

**AS AMENDED  
CITY OF LAREDO  
CITY COUNCIL MEETING  
M2020-R-02  
CITY COUNCIL CHAMBERS  
1110 HOUSTON STREET  
LAREDO, TEXAS 78040  
February 3, 2020  
5:30 P.M.**

**I. CALL TO ORDER**

Mayor Pete Saenz called the meeting to order.

**II. PLEDGE OF ALLEGIANCE**

Mayor Pete Saenz led in the pledge of allegiance.

**III. MOMENT OF SILENCE**

Mayor Pete Saenz led in a moment of silence.

**IV. ROLL CALL**

In attendance:

Pete Saenz	Mayor
Rudy Gonzalez, Jr.	District I
Vidal Rodriguez	District II
Mercurio "Merc" Martinez, III	District III
Alberto Torres, Jr.	District IV, Mayor Pro-Tempore
Norma "Nelly" Vielma	District V
Dr. Marte Martinez	District VI
George J. Altgelt	District VII
Roberto Balli	District VIII,
Jose A. Valdez, Jr.	City Secretary
Rosario Cabello	Co-Interim City Manager
Robert Eads	Co-Interim City Manager
Kristina L. Hale	City Attorney

Cm. Vielma joined at 6:08 p.m.

Cm. Balli joined at 6:15 p.m.

**V. MINUTES**

Approval of the minutes of January 21, 2020

Motion to approve the January 21, 2020 minutes.

Moved: MPT Torres  
Second: Dr. Marte Martinez  
For: 6                      Against: 0                      Abstain: 0

Cm. Vielma and Cm. Balli were not present.

**Citizen comments**

Charles Martens noted that he attended recent TxDOT meetings concerning parking for the commercial trucking industry. The City and County have long neglected commercial parking, and he stated that while the City has recognition for being the #1 land port, there are growth issues associated with it. He clarified that he is not a landowner and has no vested interest but voiced his opinion that traffic should be diverted to the west of Santa Maria between the railroad and the river. He noted that a commercial parking lot can be placed in vacant vega lands for reasonable prices that can help with traffic flow.

**VI. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES**

1. Appointment by Mayor Pete Saenz of Jose Ceballos to the Tax Increment Reinvestment Zone #1.

Motion to approve the nomination of Jose Ceballos to the Tax Increment Reinvestment Zone #1.

Moved: Dr. Marte Martinez  
Second: Cm. Balli  
For: 6                      Against: 0                      Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

2. Appointment by Mayor Pete Saenz of Jackie Rodriguez to the Blue Ribbon Committee for People with Disabilities.

Motion to approve the nomination of Jackie Rodriguez to the Blue Ribbon Committee for People with Disabilities.

Moved: Dr. Marte Martinez  
Second: Cm. Balli  
For: 6                      Against: 0                      Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

3. Appointment by Mayor Pete Saenz of Ric Soliz to the Building and Standards Commission.

Motion to approve the nomination of Ric Soliz to the Building and Standards Commission.

Moved: Dr. Marte Martinez  
Second: Cm. Balli

For: 6                      Against: 0                      Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

4. Appointment by Mayor Pete Saenz of 1 at large citizen to the Board of Directors of the South Texas Development Council.

Motion to table.

Moved: Dr. Marte Martinez

Second: Cm. Balli

For: 6                      Against: 0                      Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

5. Re-appointment by Council Member Roberto Balli of Jose Salvador Tellez to the Municipal Civil Service Commission.

Motion to approve the nomination of Jose Salvador Tellez to the Municipal Civil Service Commission.

Moved: Dr. Marte Martinez

Second: Cm. Balli

For: 6                      Against: 0                      Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

6. Appointment by Council Member Roberto Balli of Joe Maldonado to the Economic Development Advisory Committee.

Motion to approve the nomination of Joe Maldonado to the Economic Development Advisory Committee.

Moved: Dr. Marte Martinez

Second: Cm. Balli

For: 6                      Against: 0                      Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

7. Appointment by Council Member Vidal Rodriguez of Cesar Garay to the Economic Development Advisory Committee.

Motion to approve the nomination of Cesar Garay to the Economic Development Advisory Committee.

Moved: Dr. Marte Martinez

Second: Cm. Balli

For: 6                      Against: 0                      Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

## VII. PUBLIC HEARINGS

### 1. Motion to open public hearing #1.

Moved: Dr. Marte Martinez

Second: Cm. Balli

For: 6

Against: 0

Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

Public Hearing and Introductory Ordinance re-adopting guidelines and criteria governing tax abatements by the City of Laredo in accordance with the requirements in Section 312.002 of the Texas Property Tax Code; providing for severability; providing for an effective date of February 19, 2020 through February 18, 2022; and providing for publication.

There was no public input.

Motion to close public hearing and introduce.

Moved: Dr. Marte Martinez

Second: Cm. Gonzalez

For: 6

Against: 0

Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

### 2. Motion to open public hearing #2.

Moved: Dr. Marte Martinez

Second: Cm. Balli

For: 6

Against: 0

Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

Public Hearing and Introductory Ordinance amending the City of Laredo Fiscal Year 2019-2020 Capital Improvements Fund by appropriating revenues and expenditures, and authorizing the Co-Interim City Managers to implement said budget amendment, for improvements at the Divine Mercy Park in the amount of \$320,662.00 that shall include the construction of a metal structured bathroom building, a reinforced concrete basketball court, and outdoor court tile for multi-sport applications. Funds will be coming from a donation from Robert P. Gutierrez.

There was no public input.

Motion to close public hearing and introduce.

Moved: Dr. Marte Martinez

Second: Cm. Gonzalez

For: 6

Against: 0

Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

## VIII. INTRODUCTORY ORDINANCES

None

## IX. FINAL READING OF ORDINANCES

Motion to waive the final readings of Ordinances 2020-O-003, 2020-O-004, 2020-O-005, 2020-O-006, 2020-O-007, 2020-O-008, 2020-O-009, 2020-O-012, 2020-O-013, 2020-O-014.

Moved: Cm. Balli

Second: Dr. Marte Martinez

For: 6                      Against: 0                      Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

3. 2020-O-003      Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning approximate 10.01 acres out of 26.61 acre tract in Porcion 34, J.A. Diaz, Abstract 762, located at East of Cuatro Vientos Rd., from AG (Agricultural District) to R-1A (Single Family Reduced Area District); providing for publication and effective date. ZC-04-2020 District II

Motion to adopt Ordinance 2020-O-003.

Moved: Cm. Balli

Second: Dr. Marte Martinez

For: 6                      Against: 0                      Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

4. 2020-O-004      Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 73, 74, and 75, Block 2, North Creek Subdivision, located at 5400 McPherson Rd., from B-1 (Limited Business District) to B-3 (Community Business District); providing for publication and effective date. ZC-05-2020 District V

Motion to adopt Ordinance 2020-O-004.

Moved: Cm. Balli

Second: Dr. Marte Martinez

For: 6                      Against: 0                      Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

5. 2020-O-005      Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning approximate 2.06 acres out of 5.10 acre tract in Porcion 10, Tomas Sanchez, Original, Abstract 280, located at South of FM 1472 Rd., from AG (Agricultural District) to M-1

(Light Manufacturing District); providing for publication and effective date. ZC-07-2020 District VII

Motion to adopt Ordinance 2020-O-005.

Moved: Cm. Balli

Second: Dr. Marte Martinez

For: 6                      Against: 0                      Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

6. 2020-O-006      Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning approximate 3.997 acres out of Survey 2181, Abstract 648, J.W. Cody Original, located South of Casa Verde Rd. from R-1 (Single Family Residential District) and R-2 (Multi-Family Residential District); providing for publication and effective date. ZC-08-2020 District V

Motion to adopt Ordinance 2020-O-006.

Moved: Cm. Balli

Second: Dr. Marte Martinez

For: 6                      Against: 0                      Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

7. 2020-O-007      Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning approximate 10.37 acres in Porcion 35, Abstract 546, Jose M. Diaz, located South of Katiana Dr. from R-1 (Single Family Residential District) to R-1A (Single Family Reduced Area District); providing for publication and effective date. ZC-10-2020 District I

Motion to adopt Ordinance 2020-O-007.

Moved: Cm. Balli

Second: Dr. Marte Martinez

For: 6                      Against: 0                      Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

8. 2020-O-008      Ratifying the execution of a contract from the Texas Department of State Health Services (DSHS), and amending the FY 2019-2020 budget by appropriating revenues and expenditures in the amount of \$255,122.00 and amending the FY 2019-2020 Full Time Equivalent (FTE) Position Listing by adding one (1) Health Educator Supervisor, R38 position and one (1) Health Educator I, R29 position for the City of Laredo Health Department (CLHD) new grant for Special Needs Health Care Education and Outreach Services to assist families access health care and needed social and educational services for families with children with special needs for the term period of December 6, 2019

through August 31, 2021.

Motion to adopt Ordinance 2020-O-008.

