul G. Salinas

1. Discussion with possible action regarding ongoing related scams targeting senior citizens.

Police Chief Carlos Maldonado reported that it was devastating for the victims to experience the loss of their life savings. He went on to say that he would like to educate family members so that the elderly would not fall prey to this kind of a crime. He concluded that they would prosecute such crimes to the full extent of the law and that they would put a program together for this.
2. Discussion with possible action to amend the Code of Ordinances to add a new section prohibiting the use of certain wireless communications devices (i.e. sending or reading text messages) while operating a motor vehicle within the city limits of Laredo.

Mayor Salinas stated that there were three types of distracted driving: visual (eyes off the road), manual (hands off the wheel), and cognitive (mind wandering from driving). He went on to explain that while driving, in just an instant such distraction can cause serious bodily injury and that 80% of accidents involved some kind of distraction. He concluded that what concerned him the most was texting and driving.

City Manager Carlos Villarreal stated that they would bring back an ordinance to meet local needs and that once it was put as a law on the books it would make people more hesitant to do it.

Police Chief Carlos Maldonado said that last year they had issued 322 citations regarding the use of mobile hand-held devices in school zones. He added that this was helping to change that behavior and that there had been a decline in citations toward the end of the year. He felt that perhaps they needed to go a step further and add a section regarding hands-free devices.

Cm. Garza reminded Mayor Salinas that the State Legislature was also working on this issue. He thought that a condition should be added that anyone who had a passenger endorsement or anyone who transported multiple individuals would be prohibited from using any type of wireless device unless it were hands-free.

3. Discussion with possible action on implementing energy efficiency measures to reduce electricity costs within City Departments.

Mayor Salinas stated that he wanted to implement a measure to implement energy efficiency and that they should lead by example.

City Manager Carlos Villarreal reported that they were in the process of coming back to Council with an energy efficiency plan and that they would send a memorandum out regarding what could be done. He mentioned turning off computers would be included in this. He added that last year they had to cover $6.6 million in expenditures last year and that they were looking at major increases this year such as $1.3 million for TMRS, 10.3% increase in health insurance, and increases in the police contract.

B. Request by Council Member Mike Garza

1. Discussion with possible action on creating a “Gang Free Zone” in all eligible areas (i.e. Parks and Recreation facilities).

Cm. Garza reported that there was already a statutory designation so that penalties and fines were doubled in those areas. He went on to say that he had brought this up for the purpose of identification so that they would be sure that the appropriate signage was up.
City Manager Carlos Villarreal stated that they would speak to the County Attorney to make sure that the individuals who were painting graffiti would return and remove it. He wanted to put cameras there to identify the perpetrators so that they would have to actually remove the paint themselves so that they would be less likely to do it in the future.

2. Discussion with possible action on supporting the upcoming Pony League Tournament through hotel motel tax revenue funding for Summer 2011.

Cm. Garza stated that Council approved this item already and that the net effect including hotel rooms and meals would mean increased expenditures for the City of Laredo of about $769,000 invested in the community. He explained that this was not including gas or shopping or anything else. He gave a handout to the Mayor and the rest of the Council.

Pony Estimates
180 Teams @ 15 players per team = 2,700 players
180 Teams @ 15 parents per team = 2,700 parents = 5,400 players/parents
180 Teams @ 15 room nights per team = 2,700 room nights per day
2,700 rooms x 3 nights = 8,100 room nights
8,100 room nights x $65.00 (Average Daily Rate) = $526,500.00
5,400 players/parents x $50.00 (meals per day) = $81,000.00 x 3 days = $243,000.00
$526,500.00 (hotels) = $243,000.00 (meals) = $769,500.00

**This does not include gas, shopping in Laredo, and any other related expenses during the tournaments.

Laredo Pony League Hosting All Star Tournaments 2011
Budget:
Umpires - $16,000.00
Baseballs - $8,500.00
Programs/Trophies - $12,000.00
Contracts - $12,000.00
Directors/Coaches/Meetings/Dinner/Rooms - $4,000.00
Total: $52,500.00

30 Teams Pony – Palomino – Baseball Section, Ages: 17-18 on June 24, 25, 26
12 Teams Pony – Section Baseball, Age: 13 on June 30, July 1, 2, 3
12 Teams Pony – Section Baseball, Ages: 14 on June 30, July 1, 2, 3
96 Teams Pony – Softball Regional, Ages: 5-6, 7-8, 9-10, 11-12, 13-14, 15-16, 17-18 on July 6-10
32 Teams Mustang – Regional Baseball, Age: 9 on July 6-10
Bronco Regional Baseball, Age: 11 on July 6-10
Colt Regional Baseball, Ages: 15-16 on July 6-10
Palomino Regional Baseball, Ages: 17-18 on July 6-10
Fields to be used: Rangel, Community, Hillside, Optimist, Eistetter, Taylor, Slaughter, Veterans, Sac, Benavides and Krueger
Approximately 180 teams will attend
City Manager Carlos Villarreal responded that they would meet with both the Sports Ad Hoc committee and with Mr. Rosas to come to an agreement about how they could provide additional help.

