

**CITY OF LAREDO
CITY COUNCIL MEETING
M2006-R-01
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
January 9, 2006
5:30 P.M.**

I. CALL TO ORDER

With a quorum present, Mayor Elizabeth G. Flores called the meeting to order.

II. PLEDGE OF ALLEGIANCE

Mayor Elizabeth G. Flores led in the Pledge of Allegiance.

III. ROLL CALL

In attendance:

Elizabeth G. Flores,	Mayor
Alfredo Agredano,	Council Member,
District I	
Hector Garcia,	Council Member,
District II	
John C. Galo,	Council Member,
District III	
Johnny Amaya,	Council Member,
District IV	
Johnny Rendon	Council Member,
District V	
Gene Belmares,	Council Member,
District VI	
Jose A. Valdez, Jr.,	Mayor Pro Tem, District
VII	
Juan Ramirez,	Council Member,
District VIII	
Gustavo Guevara, Jr.,	City Secretary
Larry Dovalina,	City Manager
Cynthia Collazo,	Deputy City Manager
Horacio De Leon,	Assistant City Manager
Rafael Garcia,	Assistant City Manager
Jaime Flores,	City Attorney

IV. MINUTES

Approval of the minutes of October 17, 2005 and December 27, 2005.

Motion to approve.

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

Against:

0

Abstain: 0

V. COMMUNICATIONS AND RECOGNITIONS

Announcements

None.

Invitations

None.

Recognitions

- a. Recognition of Monica Resendiz of the Laredo Public Library on her selection as 2005

City of Laredo Employee of the Year.

Mayor Flores and City Council formally recognized Monica Resendiz as Employee of the Year. City Manager Larry Dovalina presented her with a plaque of recognition.

- b. Recognition of Trautmann Middle School Cheerleaders for winning Laredo's first National Middle School Cheerleading Championship.

Ms. Lupita Contreras	Sponsor
Amy M. Benavides	8 th Grade Captain
Tynesha Powell	8 th Grade Co-Captain
Amanda Garza	8 th Grade Co-Captain
Cynthia J. Alvarado	8 th Grade
Jazmin Gibeaut	8 th Grade
Carissa Gutierrez	8 th Grade
Katie Jarzombek	8 th Grade
Valerie Lomeli	8 th Grade
Amanda Montemayor	8 th Grade
Kelly Rodriguez	8 th Grade
Elda Torres	8 th Grade
Anahi Moreno	Mascot
Kazandra Aleman	7 th Grade
Alyssa Garza	7 th Grade
Alexia Gonzalez	7 th Grade
Kaila Maldonado	7 th Grade
Kristella Quirino	7 th Grade
Ana Karen Ramirez	7 th Grade
Megann Ruiz	7 th Grade
Alexandra Vargas	7 th Grade

Araceli Aguilar	6 th Grade
Alyssa R. Garza	6 th Grade
Anyssa Infante	6 th Grade
Sabrina Morales	6 th Grade
Karla Rojas	6 th Grade
Zelina Ruiz	6 th Grade
Catherine Uribe	6 th Grade
Jennifer Jimenez	6 th Grade

- c. Recognition of United South High School Cheerleaders for winning a National Championship title.

The United South High School Cheerleaders were given a Seven Flags Certificate of Recognition for winning a National Championship title.

The Seniors include: Briana Castano, Crystall Amber Wilkins, Denise Michelle Morales, Monica Martinez, and Stacy Lynn Garza.

The Juniors include: Mayra Alvarado, Kareza Picazo, Vanessa Ibarra, Cynthia Caldera, Erika Lozano, Valerie Ortiz, Jackie Martinez, and Elizabeth Montemayor.

The Sophomores include Pamela Guerra, Kristalle Molina, Roxanne Saldana, Josie Mar, Sandy Suarez, and Jennifer Lopez.

The Freshmen include: Anali Chavez and Sabrina Soto.

Communiqués

Cm. Agredano wished everyone a Happy New Year. He discussed several projects in District I that he has seen to fruition and advised that there are many more projects that will be initiated in the year of 2006 but noted that he only has five to six months left in office because of the 2006 elections. He added that the projects that have been completed were at the different requests of his concerned residents in the district. Finally, he wished his wife a Happy Birthday.