Moved: Cm. Balli

Second: Dr. Marte Martinez

For: 6                      Against: 0                      Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

9. 2020-O-009      Ratifying the execution of a contract from the Texas Department of State Health Services (DSHS), amending the FY 2019-2020 budget by appropriating additional revenues and expenditures in the amount of \$257,970.00 for a total of \$725,580.00 for the City of Laredo Health Department (CLHD) Zika Health Care Services Program for the term period of July 1, 2019 through June 30, 2021.

Motion to adopt Ordinance 2020-O-009.

Moved: Cm. Balli

Second: Dr. Marte Martinez

For: 6                      Against: 0                      Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

10. 2020-O-012      Authorizing the Co-Interim City Managers to execute an amendment to the MPL Wireless Solution, LLC dba RZ Communication Laredo lease agreement approved by Ordinance No. 2009-O-220 and further amended by Ordinance No. 2018-110 dated August 6, 2018 at 4401 Maher Avenue building No. 146 located at the Laredo International Airport by extending the current lease term to three (3) years from the November 30, 2019 original lease termination date to November 30, 2022 with two (2) one-year renewal options until November 30, 2024. The initial monthly rent shall be \$2,760.00 effective December 1, 2019, and will be adjusted annually according to changes of the Consumer Price Index (CPI). All other terms and conditions remain unchanged and in effect.

Motion to adopt Ordinance 2020-O-012.

Moved: Cm. Balli

Second: Dr. Marte Martinez

For: 6                      Against: 0                      Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

11. 2020-O-013      Authorizing Co-Interim City Managers to execute the renewal of a lease agreement with Webb County for its Head Start Program for the following parcels of land, at their current rate for a one (1) year term, as referenced below.

Jesus Garcia Head Start	2518 Cedar Avenue	\$900.00 per Month
Tatangelo Head Start	2200 Zacatecas Street	\$616.00 per Month
Villa Alegre Head Start	3501 Eagle Pass Avenue	\$893.00 per Month
Coordinators Annex	2802 McDonell Avenue	\$550.00 per Month

Leases will be renewed for a one (1) year term with an option to renew for an additional term of one (1) year at a new adjusted rate based on the Consumer Price Index (CPI); Providing for an effective date.

Motion to adopt Ordinance 2020-O-013.

Moved: Cm. Balli

Second: Dr. Marte Martinez

For: 6

Against: 0

Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

12. 2020-O-014 Authorizing the Co-Interim City Managers to execute all necessary documents granting a temporary construction easement to United Independent School District to enter onto city property to construct temporary and permanent erosion improvement on United Independent School District property.

Motion to adopt Ordinance 2020-O-014.

Moved: Cm. Balli

Second: Dr. Marte Martinez

For: 6

Against: 0

Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

## X. CONSENT AGENDA

### **BUILDING:** STAFF SOURCE ARTURO GARCIA, BUILDING DIRECTOR

13. 2020-R-023 Authorizing and approving a fee waiver and a Tax Abatement Agreement between the City of Laredo and Eudelia Garza for a proposed project located at 515 E Travis St, lot 3; block 407; eastern division that consists of a 2 bedroom house, in accordance with authorized guidelines and criteria established for the Neighborhood Empowerment Zone (NEZ). This agreement will be for a five (5) year period and will abate taxes on new improvements for the purpose of economic development. The project has an estimated capital investment total of \$142,000.00, estimated annual tax abatement total of \$785.21 and estimated total fee waivers of \$2,366.00.



Guidelines and criteria for the agreement are set forth in the attached agreement and information.

Motion to adopt Resolution 2020-R-023.

Moved: Dr. Marte Martinez

Second: Cm. Gonzalez

For: 6

Against: 0

Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

14. 2020-R-026

Authorizing and approving a fee waiver and a Tax Abatement Agreement between the City of Laredo and Veronica Moreno for a proposed project located at 2617 Sanders St, the south 27 feet of lot 4; block 330; eastern division that consists of a 2 bedroom house, in accordance with authorized guidelines and criteria established for the Neighborhood Empowerment Zone (NEZ). This agreement will be for a five (5) year period and will abate taxes on new improvements for the purpose of economic development. The project has an estimated capital investment total of \$49,000.00, estimated annual tax abatement total of \$310.65 and estimated total fee waivers of \$1,500.50. Guidelines and criteria for the agreement are set forth in the attached agreement and information.

Motion to adopt Resolution 2020-R-026.

Moved: Dr. Marte Martinez

Second: Cm. Gonzalez

For: 6

Against: 0

Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

15. 2020-R-028

Authorizing and approving a fee waiver and a Tax Abatement Agreement between the City of Laredo and Aaron Oscar Gonzalez for a proposed project located at 1102 O Kane St, west two-thirds of lot 8; block 642; eastern division that consists of a 4 unit multi-family, in accordance with authorized guidelines and criteria established for the Neighborhood Empowerment Zone (NEZ). This agreement will be for a ten (10) year period and will abate taxes on new improvements for the purpose of economic development. The project has an estimated capital investment total of \$178,080.00, estimated annual tax abatement total of \$1,129.02 and estimated total fee waivers of \$3,310.00. Guidelines and criteria for the agreement are set forth in the attached agreement and information.

Motion to adopt Resolution 2020-R-028.

Moved: Dr. Marte Martinez

Second: Cm. Gonzalez

For: 6

Against: 0

Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

16. 2020-R-029 Authorizing and approving a fee waiver and a Tax Abatement Agreement between the City of Laredo and Hugo P. & Selinda Vidaurri Garcia for a proposed project located at 2615 Springfield Ave, lot 4; block 328; eastern division that consists of addition, in accordance with authorized guidelines and criteria established for the Neighborhood Empowerment Zone (NEZ). This agreement will be for a five (5) year period and will abate taxes on new improvements for the purpose of economic development. The project has an estimated capital investment total of \$30,011.79, estimated annual tax abatement total of \$190.27 and estimated total fee waivers of \$354.00. Guidelines and criteria for the agreement are set forth in the attached agreement and information.

Motion to adopt Resolution 2020-R-029.

Moved: Dr. Marte Martinez

Second: Cm. Gonzalez

For: 6

Against: 0

Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

17. 2020-R-030 Amending resolution 2013-R-023 allowing the Co-Interim City Managers administrative approval related to Neighborhood Empowerment Zones one, two, and three for the purpose of reducing the application processing and approval time frame for better service to the public and purpose of the program.

Administrative approval is being requested for residential and multi-family projects applications with the following capital investments for residential applications not to exceed \$300,000.00 and multifamily project investments not to exceed \$500,000.00. All other applications and categories exceeding this capital investments will continue to be approved by City Council.

Arturo Garcia, Acting Building Director, explained that staff has seen a significant time delay for NEZ applications from the time they submit the application to the Building Department to the time that it is approved by Council. This can sometimes take 30 days to accomplish. Staff investigated an administrative approval process and determined a two-step process. The first step includes an application review with permit approval and fee waivers for the issuance of a Building permit. The second step would include City Council approval of the City tax abatement. This process would reduce the three- or four-week process to three or five days.

Rosario Cabello, Co-Interim City Manager, explained that the monetary amounts listed were used because most of the NEZ

applications were the most frequent amounts found by staff. Mr. Garcia clarified that staff is recommending a few amendments to this resolution, such as including commercial and eliminating the monetary limits. With the two-step process, staff no longer needs the limits. This process is used successfully by the City of Fort Worth.

Motion to adopt Resolution 2020-R-030 to include commercial and to remove limitations such as monetary limitations, as amended.

Moved: Cm. Balli

Second: Cm. Rodriguez

For:

Against:

Abstain:

18. 2020-R-035 Authorizing and approving a fee waiver and a Tax Abatement Agreement between the City of Laredo and Eluid Garcia II for a proposed project located at 3402 Clark Blvd, lot 2; block 11; Eastwoods Subdivision that consists of a car wash, in accordance with authorized guidelines and criteria established for the Neighborhood Empowerment Zone (NEZ). This agreement will be for a ten (10) year period and will abate taxes on new improvements for the purpose of economic development. The project has an estimated capital investment total of \$938,800.00, estimated annual tax abatement total of \$5,952.00 and estimated total fee waivers of \$3,495.00. Guidelines and criteria for the agreement are set forth in the attached agreement and information.

Motion to adopt Resolution 2020-R-035.

Moved: Dr. Marte Martinez

Second: Cm. Gonzalez

For: 6

Against: 0

Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

**CITY ATTORNEY: STAFF SOURCE KRISTINA L. HALE, CITY ATTORNEY**

19. Approving the attached agreement with Cuatro Vientos South, Ltd. accepting the donation of a 125.00 acre tract of land being out of Abstract 456, Survey 35, J.M. Diaz, Abstract 594, Survey 2149, R.H. Rains and Abstract 473, Survey 36, L. Salinas, Original Grantee, Webb County, Texas, also being a portion of a called 490.78 acre tract conveyed to Tract 5, Cuatro Vientos South, LTD., Recorded in Volume 4225, page 242 in the deed records of Webb County, Texas, for the purpose of developing a multi-purpose sports complex.

Motion to approve.

Moved: Cm. Balli

Second: Cm. Gonzalez

For: 6

Against: 0

Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

**ENGINEERING:** STAFF SOURCE RAMON E. CHAVEZ, CITY ENGINEER

20. Consideration for approval to reject all bids received for the Divine Mercy Park Improvements Project District VI and authorization to re-design plans and re-bid the project. No Financial Impact.