3. Discussion with possible action on the review and implementation of Charter Amendments approved is the recent elections.

Cm. Garza said that he wanted to follow up on the propositions that had been approved during the November elections. He went on to say that the Internal Auditor was now under the purview of the City Council.

City Manager Carlos Villarreal said that they would bring them information regarding how to handle the new procedures.

Cm. Garza stated that the majority of the time when internal auditor issues were discussed, they needed to be discussed during executive session.

4. Presentation by the Mr. Gabriel Lopez, President of the South Texas Afghanistan and Iraq Veterans Association, with possible action.

Mr. Gabriel Lopez made a presentation before Council.

The current global war on terror is now on its 12th year, and as such the number of service members serving in the war has skyrocketed; many veterans returning at a constant pace creates many problems for the communities. One major problem is “homeless veterans.”

According to a recent study by the Government Accounting Office (GAO), “VA estimates that about 196,000 veterans nationwide were homeless on a given night in 2006, based on its annual survey, and that the number of transitional beds available through VA and other organizations was not sufficient to meet the needs of eligible veterans.” (GAO, 2007)

In 2010, statistics showed that 12.5 percent of the homeless in Laredo were enlisted in the U.S. military.

This is a disturbing statistic especially when the county of Webb experiences an influx of veterans requiring assistance in obtaining temporary shelter or a home. This project proposes the creation of a TRANSITIONAL HOME; that would alleviate the homeless veterans problem and will empower many more. What we need is “La Casa del Veterano.”

In 2006, approximately 195,827 veterans were homeless on any given night – an increase of 0.8 percent from 194,254 in 2005. More veterans experience homelessness over the course of the year. We estimate that 336,627 were homeless in 2006 (London Times, 2007).

OIF/OEF veterans are at a significant risk for homelessness and chronic homelessness and are becoming homeless sooner than their predecessors.
After Vietnam, it generally took 9 to 12 years for veterans’ circumstances to deteriorate to the point of homelessness. OIF/OEF veterans, though, are already seeking housing services, some just months after returning from Iraq. New veterans are falling through the cracks, and they are shocked and angry at the lack of care afforded them. They stand at the precipice of chronic homelessness unless there is a concerted effort to address their needs. (Amy Fairweather, J.D. Director, Iraq Veteran Project Swords to Plowshares, 2006).

Problem: The economy has experienced its worst economic crisis since the market crash in 1929; this has created thousands of job losses.

This has affected all citizens across the nation, but in particular the veterans population.

According to the Department of Labor which released the latest unemployment figures for veterans of the Gulf War II, our current global war on terror, the unemployment numbers for this group of veterans is 2,124,000 veterans unemployed (DOL, 2010)

This number is critical because if this trend continues the number of homeless veterans will increase. Within the county of Webb there are three “Homelessness Prevention and Rapid Re-Housing Programs (HPRP),” under Title XII of the American Recovery and Reinvestment Act of 2009 (“Recovery Act”). All of them are managed by the City of Laredo and operated by Webb County Commissioner Jerry Garza, the second under the Bethany House and the third managed and operated by the Catholic Social Services.

All agencies have experienced a constant demand for services.

The problem is real. As many veterans are lost due to a waiting time, or a lack of funding for the three programs.

Veterans may suffer from other problems related to the war such as PTSD, Post Traumatic Stress Disorder, a disorder mostly related to war time experience.

Veteran-specific highlights from the USICH report include:
23% of the homeless population are veterans
33% of the male homeless population are veterans
47% served Vietnam-era
17% served post-Vietnam
15% served pre-Vietnam
67% served three or more years
33% were stationed in war zones
25% have used VA homeless services
85% completed high school/GED, compared to 56% of non-veterans
89% received a honorable discharge
79% reside in central cities
16% reside in suburban areas
5% reside in rural areas
76% experience alcohol, drug or mental health problems
46% are white males, compared to 34% of non-veterans
46% are age 45 or older, compared to 20% non-veterans

Service needs cited include:
45% need help finding a job
37% need help finding housing

A $23-million Detroit apartment complex, built to house homeless veterans and provide them with a variety of social services at one location, was hailed as a new beginning for veterans and a solid addition to New Center during a grand opening Thursday (Detroit, Piquete)

During the month of May 2008, the South Texas Afghanistan Iraq Veterans Association was created to simply create a net of support for returning veterans.