Cm. Garcia wished everyone in his district a Happy New Year. He discussed different projects that have been completed in District II which costs over \$18 million dollars. He added that there are many projects pending including the upgrading of Lago Vista Park. A \$2 million dollar recreation center will be constructed between Hwy 59 and Hwy 359 for the residents of east Laredo. He congratulated the City Manager and City staff for always providing quality customer service to the Council Members noting that it makes their job easier.

Cm. Galo wished everyone a Happy New Year. He said that 2005 was a banner year for the City of Laredo. He noted that Laredo is not a sleepy little town anymore; instead, businesses and jobs in abundance. He acknowledged champion winning teams from Laredo saying that they have worked really hard to reach their goals. He advised that City projects and improvements are approved by a team of Council Members. He asked for the people's continued support and commented that 2006 will also be another banner year.

Cm. Amaya said that he wished that he was running for office but he is not; instead, he is starting his sixth year as a Council Member for the City of Laredo. He mentioned that he is hoping to have a joint project with the County to build a senior citizen community center and a splash park in his district. All the parks in his district have been renovated. He continued to discuss several projects that are being accomplished in District IV. He added that he could not have been able to accomplish any projects without the assistance of City Council Members and City staff.

Cm. Rendon stated that he has been working on existing projects but is anxious for the year of 2006. He noted that there are a lot of projects in District V that will enhance the quality of life in the community. He too noted that 2005 was a great year and added that the upcoming year should be even better. He expressed his satisfaction with the way that City Council works as a team for the betterment of the community. He congratulated the Trautman Cheerleaders.

Cm. Belmares said it was a privilege to represent the Mayor and others that reside in District VI. He added that 2006 is a promising year for his district because there are so many ongoing projects. He said that the City has been rewidening streets, resurfacing, adding speed humps, and working on flood control projects. He noted that he is proud of the Council for supporting small businesses adding that small businesses don't have enough champions in government. He added that he will continue to work on legislative issues, veteran's issues, and the City's sister agencies. He acknowledged that Council is working very closely with Webb County even though it is not portrayed in the media. Finally, he noted that he looks forward to working hard with the Council in 2006.

Mayor Pro Tempore Valdez thanked the people who elected him six years ago. He noted that the District has come along way in six years. He also thanked Council for their support throughout the years adding that he respects their ideas and opinions. He noted that he concurs with all the statements from other Council members agreeing that they have all worked hard to represent the people of Laredo. He congratulated the Trautman Cheerleaders and their parents.

Cm. Ramirez thanked everyone for their cooperation in the renovation of the downtown area. He advised that the El Portal project should be ready in 2007 and mentioned that other improvements will be considered for the downtown area. However, his main concern is to build a water park for the City of Laredo. He said that he started that project two years ago. He said that the water park will generate jobs and business and greatly improve the quality of life in Laredo. He congratulated all the cheerleaders and their parents.

a. Mayor Elizabeth G. Flores presents the State of the City Address.

Every year there seems to be one word that stands out above all others to describe a city's 365-day adventure. This year I believe the word that best describes the developments around our city, the escalation of jobs created, the expansion of our infrastructure, the increase in business opportunities, and the intensification of our

security practices, private, and public health initiatives and educational facilities is growth. Most of us remember only the struggles to meet deadlines, fill out paperwork, to find another minute in the day to do more. Public service, after all, is a process, not a destination. Our job will never be over.

We did so much. Yet, I don't remember any victory parades or public acclaim. Together we wage a somewhat anonymous battle against seemingly difficult odds. This year is a political year. It will be a year that will create jobs and anxiety as well as expectation. When Mayor Saul Ramirez left almost nine years ago, we looked upon his tenure as one of preparedness. He struggled to build up the affordable housing programs of Mayor Tatangelo under a much different city charter. He built upon his business and political party affiliations in order to successfully fight for NAFTA. The last eight years have been oriented towards using the best practices of the previous years to expand and perfect our journey into a stronger and more sustainable future for Laredoans.