Motion to approve.

Moved: Cm. Balli

Second: Cm. Gonzalez

For: 6

Against: 0

Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

**ENVIRONMENTAL:** STAFF SOURCE JOHN PORTER, ENVIRONMENTAL DIRECTOR

21. Consideration to amend and renew contract FY17-036 with IMC Recycling, Inc., Laredo, Texas; amendment is requested to increase contract by \$7,500.00 (25%) for a new total annual amount of up to \$37,500.00 for the disposal of Recycling of Electronic Waste/Scrap services. This contract includes: Disposal of Recycling of Electronic Waste/Scrap, E-Scrap, TV/Computer Monitor, Broken TV/Comp, Transportation, Batteries Cell Phones, Batteries and other Household Electronics. The term of this contract shall be for the period of two years, subject to future appropriations. This is the last extension period. Funding is available in the Environmental Services Fund.

Motion to approve.

Moved: Cm. Balli

Second: Cm. Gonzalez

For: 6

Against: 0

Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

**FINANCE:** STAFF SOURCE JOSE F. CASTILLO, ACTING FINANCE DIRECTOR

22. Consideration to renew contract FY16-047 to the low Bidder Thyssenkrupp Elevator Corporation, Corpus Christi, Texas in an amount of up to \$220,000.00 for elevator and escalator maintenance service contract. This contract provides for monthly maintenance on the elevators and escalators at various City locations, including: Airport Terminal, Bridges I, III & IV, City Hall (Downtown), City Hall Annex, Police Department, Public Library, Fire Administration Building, El Mercado, Parking Division, Parks & Leisure Recreation Centers, El Pico Water Treatment Plant, Max Mandel Golf Course, and Uni-Trade Stadium. The term of this contract shall be for a period of three (3) years. This is the first extension and contract may be extended for one additional three (3) year period. Funding is available in the respective departmental budgets.

Motion to approve.

Moved: Cm. Balli  
Second: Cm. Gonzalez  
For: 6                      Against: 0                      Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

**FLEET MANAGEMENT:** STAFF SOURCE RONALD MILLER, FLEET DIRECTOR

23. Consideration to award contract FY20-027 for the purchase of motor vehicles requested by City departments to the following low bidders:

1. Cowboy Motor Company, Silsbee, Texas in the amount of \$364,860.00 for the purchase of fifteen (15) vehicles; and
2. Caldwell Country Chevrolet, Caldwell, Texas in the amount of \$20,775.00 for the purchase of one (1) vehicle.

The City received four bids through Cit-E-Bid for the purchase of administrative vehicles and trucks for various departments authorized for purchase in this fiscal budget. Funding is available from the 2020 Capital Outlay Schedule, various bond proceeds and department operational budgets.

Motion to approve.

Moved: Cm. Balli  
Second: Cm. Gonzalez  
For: 6                      Against: 0                      Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

24. Consideration to authorize the purchase of two (2) 2020 Ford Transit Connect vans in the total amount of \$57,236.00 from Silsbee Ford, Silsbee, Texas through the GoodBuy Cooperative Purchasing Program's contract pricing. These vans are replacement vehicles for units #13525 and #13565 which have already reached their useful life. Funding is available in the 2018 Water Public Property Finance Contractual Obligation Bond proceeds.

Motion to approve.

Moved: Cm. Balli  
Second: Cm. Gonzalez  
For: 6                      Against: 0                      Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

25. Consideration to award contract FY20-029 for the purchase of heavy duty trucks for various city departments to the following vendors:

1. Kyrish Truck Center, San Antonio, Texas in the amount of \$102,000.00 for the purchase of one (1) 2021 International HV607 cab and chassis for the

12-14 cu., yard dump truck and one (1) 2020 Davis body for the dump truck;

2. Rush Truck Center, Laredo, Texas in the amount of \$130,603.10 for the purchase of one (1) 2020 Peterbilt 348 cab and chassis for the 14-16 cu., yard dump truck and one (1) 2020 Ledwell body for the dump truck;
3. South Texas Truck Centers, Laredo, Texas in the amount of \$506,062.00 for the purchase of one (1) 2021 Mack Pinnacle cab and chassis truck, one (1) 2021 Mack Granite 1200 cab and chassis for a sewer cleaning truck, and one (1) 2020 Camel Maxxx 1200 body for the sewer cleaner truck.
4. Mark Rite Lines Equipment, Billings, Montana in the amount of \$289,554.00 for the purchase of one (1) MRL 1-90-AA striping machine truck.

The City of Laredo reserves the right to purchase additional heavy duty trucks within a 90 day period after award of contract. Funding is available from the Waterworks 2018 PPF CO, Sewer System 2018 PPF CO, and 2019 PPF CO Bond.

Motion to approve.

Moved: Cm. Balli

Second: Cm. Gonzalez

For: 6

Against: 0

Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

26. Consideration to renew contracts FY17-048 for the general diesel engine repairs and parts/service for the City's Fleet Division to the following bidders:

1. Cervantes Truck Center, Laredo, Texas in an amount up to \$200,000.00;
2. Rotex Truck Center, Laredo, Texas in an amount up to \$100,000.00;
3. Andy's Auto & Bus Air, Laredo, Texas in an amount up to \$75,000.00; and
4. Rush Truck Center, Laredo, Texas in an amount up to \$75,000.00.

This contract establishes multiple vendors for general diesel engine repairs. This contract provides the Fleet Division with the ability to farm out and expedite needed diesel engine repairs. The term of this contract shall be for a period of one (1) year beginning as of the date of its execution. There was no price increase during the last extension period. This is the last extension period for this contract. All parts and services will be secured on an as needed basis. Funding is available in the Fleet Maintenance budget.

Motion to approve.

Moved: Cm. Balli

Second: Cm. Gonzalez

For: 6

Against: 0

Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

**HEALTH:** STAFF SOURCE DR. HECTOR GONZALEZ, HEALTH DIRECTOR

27. Consideration to amend service contract FY17-020 to Quest Diagnostics, San Antonio, Texas, to allow for a 25% contract amount increase for providing clinical laboratory testing services for the Health Department and Employee Health and Wellness; new annual amount of contract will be for \$600,000.00. This contract is in the 3rd year of a three (3) year term and is subject to future appropriations; contract can be extended for three (3) additional one (1) year periods, upon mutual agreement of the parties. Services will be secured on an as needed basis. Funding is available in the Health Department and Employee Health and Wellness Funds.

Motion to approve.

Moved: Cm. Balli

Second: Cm. Gonzalez

For: 6

Against: 0

Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

**PARKS & RECREATION:** STAFF SOURCE JUAN J. GOMEZ, JR., PARKS & RECREATION DIRECTOR

28. Authorizing the Co-Interim City Managers to execute a contract with Kraftsman Playground, Inc., Spring, Texas for the purchase and installation of exercise equipment at Father McNaboe Park located 102 Rancho Viejo Road in the amount of \$63,395.27. This purchase is utilizing the BuyBoard Cooperative Purchasing Program; contract pricing, contract 592-19. Funding is available in the 2017 CO Bond.

Motion to approve.

Moved: Cm. Balli

Second: Cm. Gonzalez

For: 6

Against: 0

Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

**SOLID WASTE:** STAFF SOURCE STEPHEN GEISS, SOLID WASTE DIRECTOR

29. Consideration to renew contract FY16-034 to Industrial Property Brokers, Laredo, Texas, in an amount up to \$476,550.00 for the purchase and hauling of approximately 135,000 tons of earthen soils to the City's Solid Waste facility. In this fourth renewal vendor will increase price from \$3.53 per ton to \$3.6712

per ton. The term of this renewal shall be for a period of one year beginning as of the date of its execution, and may be extended two additional one (1) year periods, upon mutual agreement of the parties and contingent upon availability of funds. All earthen soils will be purchased on an as needed basis. The Solid Waste Department will use these soils to cover the landfill cells on a weekly basis in accordance to TCEQ requirements. Funding is available in the Solid Waste Services Department Fund.

Motion to approve.

Moved: Cm. Balli

Second: Cm. Gonzalez

For: 6

Against: 0

Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

**UTILITIES:** STAFF SOURCE RIAZUL MIA, UTILITIES DIRECTOR

30. Consideration to reject the two bids received through Cit-E-Bid for FY20-028 for the sale and removal of the vapor compression desalination system located at the Santa Isabel RO Plant located at 23710 FM 1472 Road for the City of Laredo Utilities Department. The two bid proposals were evaluated and sale revenue deemed to be lower than anticipated. The department will modify the specifications and request new bids.

Miguel Pescador, Purchasing Agent, reported that staff had a minimum bid that they were expecting, but of the two bids received, that minimum was not reached. Both vendors requested reimbursement allowances for removal of the desalination system which brought both overall offers too low for the equipment staff is trying to sell.