There was a need for veterans to congregate and talk about their experiences faced on the battle field and the many more battles to come as they return home to resume civilian life.

The group soon discovered that the problems their peers were facing were enormous and homelessness was the most major problem.

This association has grown to over 60 members and it continues to grow as more and more veterans return to the Laredo region. It has assisted over 190 veterans financially as well as mental health and group therapy.

The South Texas Afghanistan Iraq Veterans Association embraces all veterans from all wars and seeks to outreach to veterans from Operation Iraqi Freedom (OIF) in Iraq and Operation Enduring Freedom (OEF) in Afghanistan campaigns.

Since many veterans have served multiple tours overseas – in part because the war has lasted longer than expected, we expect that the homeless problem in Laredo, Texas and the County of Webb will only escalate.

Funding: As with any governmental service, funding is a critical issue especially with a predicted shortfall in revenues for the entire city, county, state and nation.

This is the primary reason of why this project is cost-effective.

The monetary rewards this project will save in future expenses as we prevent veterans from spiraling into an insurmountable web of problems; substance abuse, domestic violence issues, suicide, and many others.

This proposal calls for a partnership between the county and non-profit organizations to join forces to fully fund the program.
Donations from non-profit agencies and fundraising events will sustain the program.

March 1, 2011 will be a major fundraiser at Hal’s Landing. A silent auction of war memorabilia from all wars will be open for bids. A departmental pool tournament and a live band will perform. The cover charge is only $5.

The required estimated amount of $265,000 of donations will serve an honorable and noble cause for the entire community.

Location: A quick look at the agencies dedicated to assist veterans reveals that the southern part of the largest city in Webb County has no services available exclusively for veterans.

The southern part of Laredo covers zip codes 78043 and 78046 and is recorded as the most populous part of the city which desperately needs a transitional home that will cover these services.

The transitional home can also be used for other activities, civic activities that would entice the general population to participate in civic events.

For example: Health care drives, school events, public announcements, veterans registration, veterans administration social workers, outreach activities, town hall meetings, military recruiters, veterans organization meetings, senior citizens meetings and many others…

Operation: The proposed transitional home will operate under the direction of one volunteer executive director, Mr. Gabriel Lopez, and a staff entirely composed of volunteers and veterans receiving assistance. It will be overseen by a Board of Directors.

The goal is to have 10 male units, 3 family units and 2 female units.

The objective is to keep the veteran focused on overcoming his/her obstacles while he or she awaits assistance.

The complex will also include a meeting room for other veteran organizations as well as a community room where different civic events can be held to serve the entire veterans community.

The benefits of this transitional home are not only monetary but also spiritually rewarding as veterans break away from a cycle of hopelessness to a bright future of productive members of society contributing to the County of Webb and to the City of Laredo.

Conclusion: The war on terror will continue, and for many years to come the many surviving veterans will remain vulnerable to PTSD and other related side effects of the war.
This is a problem that the community and government can help solve by working together utilizing existing resources such as the HRPR program and others.

The need to branch out and expand services is critical and necessary. Working with other agencies will only strengthen Webb County’s ability to continue to provide services to all veterans.

The creation of a transitional home, with 10 male veterans, 3 families and two female veterans will provide more than just services to veterans. It will also embrace and reach out to the entire community for many civic events.

Mr. Albert Hernandez reported on a project called Casa Veterano and asked for the Council’s support at a silent auction at Hal’s Landing on March 1, 2011. He explained that veterans experienced the same issues that other civilians and even more so because of the readjustment to civilian life after serving in the military.

Cm. Garza said that he wanted to segregate a one-time amount from third party funding to support the project. He also mentioned that Council should be supportive of any upcoming veterans events and even add a pledge drive to the City’s website. He pledged $500 from his promotional account to help with the funding.

Cm. Rangel pledged $500 from his promotional account also.

Cm. Perez mentioned also wishing to pledge money from his account toward the project.

C. Request by Council Member Alejandro “Alex” Perez

1. Presentation by Mr. Roger Creery, Laredo Development Foundation Executive Director, regarding options for the old Mercy Hospital Building, with possible action.