Our present is awesome. It is the time for Laredo. There are fewer of us unemployed, although I will add my name to the list this year. There are more of us getting a higher education and job training. For a good seven years there were more families in homes instead of apartments. Our residents have more parks, better-equipped parks, and splash parks. We have fun at the Buck's games and the arena. We added walking and biking trails. Our children learned to ice skate! Yet we worked hard to protect our water, our air, and our land like it had never been protected before. Because of dedicated recycling and lawn clipping crews, we saw an increase of recycling and lawn clipping collection by 50%. And who can forget Willy Botes debut? Over 50,000 households or 97% of all residential unites have automated garbage pick ups.

Building permits were issued like hot cakes. Water lines were extended; lift stations built, wastewater lines and high service pumps constructed. We located utilities to make room for better infrastructure and built more sidewalks, curbs, and gutters. New traffic calming devices have been installed and new streets are being built and designed. Bus service improved through the purchase of better equipment including 18 para-transit vans and the construction of new fueling stations, new fare boxes and bus shelters. At a time when federal funds are being cut, new bus wrap advertising contracts increased advertising revenues by more than 115%.

Speaking of revenues, in order to do a better job of processing property taxes and fees collected by the tax department that department installed electronic interfacing and increased current year property tax collection rates. Because of good fiscal management, Laredo continues to enjoy a good bond rating giving us the ability to issue bonds that will have lasting benefits to all the citizens of Laredo. For the first time in the history of Laredo we will issue bonds to finance quality of life initiatives. We will build a 5th international bridge. And today, we have an opportunity to work with the Texas Department of Transportation to ensure that the monies we lack for the overpasses, the grade separations, and extra lanes we need to handle our traffic can be financed with our own assets, and built today. Not tomorrow.

These initiatives will be good for our citizens and will attract more jobs to Laredo and more visitors. The CVB reports that overall hotel occupancy continues to be above the state average. Events that are hosted by the city, the Miss Texas USA Pageant and the Laredo International Sister Cities Festival as well as concerts, commercial opportunities and popular retail stores have all added to this statistic. We are looking forward to the Catholic Youth Conference Region X which will be the largest conference to be held in our city. We expect an additional request for 1,200 rooms for 2 nights during that conference.

A city looking for recognition of its impact on jobs far beyond its' city limits, instead got in the national limelight through a war waged many years ago in the dark world of the drug dealers. My brother served with the Justice Department for over 25 years fighting that war with very little funding. When was it that local and federal agents started counting their successes in terms of the pounds of drugs confiscated or the value of the drugs? Why did our own elected county sheriff start scaring us by making us believe that his jurisdiction filled with miles of rattle snakes, cactus, and private ranches, tall fences and 6% of the population bear defending with assault rifles, expensive Hummers and yet more expensive negative media? When we saw an opportunity stream for funding where neglect kept raising its ugly head. Most people in Laredo acknowledged we had a drug problem in the United States but when it hit close to home and it was not just on the day we honor Kiki Camarena, we got angry. The narco terrorist has been trying to take a hold on this border for many years. Why are we surprised? They have corrupted our children and ruined many lives, yet few federal dollars helped and local police were left to wage the only war and the local taxpayer left alone to fund it. Don't you just hate it when people come to visit and they have complete misconceptions about us? Where have they been? How do you ignore the people of South Texas? How do you turn your back on one of the greatest natural resources in this country has? Who would be building bridges, if not Laredo? Who would be promoting smooth international trade and commerce, if not for Laredo? Who would be helping design new processes for crossing people and commerce, if not for Laredo? Who would be helping define the future of "wall" or the "fence" policy to protect our border, if not for Laredo?

Yet, as high profile as these issues has been for others. It does not define what we do or who we are. Realities are not created by perceptions created by one story, especially if the story is not of our making or on our side of the River? Reality is Laredo's working families struggling to provide for themselves and finding help in a low city property tax rate and high level of customer service. Reality is a family left without a home that finds a helping hand. Reality is a working force equal to none, an inland city located at Mile Marker 1 of Highway 35, the Purple Heart designation on this Highway started right here. We are located on Mile 1 of the I-69 corridor and Mile Market 1 of the Ports to Plain corridor. Reality is a city filled with best practices in public service. We have led by example.