Riazul Mia, Utilities Director, explained that Council awarded a contract for the desalination project in March 2009, and construction started that April. The total costs of this partnership between Texas A&M, the City of Laredo, and Terrabon Engineering was \$2.8 million (of which the City paid 56% or \$1.57 million). The goal of the project was to demonstrate the technology for the economic benefit to the City of Laredo in the event that the City's supplemental water supply strategy included saline groundwater sources in the region. Unfortunately, this project was a failure in practice; a final report was issued in March 2011. While other cities are able to use this technology, the cost of desalinating water is still more expensive than what the City charges for water, making it unsustainable for Laredo. The company who performed this work went bankrupt, and the equipment has been sitting idle for nearly 10 years. The City wanted a minimum bid of \$300,000; while the vendors offered \$300,000, they requested allowances for removing the equipment in amounts of \$180,000 and \$275,000, making the City's profit less than half the asking price.

Rosario Cabello, Co-Interim City Manager, voiced her understanding that staff was going to table this item. She noted that after depreciation, the value of this equipment should be about \$900,000; considering the City's contribution of \$1.57 million, selling this equipment at the current asking price will significantly reduce the City's bottom line. Mr. Mia countered that the equipment is currently



collecting dust and is not providing any value as it is. Mrs. Cabello voiced her preference of increasing the asking price for the equipment.

Motion to approve.

Moved: Cm. Balli

Second: Cm. Gonzalez

For: 6

Against: 0

Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

31. Consideration to award an annual supply and service contract FY20-019 to the sole bidder, Martin's Heating & Cooling, Laredo, TX in an amount up to \$50,000.00 to provide HVAC (heating, ventilation, and air conditioning) repair services for the Wastewater Treatment Plants. This contract establishes an hourly service rate and cost percentage for parts. The term of this contract shall be for a period of one (1) year beginning as of the date of its execution. The contract may be extended for three, additional one (1) year periods. Funding for the additional extensions are subject to future budget appropriations. All services will be purchased on an as needed basis and funding will be secured from the Sewer System Fund - Waste Water Treatment Division.

Motion to approve.

Moved: Cm. Balli

Second: Cm. Gonzalez

For: 6

Against: 0

Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

32. Authorizing the Co-Interim Manager(s) to approve Change Order #1 with a credit amounting to (\$88,412.50) due to actual quantities of work done in the field, acceptance of the project, and release of retainage amounting to \$19,628.75 to Southern Trenchless Solutions of Weslaco, Texas, for the repair of 36" sewer influent pipe at South Laredo Wastewater Treatment Plant. The total contract amount with this change order is \$196,287.50. Funding is available in the 2014 Sewer Revenue Bond.

Motion to approve.

Moved: Cm. Balli

Second: Cm. Gonzalez

For: 6

Against: 0

Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

END OF CONSENT AGENDA

## **XI. STAFF REPORTS**

33. Discussion with possible action on ongoing audits and/or irregularities identified

by the Internal Auditor including the potential assignment of other and/or additional auditing duties; and any other matters incident thereto.

Motion to approve the Internal Auditor's report.

Moved: Dr. Marte Martinez

Second: Cm. Balli

For: 6

Against: 0

Abstain: 0

Cm. Vielma and Cm. Altgelt were not present.

34. Discussion with possible action on matters pertaining to the creation and execution of a civic pride campaign.

Aileen Ramos, Convention & Visitors Bureau Director, reported that staff acquired proposals from agencies and selected one. Staff is beginning to work with this local agency to focus on marketing efforts, creating the campaign and advertisements related to the civic pride campaign. The agency will also consult on logos and design packages that have already been created by the designer.

No action taken.

35. Presentation by staff and Bill Tomas Inc. for the consideration of entering into a new contract with a retail electrical provider (REP) for citywide electrical services, with possible action.

Miguel Pescador, Purchasing Agent, reminded Council that Bill Thomas of Thomas Engineering is the City's electrical consultant and prepared a Request for Proposals (RFP) for new rates. Rosario Cabello, Co-Interim City Manager, explained that even though the contract (FY99-099) is not yet expired, now is a good time to evaluate new rates for savings. The new rates or REP options still include renewable energy.

Bill Thomas of Thomas Engineering explained that the RFP was released on September 22, 2019 with a response due date of October 22, 2019. Eight REPs responded to the request, of which five were shortlisted for further consideration: Direct Energy, TXU Energy, MP2 Energy, Reliant Energy, and Midamerican Energy. This REP contract would begin in 2022. In early 2012, the City's prices for electrical providers was 6.1 cents per kilowatt hours; this reduced to 5.1 cents in a subsequent contract for five years. A few years ago, Thomas Engineering was able to reduce the price further to 3.9 cents per kilowatt hours. When the new contract begins in June or July 2022, the price will be a little over 3 cents per kilowatt hours for a number of years as determined by Council. Mr. Thomas noted that the longer term of the contract will mean a lower price per kilowatt hours. The City would save nearly \$750,000 per year with a longer term contract. He suggested that Council choose a contract term of seven, eight, or nine years. Many other cities are choosing long-term contracts.

Mrs. Cabello recommended that Council select an eight-year contract. Cm. Balli initiated a motion to this effect.

Dr. Marte Martinez asked if Council could expect to see further decreases in price after they lock in these prices. Mr. Thomas clarified that these are the lowest prices he has seen; they are at historic lows and would only be expected to increase rather than decrease. This price is nearly the same price as production costs.

Cm. Altgelt recalled that the last time Council had this conversation, they opted for 100% renewable energy, which is being offered as well today. Council then authorized the capturing of those savings for weatherizing or making the City more energy efficient. He noted that he was not aware if any measures were taken to realize those savings or put them to their intended purpose. He asked Council to amend this motion to capture the anticipated savings of this new contract and use them for weatherizing and increasing building energy efficiency.

Cm. Balli did not accept the amendment, noting his preference to give management more flexibility to utilize those savings for any priorities rather than one specific purpose. He commended Cm. Altgelt's suggestion. Dr. Martinez agreed, noting that the City is in an economic downturn, so those savings may be put to better use elsewhere in the City's budget. Cm. Altgelt countered that if the City is able to weatherize and realize efficiencies, what is spent yearly over the eight-year track reduces exponentially. Therefore, the savings would increase exponentially in the long run.

Cm. Balli noted that weatherizing new projects is easy, but retrofitting older buildings for increased efficiency does not typically produce the cost savings as described by Cm. Altgelt.

Motion to authorize the Co-Interim City Managers to enter into an eight-year contract with a retail electric provider and authorize the Co-Interim City Managers to lock in a retail electric price, as amended.

Moved: Cm. Balli

Second: Dr. Marte Martinez

For: 7

Against: 0

Abstain: 0

Cm. Gonzalez was not present.

36. Discussion with possible action on curtailing future expenses in anticipation for any economic downfall; and any other matters incident thereto.

Jose Castillo, Finance Director, reminded Council that staff submitted quarterly financial statements as per the City Charter; recently, management issued a memo to all Department Directors to curtail their expenses in case of a downturn in the economy.

Gilberto Sanchez, Budget Director, stated that management is making a proactive effort to remain financially stable by freezing the hiring and salary adjustments of positions for a period of time that is not expected to last the entire fiscal year. The General Fund's main expense is personnel (77% of the total expenditures). He explained that the main cause of this is Bridge

revenues performing below projections by \$900,000. If the Bridge continues this trend, the City will be short about \$2.6 million in the Bridge Department, which translates to \$1.63 million in the General Fund. The General Fund relies heavily on the performance of the Bridge Fund as one of its three sources of revenue (the other two being property sales tax and sales tax, both of which are performing well.) Staff is taking a conservative approach to the Bridge Department's underperformance as the new fiscal year begins.

Rosario Cabello, Co-Interim City Manager, reported that staff tracks Bridge revenues on a daily basis; commercial traffic is steady, but non-commercial and pedestrian crossings are both on a decline. She estimated that this may be due to the uncertainties occurring in Mexico at this time, so staff is taking precautionary measures.

Yvette Limón, Bridge Director, confirmed that a decrease in bridge traffic began in November 2019 and has continued into the fiscal year. This correlates to violence that erupted in Mexico at the same time. She noted that only a few days into February, crossings look a little better; she reminded Council that today is a Mexican holiday, so staff will watch the traffic to see if crossings increased during this period of time.

Mr. Sanchez noted that, currently, the property sales tax and sales tax revenues are performing well. Mrs. Cabello reminded Council that sales tax reports are from two months prior while bridge revenue reports are current. Therefore, direct comparisons will not be accurate or provide correlation. She noted that management talked to Departments about their use of overtime and its effect on the General Fund.

Cm. Altgelt reminded Council that the City needs to diversify its economy as there are way too many operations dependent upon Bridge revenues. The Comprehensive Plan also speaks very specifically to the diversification of the economy in the healthcare sector. Nuevo Laredo may potentially be contending with a failed state; if the City does not anticipate how it is going to offset its bridge crossing revenues, then it may suffer a long economic downfall.

Cm. Balli noted that there are two types of pedestrian bridge crossers; shoppers and commuters. A lot of people crossing own homes in Laredo but choose to shop or visit family in Nuevo Laredo and have recently decided not to.