Roger Creery gave the following presentation:

Former Mercy Hospital

History
Rich local history
Vacant for several years
Leave in current state – not an option
Many public sector initiatives unsuccessful

Approach
Prompted by meeting with retired Senator Barrientos in Austin
Create grassroots/private sector effort
Convene a concept team
Councilman Perez, Commissioner Tijerina, Ownership Group, Pam Juarez (special needs), Architect, LDF, Azteca ED Group (veterans), Goodwill

First meeting
Flush out concept first, then seek funding sources
Must be mixed use development
Assisted living, veterans, special needs (adults), light retail/commercial, specialized training center

Mr. Chendo Carranco, property owner, reported that this would be a first-class facility and that he would like to help special-needs individuals or to bring Border Patrol agents to train there and perhaps be housed there.

2. Discussion with possible action regarding the odors at the south side Wastewater Treatment Plant.

Utilities Director Tomas Rodriguez reported that at the present time they were studying what effect this would have on the budget if they would inject some chemicals upstream. He added that on the operation, they found out that unfortunately when it rained, they could not go to the landfill and that was when they would go to San Antonio. He mentioned that they had to unload their trailer and then load it again, which caused an odor problem. He concluded that they were changing this process right now, and it was a maintenance issue.

D. Request by Council Member Juan Narvaez

1. Discussion with possible action on constructing sidewalks in west side of 2200 block of Tilden Avenue, between Clark Boulevard and Gustavus Street.

Motion to approve.

Moved: Cm. Narvaez
Second: Cm. Liendo Espinoza
For: 8   Against: 0    Abstain: 0

2. Discussion with possible action on whether Public Access Channels may be broadcast on Direct TV or satellite.

Public Access Manager Jerry Leal reported that there was no state or federal law that would prohibit them from negotiating with satellite providers. He said, however, that there was no law that required them to carry a public access channel on satellite. He went on to explain that there would have to be a negotiation to see what the cost would be.

E. Request by Council Member Charlie San Miguel

1. Consideration to implement a system that would allow the public to evaluate the service they are receiving from the City of Laredo in efforts to promote individual accountability and to improve customer service, with possible action.
City Manager Carlos Villarreal reported that it was a good idea to put this system into action so that people could let their feelings be known.

Cm. San Miguel said he felt that it was important to get both sides of the story, and not just reports of bad service but also who was providing good service.

City Manager Carlos Villarreal responded that they would come back with a plan so that people would become aware of this new feature.

F. Request by Council Member Cynthia Liendo Espinoza

1. Discussion and possible action to approve a resolution establishing a Community Revitalization Plan of Public Housing of the Housing Authority of the City of Laredo including the public housing developments known as Colonia Guadalupe, Russell Terrace, Carlos Richter, Senior Citizens Home, Ana M. Lozano, Meadow Acres I & II, Meadow Elderly and Aldo Tatangelo Farmlabor Housing. (Co-sponsored by Mayor Raul G. Salinas)

Cm. Liendo Espinoza stated that the reason she brought this item before Council because she felt that this was a great opportunity for the residents to improve their living environment.

Laura Llanes, Executive Director of the Laredo Housing Authority, reported that they were there to pursue the redevelopment of the old public housing units which really needed rehabilitation and modernization. She went on to explain that more than 50% of the units were 55 years old. She stated that these units did not contain central air or heat and had narrow streets that created parking problems. She added that they wished to add energy efficiency features and wire the units for the Internet.

City Manager Carlos Villarreal stated that he felt that this was a very worthy venture and that it should proceed. He concluded that as a staff they would recommend a resolution for an official vote.

Motion to instruct staff to bring back a resolution at the next Council meeting.

Moved: Cm. Liendo Espinoza
Second: Cm. Garza
For: 8
Against: 0
Abstain: 0

2. Recognizing Laredo Main Street for being selected a National Main Street City. Laredo Main Street will be recognized at the 2011 National Main Streets Conference in Iowa in May 2011.

Sandra Rocha Taylor presented a certificate which read “The City of Laredo is recognized as a 2011 National Main Street City.”

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. Liendo Espinoza
Second: Cm. Narvaez
For: 8    Against: 0    Abstain: 0

33. Consideration to award annual contract FY11-025 to Andy’s Auto Air and Bus Air, Inc., Laredo, Texas, for providing bus and van fleet air conditioning services for the Laredo Transit Management Inc., in the estimated amount of $60,000.00 per year. The term of this contract will be for a period of two (2) years. Funding is available in the Laredo Transit Management Inc.,-Operations Budget. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Garza
Second: Cm. Liendo Espinoza
For: 8    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. Liendo Espinoza
Second: Cm. Garza
For: 8    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 26 and they are true, complete, and correct proceedings of the City Council meeting held on February 7th 2011.

Gustavo Guevara, Jr.
City Secretary