When most of the people that work downtown are asleep our sleepers do nightly downtown maintenance. When most people in Laredo are asleep or have a free day, there are people committed to public service that never close. These are the

men and women keeping our city safe and secure. After almost two years of handling the four county region administration of the 9-1-1 programs. We saw where small cities were being ignored and forgotten. We have been there ourselves before so because we believed we were in a position to help, we came to council and they agreed that the timing was right and it would also benefit our own 9-1-1 service initiatives tremendously.

What a banner year. We don't have all the sales tax figures or the sales reports but I expect they will be huge. People enjoy coming to Laredo. They enjoy the hospitality, the great inventories, the sale prices, the downtown, the restaurants, the Mall, the Spanish language as well as the hopeful faces of our youth, the kind faces of our elderly and the dynamic nature of all our citizens. We work hard at keeping our city clean and keeping it beautiful. We celebrate the beauty of our river and the fight to protect our environment by releasing thousands of butterflies and ladybugs into the air and land. I can't wait to welcome more people here with the downtown Mall, the El Portal project and the name brand outlet malls. We must do everything possible to encourage the enthusiasm of serious, experienced and well-financed developers who bring important investments into Laredo. I remember the days that we had no takers. We are getting yet another chance and my sign up more outlets this year. we will see Macy's in Laredo in 2006, another Target Store and yet one more Wal-Mart. We will see more hotels, theaters, and restaurants. I will soon inaugurate Laredo's El Rancho Restaurant along side an old friend. We have a public/private formula that works and we will continue to expand on it. If you think the business of working for economic development is unimportant, consider that for the first time in the history of this border our unemployment numbers are below state averages.

Our crime statistics show that property crime decreased in Laredo this year. But until everyone is safe all of the time, this Mayor and this council will continue to invest in getting our police and fire departments the best equipment and the most police officers and firefighters we can. We spoke seriously to Secretary Chertoff about having access to helicopter both for police surveillance, police protection, crime scene investigations, haz mat spills, rescue missions and overall security. This is doable and I will keep at this. The next mayor must continue this mission on behalf of the people of Laredo. We cannot afford to loose a moment or a dollar.

My work with Mexico will continue. We cannot be the world's 4th largest customs' district or largest in land port without our neighbor. The United States government is finally helping Mexico protect its Northern Border. But we must insist that Mexico secure its Southern Border as well. The Mexican Government, like its people needs to acknowledge that this is a different time. It takes drastic changes to our way of governing and our way of working with our neighbors.

Both sides of this border have been asked to continue to handle cross border traffic yet we are not always given the tools or the federal resources. Laredo has carried the burden of federal regulations and has done it quietly and proudly. Responding to the legislative decisions of two very powerful countries has put a great deal of weight on our shoulders for decades. And now in the midst of more serious

security concerns we know we will play an even more important role in securing our borders. The message to our state and federal government must be clear and this can not be done without the city's experience, input and resources.

This year in particular, has been hard for this policy board to obey its charter and not interfere with the management of the city. I hope that in the future we watch our steps more carefully. We have had our hand in everything. Sometime for the good but often times it cost dedication to turn sour. I got to worry that there were people sitting up here that wanted to apply for your job Mr. Dovalina. We saw a lot of change and good opportunities open up for a lot of city staff. But we cannot afford to rest on our laurels. There is much to do.

The media in and out of Laredo had a great deal of influence in what we thought of ourselves this year and what others thought of us. But no one can afford not to be a good citizen first. Who decides what makes the front page? There is an obligation to report the news, not stretch the truth. There should be a responsibility to research and update information. There is an enormous need to look on the positive, to smell the roses along our way. If not, what will our children think of us? What will our children be? Every year has been its lessons. This year I learned just how much I loved Laredo. I was asked again and again to speak about the bad circumstances surrounding our sister city and the need to close the bridges and the border, instead I focused harder on the good we have here and the need to continue to promote our bridges and our border. The people I though understood it best wavered instead of fighting for the truth.

Take some time to look at the faces of our children; chances are they are smiling at us. Let us make a commitment to them today for today and tomorrow. Our work is a process we should be proud of and we should not ignore nor forget our successes. This coming year will afford us a chance to plant even more seeds of growth. If we decide to water and fertilize these seeds they will grow into a future for Laredo that will mean more jobs, families more able to take care of themselves and government with better resources to help those in need. I consider that my work is never over. And today is just the beginning. The beginning of a New Year, Happy New Year Laredo.