Mrs. Cabello confirmed that staff will forward Council a monthly tax revenue report once it becomes available. Robert Eads, Co-Interim City Manager, reiterated that the sales tax reports are from a different time period than Bridge revenue reports. Mrs. Cabello added that management is not making any changes to appropriations, therefore Council action or approval is not necessary.

No action taken.

37. Discussion with possible action to consider the adoption of the 2020 Federal Legislative Agenda for the 116th U.S. Congressional Legislative Session.

Robert Eads, Co-Interim City Manager, reminded Council that staff provide a list of the tentative legislative agenda, urging Council to review the list and let staff know if there are any priorities that need to be embedded into the agenda. Staff needs to begin background preparation and scheduling; he asked Council to submit any recommendations no later than Friday, February 7, 2020.

Dr. Marte Martinez recalled that last year the legislative was very large, prompting Council to direct staff to narrow the agenda so that the City could more effectively. Last year, the City unsuccessfully attempted too many objectives. Rosario Cabello, Co-Interim City Manager, assured Council that the large packet they received includes a lot of substance. Mr. Eads clarified that staff is introducing all of the items so that they can receive Council's feedback for a truncated message to policymakers and agencies. The City's legislative consultants will help steer the City towards objectives that have a better chance of success. He reported that the Grant Administrator will join the City on its legislative trip and reminded Council that the City has a legislative liaison housed in Washington D.C. who will help the City during this undertaking.

No action taken.

38. Status on the results of the Boil Water Notice and the Independent Investigation by Bickerstaff Law Firm.

Josh Katz of Bickerstaff, Heath, Delgado, Acosta Law Firm assured the public that he was not influenced by any member of the City of Laredo to support or negate a conclusion of his independent investigation. The conclusions in his report are solely based upon the results of his investigation. He was retained by the City around the same time that TCEQ issued its investigative report of the boil water notice that took place in September 2019. Mr. Katz began his investigation with that TCEQ report; he clarified that TCEQ was not willing to talk to him as they still see this situation as an open and ongoing matter. Based on the documentation he received from TCEQ and the City, Mr. Katz conducted his investigation by speaking with Mr. Francisco Reyes, the original complainant that triggered TCEQ's investigation, as well as City officials. He reviewed communications between City staff and management, between Utilities Department staff and TCEQ, and other communications within the City and public, among others. The City also provided testing data and engineering reports along with steps and measures that staff previously and currently followed. He added that many of the factors at hand are common in other Texas cities, particularly older cities with infrastructure dating back dozens or even 100 years. Replacing water lines is an expensive endeavor, meaning that many cities are not always able to replace older or smaller diameter water lines or dead-end water lines. Past development did not take into account ideal infrastructure planning.

Mr. Katz explained that the factors that can affect chlorine levels in a utility line are heat and the conditions that lead to water sitting stagnant in the distribution system. If a water line has low demand on it and/or is subjected to heat, chlorine can dissipate in the line; this can occur in only a portion of a water line in some cases. If water stagnates and chlorine dissipates, there is a potential for harmful bacteria to grow in the water line and present a risk to public health.

He reminded Council that chlorine is a disinfectant that all public utilities use to prevent harmful bacteria from forming. Every month, TCEQ requires a utilities system to test a certain number of samples for bacteria and chlorine. The number of samples to be taken is based upon the number of utility connections that the City has. If the Utilities Department tests a sample and finds that the chlorine level is below the TCEQ requirement (0.50 mg/L), the water line is flushed from a fire hydrant nearby, which removes the stale water with low chlorine and replaces it with fresh water that should have sufficient chlorine levels. Retesting is conducted the next day to ensure that chlorine levels are adequate. Mr. Kats reported that, at all times during this event, neither the City nor TCEQ ever found harmful bacteria in the water distribution system. Both entities found that flushing the water lines was sufficient to bring the chlorine levels back up to the TCEQ standard; however, this level could not be sustained for more than a day, and retesting by TCEQ found that chlorine levels were again below the threshold the day after they were brought up to the acceptable level.

Mr. Katz continued that TCEQ recommends flushing a water line when a utility system finds low chlorine levels; because of a variety of circumstances, the City was not able to maintain chlorine levels at the TCEQ standard for more than a day. He noted that his investigation sought to determine why that took place as well as determining whether the City's response to the circumstances was sufficient and what can be done in the future to ensure that this does not happen again. He explained that when Mr. Reyes complained to the City about his water, the Utilities Department went to his residence and flushed his water line. The next day, Utilities staff found that chlorine levels had risen to the acceptable amount. However, a day or two later, they dropped back down below the standard 0.50 mg/L. This pattern was repeated sporadically over a few weeks until Mr. Reyes filed a complaint with TCEQ in mid-to-late August 2019. TCEQ investigations are initiated through a complaint-driven process by nature. When TCEQ began their investigation, they found that chlorine levels were below the required threshold radiating out from Mr. Reyes's property; this was reported to the City's Utilities Department. The Utilities Department used TCEQ-approved remediation methods, such as flushing the lines, and retested the next day to find that the levels had risen to the acceptable standard. However, TCEQ would perform a subsequent test the day after the City and find that the chlorine levels had dropped back down to an unacceptable level. On September 20, 2019, TCEQ's investigator told the Utilities Department that they had 24 hours to maintain acceptable chlorine levels or issue a boil water notice.

Mr. Katz stated that by a certain point, TCEQ found that the remediation methods were not working in enough locations and directed the City to issue a boil water notice (September 21, 2019). During the time between TCEQ's direction to issue a boil water notice and the City actually issuing the notice (September 28, 2019), the Utilities Department worked in conjunction with TCEQ in an attempt to rectify the situation. Mr. Katz voiced his opinion that any fault on the part of the Utilities Department would be that too much time passed between TCEQ's directive and the Department completing that directive. TCEQ does not direct boil water notices lightly, as they understand it places a burden on the City and its citizens. He emphasized that the nature of this boil water notice was solely precautionary; at no time during these events were any

harmful bacteria found in the water taken by either the City or TCEQ. Quite often, TCEQ directs a water system to issue a boil water notice in an abundance of caution. While there were no harmful bacteria in the water lines, there was a potential that the conditions, if left uncorrected, could give rise to harmful bacteria. There was never a direct public health threat, it was only a potential risk. When it became clear that flushing the lines alone was not maintaining acceptable chlorine levels, the City implemented a free chlorine conversion, which is also known as a “chlorine burn” because it is a stronger disinfectant and is restricted to being used only 30 days per year.

As of October 8, 2019, TCEQ performed constant testing with the City and determined that the free chlorine conversion remediated the issue of chlorine levels dropping below the accepted threshold. At that time, TCEQ advised the City that they could lift the boil water notice. Mr. Katz recommended, so that this situation does not happen again, that the City work with TCEQ to develop a strategic plan for performing free chlorine conversions as an effective means to nitrification problems. He also recommended that the City secure an independent engineer to review the water distribution system, particularly certain sections of water pipes that are more prone to nitrification, and water age. An engineering firm can also help the City identify high priority infrastructure repairs or replacements to avoid dead-end water lines or nitrification. Mr. Katz also recommended making use of technology such as chlorine boosters in identified areas of low-chlorine concerns to inject chlorine into part of the system. Automatic flushers can also be installed in dead end lines so that a Utilities crew does not have to travel to flush the lines as often; the process can be automated. He reminded Council that TCEQ requires a Nitrification Action Plan of every city; the City of Laredo has an approved plan, but Mr. Katz noted that TCEQ recommended that the City update it and voiced his agreement with this recommendation.

Mr. Katz explained that the City of Austin had an eight-day boil water notice two years ago after a flooding incident in the lake that provides the water supply to the city. The turbidity of that water was so thick that the water intake pumps could not clean it in time. Since the City could not treat enough water in time to supply water to the city, officials issued a boil water notice. The Texas Water Journal found that 6,000 boil water notices were issued across the state in the last six years; this practice is becoming more common as heat levels, population, and infrastructure age increase in Texas. He stated that other cities have found successful strategies to combat nitrification in their water lines, such as free chlorine conversions with longer durations, automatic flushing devices on dead-end lines, and increasing the number of monthly samples taken. He voiced his opinion that implementing a measure that affects the public’s daily life is always a serious concern; however, this boil water notice was not due to a public health risk. Mr. Katz noted that he did not speak to water plant operators due to timeliness of completing the report. However, he read a lot of communications between those personnel and management and felt satisfied that he understood the day-to-day activities and updates. He confirmed that TCEQ did not find any wrongdoing by any employee that manages the plant or by any personnel within the Utilities Department. They also did not have any concerns about certifications, training, or protocol. He voiced his expert opinion that if there was any problem in the City’s response to the water issue, it would be the delay between TCEQ directing the Utilities

Department to issue the boil water notice and when it was actually issued, though he noted his understanding of why the delay occurred. TCEQ allows 24 hours for a City to rectify low chlorine level. There may have been confusion as to what the direction was from TCEQ, whether that was to issue a boil water notice within 24 hours or to issue it after chlorine levels were still not maintained after an attempt to correct them in 24 hours.