VI. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

- a. Appointment by Council Member Hector J. Garcia of Bernardo Garcia to the Parks and Recreation Advisory Committee.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain:

0

VII. PUBLIC HEARINGS

1. Public hearing and introductory ordinance accepting and appropriating a grant awarded by Texas State University, San Marcos, Texas, in the amount of \$23,377.00 with City designating \$1,148.00 as a local match and amending the City of Laredo's Fiscal Year 2005 – 2006 Environmental Services Fund Annual Budget by appropriating said revenues and expenditures. The grant monies will be used for the Dos Laredos Integrating Monitoring, Watershed Education, and Litter Cleanup Project.

Motion to open the public hearing.

Moved: Cm. Galo

Second: Cm. Agredano

For: 8
0

Against: 0

Abstain:

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Belmares

Second: Cm. Agredano

For: 8
0

Against: 0

Abstain:

Ordinance Introduction: City Council

2. Public hearing and introductory ordinance amending the City of Laredo Fiscal Year 2005 – 2006 Annual Budget by reducing \$50,864.00 to reflect the actual amount awarded of \$34,678.00 from the Texas Department of State Health Services for the Title V Family Planning Services of the City of Laredo Health Department for the period beginning January 1, 2006 through August 31, 2006.

Motion to open the public hearing.

Moved: Cm. Garcia

Second: Cm. Agredano

For: 8
0

Against: 0

Abstain:

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Agredano

Second: Cm. Belmares

For: 8
0

Against: 0

Abstain:

Ordinance Introduction: City Council

3. Public hearing and introductory ordinance authorizing the City Manager to accept a contribution in the amount of \$12,500.00 from the Prairie Foundation and amending the City of Laredo Fiscal Year 2005 – 2006 General Fund Annual Budget by appropriating revenues of \$12,500.00 in the form of a contribution from the Prairie Foundation and expenditures in the amount of \$12,500.00 for the purchase of playground equipment for North Central Park.

Motion to open the public hearing.

Moved: Cm. Galo
Second: Cm. Amaya
For: 8
0

Against: 0

Abstain:

There was no public input.

Motion to close the public hearing and introduce.

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

Against: 0

Abstain:

Ordinance Introduction: City Council

VIII. FINAL READING OF ORDINANCES

Motion to waive the final readings of Ordinance # 2006-O-001, # 2006-O-002, # 2006-O-003, # 2006-O-004, # 2006-O-005, # 2006-O-006, # 2006-O-007, # 2006-O-008, # 2006-O-009, # 2006-O-010, # 2006-O-011, and # 2006-O-012.

Moved: Cm. Galo
Second: Cm. Amaya
For: 8

Against: 0

Abstain:

0

4. 2006-O-001 Amending the Zoning Ordinance Map of the City of Laredo by rezoning

the South 46 feet of Lot 1, Block 214, Western Division, located at 1202 San Agustin Avenue, from R-3 (Mixed Residential District) to B-1 (Limited Commercial District); providing for publication and effective date.

Motion to adopt Ordinance # 2006-O-001.

Moved: Cm. Galo
Second: Cm. Amaya

Motion to adopt Ordinance # 2006-O-005.

Moved: Cm. Galo
Second: Cm. Amaya
For: 8

Against: 0

Abstain: 0

rezoning 2006-O-006 Amending the Zoning Ordinance (Map) of the City of Laredo by

.55 acres, as further described by metes and bounds in attached Exhibit

“A”, located on the northwest corner of F.M. 1472 and Big Bend Boulevard, from B-1 (Limited Commercial District) to B-3 (Community Business District); providing for publication and effective date. (As Amended)

Motion to adopt Ordinance # 2006-O-006.

Moved: Cm. Galo
Second: Cm. Amaya
For: 8

Against: 0

Abstain: 0

rezoning 2006-O-007 Amending the Zoning Ordinance Map of the City of Laredo by

30.45 acres, as further described by metes and bounds in attached Exhibit

“A”, located south of Los Pinos Drive and east of Loma Vista Drive, from

R-3 (Mixed Residential District) to R-1MH (Single-Family Manufactured

Housing District); providing for publication and effective date.