Cm. Altgelt asked if automatic flushers have the ability to monitor chlorine levels in real time. Mr. Katz deferred to Utilities Department but noted his understanding that automatic flushers are programmed to flush lines on a time interval rather than monitoring chlorine levels in real time. Cm. Altgelt asked if other cities have ordinances that require developers to avoid dead-end infrastructure and instead loop them into the circulating infrastructure. Mr. Katz confirmed that many cities do indeed have that in development ordinances. He could not speak to the cost effectiveness of that undertaking to development. He reminded Council that TCEQ's report confirms that at all times during this incident, City staff worked closely with TCEQ in a timely fashion to address the issue. Mr. Katz recalled that Mr. Reyes's initial complaint was concerning his water filtration system turning green in color; however, Mr. Katz did not study the specific question of what happened with his filters a that was outside of the scope of his independent investigation as to the City's response to the boil water notice issue. He stated that the use of the chlorine to disinfect the water supply is not harmful if used as directed; some people notice a smell to chlorine in the water lines, but it is not objectionable to most people. He noted that a lot of the communication between the Utilities Department and management occurred in real time, but he received a wide variety of communications between and within various personnel, Departments, and management.

Cm. Altgelt voiced his opinion that the City could have better handled the notice to the public and public relations aspects of the boil water notice. Mr. Katz suggested that the initial message should come from the emergency message notification system and have a designated person be in charge of that message so that it is consistent, cohesive, and covers all of the important elements of a city-wide message to the public. He recommended that the City Manager's Office coordinate the outgoing message, as their office is able to coordinate free water available to the public during the boil water period.

Mr. Katz reported that, as a separate investigation, TCEQ reviewed the City's Health Department laboratory. They issued a report on the laboratory that found different categories of deficiencies. One of the critical findings was that the laboratory needed a procedure in place for the calibration of equipment within the laboratory. The Health Department laboratory responded with corrective action in regards to those critical findings. Mr. Katz did not state that this critical finding means that the test results were wrong; any reporting of missing logs were remedied as of September 23, 2019. TCEQ alleges that there are a number of dates in which they requested residual logs and did not receive them. However, he reiterated that TCEQ did not respond to any of his questions. He recommended in the future having documentation ready to provide as soon as a state agency requests it. He recalled that TCEQ requested the pressure plane maps for the city on the evening of September 28; those maps were not available until early the next morning. This is why the



initial boil water notice was city-wide. He added that TCEQ expects to have those pressure plane maps immediately available. He summarized that the City has an adequate sampling and testing protocol that complies with TCEQ requirements. However, there are a number of constraints within the water infrastructure system as it exists; moving forward, he noted that staff has learned much about what they can do differently to prevent this from happening again. He reminded Council that almost every city will have a low chlorine level reading at some point; this is unavoidable.

Cm. Vielma asked if there are any protocols that can be improved that would make the City more proactive in this regard. Mr. Katz noted that if the City works with TCEQ, they can identify those areas where there have been recurring problems with low chlorine. He suggested that adding more testing samples at those locations would help the City address low chlorine more quickly.

Cm. Mercurio Martinez noted a discrepancy in the TCEQ report in which flushing water lines is an acceptable practice to raise chlorine levels, but in the report TCEQ takes an oppositional stance against flushing. Mr. Katz noted that this may be a point of confusion, as he reviewed the City's storm water discharge permit which allows for flushing at these valves. From the documents provided by TCEQ so far, he has not seen any legal or rule-making authority to determine that the City cannot perform flushing. He clarified that this is not a situation that TCEQ has flagged as a notice of violation; it is categorized as an area of concern.

Robert Eads, Co-Interim City Manager, thanked Mr. Katz and his firm for a productive report that outlines areas of improvement for the City. He stated that the City appreciates the comments of its citizens that informs them in their roles. The City of Laredo also performs complaint-driven investigations; he directed the public to the City's 3-1-1 line to report any concerns or issue complaints, which is how the City learns of many issues. He agreed with Mr. Katz's recommendation to let messages to the public come from the designated emergency response coordinator, asking Council and personnel to follow that protocol in the future. Once a message has been distributed incorrectly, it is very difficult if not impossible to redact the incorrect information.

Mayor Saenz asked management to provide Council with their implementations for improvement as a result of this investigation. Mr. Eads reminded Council that they approved two pieces of equipment that speak to improvements in the Utilities Department at the last Council meeting. He confirmed that staff will provide those remedies to Council and advised that the report is readily available to any interested party.

Rosario Cabello, Co-Interim City Manager, reminded Council that when they asked if this item was going to be discussed in executive session, the Co-Interim City Managers declined in the spirit of transparency so that the public could see exactly what occurred and what is being done to improve the City's operations.

No action taken.

## XII. EXECUTIVE SESSION

39. Request for Executive Session pursuant to Texas Local Government Code 551.071(1)(A) to consult with attorney on pending litigation involving City of Laredo v. Laredo Lomas Properties, Ltd., and the Premises located at 1500 Logan Street, in Laredo, Texas 78040, Cause No. 2017CVK002349-D2; pending in the District Court of Webb County, Texas, 111th Judicial District; and return to open session for possible action.

Motion to go into executive session to discuss this item.

Moved: MPT Balli

Second: Cm. Gonzalez

For: 6

Against: 0

Abstain: 0

Cm. Mercurio Martinez and Cm. Altgelt were not present.

Following executive session, Mayor Saenz reported that no action was taken.

40. Request for Executive Session pursuant to Texas Local Government Code 551.071(1)(A) to consult with attorney on pending litigation involving Case No. 2018CVF001299-D2; City of Laredo, Texas vs. Western Summit Constructors, Inc., McAllen Constructions, Inc., Western Summit Constructors, Inc./McAllen Construction, Inc., A Joint Venture, Dannenbaum Engineering Company,- McAllen, LLC, Dannenbaum Engineering Company- Laredo, LLC, Patterson Pump Company; pending in the 111th District Court, Webb County, Texas; and return to open session for possible action.

Motion to go into executive session to discuss this item.

Moved: MPT Balli

Second: Cm. Gonzalez

For: 6

Against: 0

Abstain: 0

Cm. Mercurio Martinez and Cm. Altgelt were not present.

Following executive session, Mayor Saenz reported that no action was taken.

41. Request for Executive Session pursuant to Texas Local Government Code 551.071 related to the approval and acceptance of the CDBG Freddy Benavides Recreational (Sisters of Mercy) Water Feature (Lazy River) adjacent to the City of Laredo Cigarroa Recreation Center Swimming Pool located at 2201 Zacatecas Street and discussion of closing out the bond with RLI Insurance Co., the Surety Company and return to open session for possible action.

Motion to go into executive session to discuss this item.

Moved: MPT Balli

Second: Cm. Gonzalez

For: 6

Against: 0

Abstain: 0

Cm. Mercurio Martinez and Cm. Altgelt were not present.

Following executive session, Mayor Saenz reported that no action was taken.

Motion to direct staff not to exceed \$71,000 and to have the surety company pay all relevant subcontractors and close out the project as complete.

Moved: Cm. Rodriguez

Second: Cm. Gonzalez

For: 7

Against: 0

Abstain: 0

Cm. Mercurio Martinez was not present.

42. Request for Executive Session pursuant to Texas Local Government Code 551.071 in relation to an extension of time for United States Government access to continue survey and appraisals of the City's property in the federal condemnation case pursuant to the Court Order in Civil No. 7:18-CV-375; United States of America v. 801.077 Acres of Land, more or less, situate in Starr County, State of Texas, and City of Laredo, et al.; closed in the United States District Court for the Southern District of Texas McAllen Division.

Motion to go into executive session to discuss this item.

Moved: MPT Balli

Second: Cm. Gonzalez

For: 6

Against: 0

Abstain: 0

Cm. Mercurio Martinez and Cm. Altgelt were not present.

Following executive session, Mayor Saenz reported that no action was taken.

### **XIII. RECESS AS THE LAREDO CITY COUNCIL AND CONVENE AS THE LAREDO MASS TRANSIT BOARD**

No action taken.

### **XIV. ADJOURN AS THE LAREDO MASS TRANSIT BOARD AND RECONVENE AS THE LAREDO CITY COUNCIL**

No action taken.

#### **43. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS**

##### **A. Request by Mayor Pete Saenz**

1. Discussion with possible action on the status of the Veteran Affairs Committee; and any other matters incident thereto. (Co-Sponsored by Mayor Pro-Tempore Alberto Torres, Jr.)

Mayor Saenz recalled that he was approached by some veterans to request more coordination between veterans and City Council; the City

has a committee for this issue, but there has not been much activity, and the veteran group splinters into separate sects. He cited Council action to ask the veteran group to nominate some members to the committee or to create their own entity for the advocacy of veteran needs.

MPT Torres reminded Council that the Veteran Affairs Committee was established before he joined City Council; Mayor Saenz appointed him as a Council representative, but the issues raised among the veteran community, particularly regarding a veteran's museum, became highly politicized and controversial. The purpose of the Veteran Affairs Committee was to have an open line of communication with the various veterans' groups and for dedicated Council Members hear the issues that these groups are experiencing. He noted that the time has come to reestablish that committee and incorporate those different representatives. He addressed past criticisms that Council allowed this committee to go dormant, clarifying that the City was taking different initiatives to accommodate the veterans' groups at the time on the veterans' museum.

Ricardo Quijano, Commander for the Veterans of Foreign Wars Post #9194, agreed that there can be differences of opinion and disagreement between the various veterans' organizations. He volunteered his VFW to help spearhead this initiative. He reminded Council that he is part of a veterans' affairs regular meeting where veterans share their issues and needs. He encouraged Council to continue the work on meeting the needs of Laredo veterans.

Cm. Vielma reported that she was also a Council representative for the Veteran's Affairs Committee and recalled the various associations that presented to the group and began collaborations. She voiced her opinion that the cohesiveness of these organizations is still intact and that the work can continue with some improvements.

Arturo Garcia, Acting Building Director, reported that the committee was originally to be composed of three Mayor-appointed Council Members, and now the committee includes ten key veteran organizations: the American Legion Post 59, Catholic War Veterans, Disabled American Veterans, Korean War Veterans, Laredo Veterans' Coalition, LULAC Veterans' Council, the Marine Corps League, South Texas Afghanistan and Iraqi Veterans, Veterans of Foreign Wars, and the Webb County Service Office. He recommended appointing the committee with each of these major entities and having an alternate assigned to each member.

Mayor Saenz requested that Mr. Garcia help develop this initiative. Mr. Quijano assured Council that if this committee is reactivated, the veteran organizations of which he is a member would be very willing to participate. Mayor Saenz suggested that Mr. Quijano collaborate with Mr. Garcia to organize a package for Council consideration.

No action taken.

**B. Request by Council Member Alberto Torres, Jr.**

1. Discussion with possible action to establish a Youth City Council Advisory Board composed of students to encourage youth input in municipal government; and any other matters incident thereto.

MPT Balli recalled several discussions with management and staff on this matter. There is a similar board in the Parks & Recreation Department, but he voiced his opinion that a youth board would encourage and educate high school students in city government. It could provide training and opportunities to invest in Laredo's leaders of tomorrow. He suggested an application process where each Council Member can select two students from their district. He initiated a motion to instruct management to create the Youth City Council Advisory Board, identify staff to serve as liaisons to this board, and initiate a marketing campaign for the youth council.

Cm. Vielma voiced her support of a youth council focused on civic development and leadership. Cm. Balli noted that the ideas brought forward by the youth council could result in Council action items.

Cm. Rodriguez that staff keep in mind rotating meeting locations so that the youth members may get exposed to the different areas of the city.

Motion to instruct management to create the Youth City Council Advisory Board, identify staff to serve as liaisons to this board, and initiate a marketing campaign for the youth council.

Moved: MPT Torres

Second: Cm. Vielma

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Dr. Marte Martinez were not present.

2. Discussion with possible action to develop an ordinance to require baby changing stations in public restrooms; and any other matters incident thereto. (Co-Sponsored by Council Member Roberto Balli)

MPT Torres stated that as fathers to infants, he and Cm. Balli have seen firsthand how few baby changing stations are available in public restrooms. When public places fail to accommodate young families, the families are forced to find their own accommodations, like changing diapers in a vehicle or in unsanitary places. It is a matter of sanitation, convenience, and inclusion since not having accessible baby changing stations cause families to be selective of where they go. He stated his opinion that this ordinance should mimic the federal government's BABIES Act requiring restrooms in all buildings with federal funding to include changing stations. This applies to women's and men's restrooms alike.

Rosario Cabello, Co-Interim City Manager, confirmed that baby changing stations are in the restrooms of all City recreation centers, City Hall, and the City Hall Annex. However, they are only in the women's restrooms;

they need to be added to men's restrooms, as well.

MPT Torres stated that the bigger area of concern is getting small businesses to comply, particularly when considering compliance with the Americans with Disabilities Act (ADA) in terms of spacing. There is also a financial burden that small, local businesses have to consider. He asked staff to consider an ordinance that starts with City buildings and target new developments before certificates of occupancy are issued as well as all restaurants applying for restroom remodeling permits. Additionally, he requested a report from management for a marketing campaign to assist local small businesses in providing baby changing stations, perhaps with the City of Laredo logo, in their restrooms. He asked management to find a funding source for this as it is a public concern and can be associated with promotions. He initiated a motion to this effect.

Cm. Vielma commended MPT Torres and Cm. Balli for this item and for their part in decreasing the cultural gender disparity in childrearing activities like diapering.

Arturo Garcia, Acting Building Director, confirmed that there is no requirement for the number of bathrooms or the number of changing stations in a restroom. It is voluntary, and many commercial properties include baby changing stations as a convenience, though they are mainly in women's restrooms. Staff recommends that the focus be on commercial new buildings and buildings undergoing major renovations. He asked that Council provide the Building Official the exemption consideration for existing buildings, which have spacing issues. Cm. Balli encouraged family restrooms wherever possible.

Mr. Garcia cautioned Council that ADA compliance requirements can sometimes place a financial burden on business owners when taking into account an open baby changing station in their spacing.

MPT Torres requested a report from staff regarding the number of baby changing stations so that Council has a better idea of the work needed to successfully execute this campaign.

Robert Eads, Co-Interim City Manager, noted that if the City is offering any type of incentive to a business, like a Chapter 380 agreement, then baby changing station or family restroom requirements could easily be incorporated into those agreements.

Motion to direct staff to develop an ordinance requiring baby changing stations in City buildings as well requiring these stations in new development or restaurants applying for restroom remodeling permits and to direct management to provide a report for a marketing campaign to assist local small businesses with providing baby changing station in their restrooms and to find a funding source for this undertaking.

Moved: MPT Torres

Second: Cm. Balli

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Dr. Marte Martinez were not present.

3. Discussion with possible action to instruct Co-Interim City Managers to authorize staff to install speed humps at the following locations, under the Special Provision of the Speed Hump Installation Policy, and to authorize the use of asphalt type speed humps, instead of speed cushions, which is currently required under the policy; and any other matters incident thereto. City Council District IV Priority Funds will be used for this project.
  - a. Speed humps on 2600 Gustavus

Motion to approve.

Moved: MPT Torres

Second: Cm. Rodriguez

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Dr. Marte Martinez were not present.

### **C. Request by Council Member Nelly Vielma**

1. Discussion with possible action on the enforcement of existing law and/or development of a city ordinance to regulate private security guard uniforms and security patrol vehicles in an effort to ban the use of vehicles that create the impression of being associated with law enforcement, and any other matters incident thereto.

Cm. Vielma noted that several security businesses have lookalike vehicles or uniforms that make them look like members of the Laredo Police Department or the Department of Public Safety.

Claudio Treviño, Laredo Police Chief, confirmed that in 2017, there was a change to the Texas Local Government Code addressing specific issues with copying law enforcement uniforms, badges, patches, and vehicles. He noted that staff consulted with the District Attorney's Office regarding at least two local companies that were in violation of this new law. The directive of the DA's Office was to put these companies on notice and allow the District Attorney take action. The City Attorney's Office drafted a letter that was sent to at least one business regarding vehicle units. Since then, the Laredo Police Department changed the design of its police units, so staff needs to revisit the item to see if any violations are still taking place. A specific ordinance would be redundant because state law (Section 341.904) already addresses this matter. Police and the District Attorney's Office will work together on enforcement of this law. The spirit of the law was to avoid individuals from being coerced by uniformed persons who are actually not associated with law enforcement.

Cm. Rodriguez asked that the City not punish local businesses that had the designs first if the Police Department changes its designs that look like a security company's designs.

Cm. Vielma asked if security companies are required to show their designs as they establish their businesses so that a governing body can ensure that they are not mimicking law enforcement. Chief Treviño confirmed that DPS has a private security commission through which private security companies must apply. He could not confirm what the companies have to present regarding their designs or if the commission is responsible for checking for copycat designs. He stated that the overhead lights on a private security vehicle cannot be red or blue; he will soon follow up with the DA's Office on this matter. Security companies can only use yellow, orange, green, and white for any lights on their vehicles. He confirmed that staff will communicate with the private security commission to see if they can confirm that companies are not mimicking law enforcement.

No action taken.

#### **D. Request by Council Member George Altgelt**

1. Discussion and possible action to review the City of Laredo's score card regarding its implementation of the Comprehensive Plan; and any changes or matters incident thereto.

Cm. Altgelt reminded Council that the City Charter requires the annual update of the Comprehensive Plan.

Homero Vazquez-Garcia, IST Director, reported that staff has made available to the citizens of Laredo the link for the Comprehensive Plan initiatives through the City's website. In each initiative, more information is provided regarding the City's operations to realize this part of the plan. A summary of the City's activities and policies is also available for review. Staff developed a Comprehensive Plan matrix.

Cm. Altgelt asked how the City will achieve public participation for assessing the City's success in implementing the Comprehensive Plan. Mr. Vazquez explained that this will be achieved through a two-prong approach, which will flow to the City Manager's Office for compilation and action. Regarding scoring, he noted that IST will work with the Planning Department.