Motion to adopt Ordinance # 2006-O-007.

Moved: Cm. Galo
Second: Cm. Amaya
For: 8

Against: 0

Abstain: 0

rezoning 2006-O-008 Amending the Zoning Ordinance Map of the City of Laredo by

.51 acres, as further described by metes and bounds in attached Exhibit

“A”, located at the northwest corner of Loop 20 and the Texas Mexican Railroad Right-of-Way, from R-1 (Single Family Residential District) to B-4 (Highway Commercial District); providing for publication and effective date.

Motion to adopt Ordinance # 2006-O-008.

Moved: Cm. Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

rezoning 2006-O-009 Amending the Zoning Ordinance Map of the City of Laredo by

Lot 1 and the West ½ of Lot 2, Block 829, Eastern Division, located at 1501 Musser Street, from R-1 (Single-Family Residential District) to R-O (Residential/Office District); providing for publication and effective date.
(As Amended)

Motion to adopt Ordinance # 2006-O-009.

Moved: Cm. Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

2006-O-010 Amending the City of Laredo Fiscal Year 2005 – 2006 Capital Improvement Fund Budget by drawing down \$400,000.00 from the opening balance and appropriating said funds as capital discretionary expenditures equally between the eight council districts.

Motion to adopt Ordinance # 2006-O-010.

Moved: Cm. Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

2006-O-011 Amending the City of Laredo Fiscal Year 2005 – 2006 budget by appropriating revenues and expenditures in the amount of \$2,500.00 in additional funds from the Texas Department of State Health Services for the Public Health Preparedness and Epidemiology Program of the City of Laredo Health Department for the period beginning January 1, 2006 through August 31, 2006.

Motion to adopt Ordinance # 2006-O-011.

Moved: Cm. Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

with

2006-O-012 Authorizing the City Manager to execute a Ground Lease Agreement

Alamosa Properties, L.P., a Texas limited partnership for ground space at the McPherson Water Tower located at 8711 McPherson, Laredo, Webb County, Texas and being more fully described in Exhibit "A" of Lease

Agreement, to construct on such premises an equipment building and 140' self-supporting type tower ("Tower"), more fully described in Exhibit B of the lease agreement, for the purpose of providing cell services and for co-locations, if approved by Landlord, and related equipment for use in connection with its communications business. Term of the lease is five (5) years commencing January 10, 2006 and ending January 9, 2011 with four (4) successive renewal terms of five (5) years. Annual base rent shall be \$15,000.00 each year during the terms of the lease and will be increased by five (5%) on each anniversary of the commencement date, providing for effective date.

Motion to adopt Ordinance # 2006-O-012.

Moved: Cm. Galo
Second: Cm. Amaya
For: 8

Against: 0

Abstain: 0

IX. RESOLUTIONS

5. 2006-R-001 Accepting the donation of two (2) tracts, one (1) of 12.05 acres, and one (1)

of 0.74 acres, from KNC Properties, Ltd., which are described by metes and bounds in the dedication deed dated August 19, 2005, attached to this Resolution as Exhibit A; and dedicating said 12.05 acres for a City park; and said 0.74 acres for general municipal purposes.

Motion to approve Resolution # 2006-R-001.

Moved: Cm. Galo
Second: Mayor Pro Tem Valdez
For: 8

Against: 0

Abstain: 0

6. 2006-R-002 (1) Supporting the participation of Laredo Community College in the program called "the North American Advanced Manufacturing Research and Education Initiative" [under acronym of "NAAMREI"]; and supporting the proposal submitted to the U. S. Department of Labor under such initiative for funding through a program called "the Workforce Innovation in Regional Economic Development (WIRED) Program" [under acronym of "WIRED"]; and (2) To extent that federal funding be available, directing the City Manager to consider providing matching funds up to \$250,000.00 to Laredo Community College.

Motion to approve Resolution # 2006-R-002.