James Kirby Snideman, Planning Director, reported that the Department is working on several projects that relate to the Comprehensive Plan. His goal as Planning Director is to update the Comprehensive Plan every five years and has all files necessary to do so. Annually, he clarified his intention to update the parts of the Plan that require yearly updates as required by the City Charter. He informed Council that every Wednesday for the next eight weeks, staff is hosting a public meeting in every district in order to show citizens the City's maps, plans, intentions for Recode Laredo, and its goals and accomplishments for public input. This will occur every year.

Cm. Altgelt noted that this is a good opportunity to get citizens to score the City on its implementation of the Comprehensive Plan. He asked if the



required annual update is based on Departments, Council, or the public. Mr. Snideman clarified that the Charter specifically refers to two parts of the Comprehensive Plan: the Future Land Use Map and the Thoroughfare Plan. He confirmed that staff will take public input on what is working and what needs to change; this information will guide staff's recommendation for updates and changes.

Cm. Altgelt asked if these eight district meetings could include a scorecard for the public to gauge the City's progress. Mr. Vazquez added that a matrix for the citizens to score the City is already available to the public through the City's website; Mr. Snideman added that the City has received very little feedback to-date. He noted his opinion that a scorecard graded by citizens may not be very helpful since the citizens may not be familiar enough with the Plan itself to grade the City on 100 initiatives and goals. This would be an overwhelming task. The Comprehensive Plan does not provide instruction on how the City is to reach out to the public.

Mr. Vazquez noted that staff will promote the scoring of the City's progress at the district meetings. Cm. Altgelt initiated a motion to direct management to better promote the accomplishments of staff in the Comprehensive Plan matrix in order to develop a scorecard that invites the public, staff, and stakeholders to grade the City's progress on implementing the Comprehensive Plan.

Cm. Rodriguez asked who chose the sites for the public meetings in each district. Mr. Snideman confirmed that staff worked together to select sites based on location, room, and other constraints. There will be food, entertainment, easy parking, and other accommodations. He confirmed that the District II meeting will be held at Haynes Recreation Center. Cm. Rodriguez countered that he would prefer the meeting at a more centrally-located venue, particularly along Highway 359.

Rosario Cabello, Co-Interim City Manager, commended staff for their work achieved thus far. Dr. Marte Martinez asked if, at this stage of public engagement, staff is taking ideas and exploring projects that are forthcoming.

Mr. Snideman noted that overlaying all upcoming projects onto the City's maps would be difficult for citizens to interpret as it is too much information. The intention is to display the maps and utilize computer systems to show plats with specific information at the public meetings. He added that staff will prioritize the details of Recode Laredo and ask for public input on that initiative as well. Dr. Martinez voiced his opinion that Recode Laredo is very specific and detailed, as well, which might be too big to cover.

Mr. Snideman reminded Council that the district public meetings are only one part of the public involvement process. Staff will be able to follow up with any citizens that want more information or to provide more detailed feedback. Dr. Martinez cautioned staff from doing too much at any one event. Mr. Snideman countered that having a dozen meetings throughout

the year is not a more attractive alternative.

Mrs. Cabello assured Council that staff will adjust as needed as the meetings progress. Mr. Snideman reported that, in addition to walking through neighborhoods passing out invitations, staff has reached out via social media, local media, Council's administrative assistants, and targeted mailings.

Cm. Rodriguez encouraged staff to include Spanish translations of this outreach as well, since many residents in his district are predominantly Spanish-speaking. Cm. Altgelt voiced his doubt that the City will be able to capture the level of citizen input that is needed to accomplish this goal. He amended his motion to include that the outreach efforts mirror the work already being done by the Departments to go district-by-district to gather feedback.

Motion to direct management to better promote the accomplishments of staff in the Comprehensive Plan matrix in order to develop a scorecard that invites the public, staff, and stakeholders to grade the City's progress on implementing the Comprehensive Plan and that outreach efforts mirror the district-by-district efforts of staff, as amended.

Moved: Cm. Altgelt

Second: Cm. Mercurio Martinez

For: 6

Against: 0

Abstain: 0

Cm. Vielma and Cm. Balli were not present.

Charles Martens reminded Council that the City of Laredo has traffic everywhere; there is industrial parking in residential areas. He urged Council of the necessity for commercial parking options, which has been long-neglected. He encouraged Council to work together with TxDOT on this matter.

2. Status report on the construction of a pump track at Blas Castañeda and Father McNaboe park as approved on April 15, 2019; and any matters incident thereto.

Juan J. Gomez, Parks & Recreation Director, reported that the Blas Castañeda pump track is about 90% completed and should be finished by the middle of next week. Discussions are still ongoing for the pump track at Father McNaboe Park as it is a larger and more challenging track.

No action taken.

3. Discussion and possible action to change and amend the Panhandling Ordinance; and any other matters incident thereto.

Cm. Altgelt noted that Council previously addressed this issue and recalled advocacy groups made a compelling argument that, from a humanitarian standpoint, anti-panhandling ordinances are not the best way to deal with this issue. A landmark Supreme Court case determined

that the speech between a driver of a vehicle and a pedestrian is free speech. Government cannot, without a compelling interest, curtail the public's use of free speech. I recognized the validity of those arguments and asked for recommendations for any amendments that may be needed for this ordinance. He noted that the Fire Department must obtain permits when they conduct donation drives known as "bucket brigades."

Cm. Balli voiced his opinion that Council's discussion would be much more helpful if Council could view the current ordinance. Claudio Treviño, Laredo Police Chief, stated that the City has a specific ordinance for "bucket brigades" but could not speak to any ordinance that governs pedestrians distributing literature or pamphlets at intersections. He displayed the "panhandling ordinance," passed on March 18, 1980, stating the following under Section 19-330 of the Laredo Code of Ordinances:

- (a) No pedestrian shall stand in a roadway for the purpose of soliciting a ride, employment or business from the occupant of any vehicle.
- (b) No pedestrian shall stand on or in the proximity to a street or highway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street or highway.

Cm. Balli noted that he has seen people asking for money on the street in very dangerous situations. He stated that this ordinance seems designed to protect people from getting hit by cars, not necessarily the prohibition of soliciting for money. Cm. Vielma agreed with Cm. Balli on the grounds of public safety near Laredo's highways. She cited examples of dangerous behavior by people under the influence of drugs and suggested that the ordinance remain crafted to ensure safety along the roadways.

Kristina L. Hale, City Attorney, reported that staff researched similar ordinances, which were stricken down because the government was trying to prevent people from giving money rather than ensuring pedestrian safety. If Council were to focus on traffic and pedestrian safety, then the City would have a better chance maintaining the ordinance. She added that the ordinance would be more effective if it prohibited actions from drivers in their vehicles rather than the panhandlers themselves or prohibiting anything that would stop the flow of traffic.

Cm. Balli suggested that anybody doing any solicitation, even passing out flyers or pamphlets at intersections, should go through the permitting process.

Cm. Altgelt stated that if Council tailors this ordinance to be very limited as it relates to safety issues and not speech (such as asking for money) or flyers, then the City can survive judicial scrutiny.

Steve Landin, Laredo Fire Chief, reminded Council that some of these individuals asking for money can potentially be intravenous drug users and can be carriers of infectious diseases that put first responders at risk. Cm. Rodriguez added that the safety concern is for the pedestrian and

the motorist.

Dr. Marte Martinez suggested that this matter be referred to the Traffic Safety Advisory Committee to draft an ordinance that pertains to safety. The committee could bring it back to Council. Cm. Balli emphasized that the ordinance can be improved upon and suggested that the City Attorney perform that work; he made a motion to that effect. Cm. Altgelt asked that the ordinance first go to the Traffic Safety Advisory Committee for their review before Council approval.

Danny Magee, Traffic Safety Director, clarified that this issue was already brought to the committee twice already as part of Vision Zero. Their discussions are not related to freedom of speech but particularly through the lens of preventing pedestrians from entering the flow of traffic.

Michael Smith, clergy with the United Methodist Church and Holding Institute, stated that Laredo is part of the Balance of State under the Texas Homeless Network, of which there are over 215 county and municipality participants. Their latest statistics show that 60% of the counties or municipalities in the Texas Homeless Network have some sort of ordinance or law that prohibits solicitation, panhandling, loitering, and other activities. However, a very small percentage of those ordinances have proven to be effective over time. He asked that Council include the organizations that are providing services to the homeless population that often engages in solicitation. He voiced his opinion that, whether or not the person asking for money is aware of what they are doing, his goal is to respect their individuality with safety in mind.

Cm. Altgelt asked that Mr. Smith and his organization be part of the conversation in drafting amendments to this ordinance; Mr. Smith assured Council that he is not in opposition of the ordinance but hopes that the multiple organizations can collaborate.

Motion to instruct the City Attorney to bring back an ordinance that is neutral to First Amendment rights and encompasses a variety of conduct.

Moved: Cm. Balli

Second: Dr. Marte Martinez

For: 8

Against: 0

Abstain: 0

## **XV. ADJOURN**

Motion to adjourn.

Moved: MPT Torres

Second: Cm. Altgelt

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Dr. Marte Martinez were not present.