Moved: Cm. Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

X. MOTIONS

7. Consideration for approval of amendment No. 1, an increase of \$46,194.00, to the Phase

II contract with the sole source provider, TransCore LP, for the purchase and installation of one (1) Automatic Vehicle Identification (A.V.I.) System and upgrading of five (5) lane controllers for the Bridge of the Americas Project, "El Portal". Funding is available in the Laredo Bridge System Fund.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain:

0

8. Consideration for approval of Change Order No. 4, a decrease of \$100,000.00, to the

construction contract with Leyendecker Construction, Laredo, Texas, for the Bridge of the Americas Project (El Portal) to obtain a credit on the contingencies fund built into the contract. Funding is available in the 2002 Bridge Revenue Bond.

Motion to postpone.

Moved: Cm. Rendon

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

9. Consideration for approval to award a professional services contract to Ashley Humphries Sanchez Architects, Laredo, Texas, for an amount not to exceed \$60,398.00 for design and preparation of plans and specifications for the Boxing Gym to be located adjacent to the Cigarroa Recreation Center. Funding is available in the Community Development Block Grant Fund.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain:

0

10. Consideration to award a contract for a Tennis Professional, in the amount of \$60,000.00 for a twenty-four (24) month period from January 1, 2006 to December 31, 2007, with Ross Boling, individually, and D.B.A. Tennis Professional, to

provide professional tennis lessons at the Market Street Tennis Courts. Funding is available in General Fund with future funding contingent on budget availability.

Motion to approve.

Moved: Cm. Rendon

Second: Cm. Belmares

For: 8

Against: 0

Abstain: 0

11. Authorizing the City Manager to amend the Joint-Use Agreement for outdoor recreational facilities between the City of Laredo and the Laredo Independent School District dated December 17, 2004, by changing Section III, to allow for the sale and consumption of alcoholic beverages and tobacco at Veterans Field during non-school district events.

Dr. Trevino spoke in favor of awarding the contract to Mr. Ross Bowling. He mentioned that it is a unique opportunity for him as President of the Laredo Tennis Association to thank the Mayor, City Council, City Manager, Chief of Police, Parks and Recreation Department, and the Laredo Convention and Visitor's Bureau for their tremendous support for the tennis programs. Through the City's efforts, the association will have over 1,200 visitors from all over Texas to play tennis in Laredo.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain:

0

12. Consideration to award contract number FY06-031 to the low bidders: Caldwell Country Ford, Caldwell, Texas, in the total amount of \$84,376.00, for the purchase of eight (8) mid-size trucks; and Caldwell Country Ford, Caldwell, Texas, in the total amount \$19,337.00 or Sames Motor Company, Laredo, Texas, in the amount of \$19,670.00 under the local bidder's preference provision of the Texas Local Government Code 271.905 for the purchase of one $\frac{3}{4}$ ton diesel truck. Funding is available in the 2005 Contractual Obligation Bond proceeds and the Community Development Department Fund.

Motion to approve award of contract to local low bidder of Sames Motor Company for the purchase of one $\frac{3}{4}$ ton diesel truck and award of contract to Caldwell Country Ford for the purchase of eight mid-size trucks.

Moved: Cm. Belmares

Second: Mayor Pro Tem Valdez

For: 8

Against: 0

Abstain: 0

13. Consideration to award a twelve (12) month janitorial supply contract number FY06-013 to the low bidders, Gulf Coast Paper, Corpus Christi, Texas; Patria Office Supply, Laredo, Texas; and Laredo Janitorial Solutions, Laredo, Texas, for

providing general janitorial supplies to all city departments. This contract establishes the contract pricing for those janitorial supplies most commonly utilized by city departments. All items will be purchased on an as needed basis and funding will be secured from the user department's budgets.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

14. Consideration to authorize the City Manager to execute the tower site lease agreements

with Pinnacle Towers Acquisition, LLC., Sarasota, Florida, in the monthly amount of \$6,000.00 for an initial term of five (5) years. Funding is available in the Communication System Fund Budget, and contingent upon future year appropriations.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain:

0

15. Consideration to authorize the City Manager to execute the tower site lease agreements

with Time Warner Cable d/b/a Texas Cable Partners in the monthly amount of \$2,000.00 for an initial term of ten (10) years. Funding is available in the Communication System Fund Budget and contingent upon future fiscal year appropriations.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain:

0

16. Authorizing the City Manager to acquire through negotiations the "Surface Only" of

one (1) parcel of land for the River Vega Land Acquisition Project. Said parcel consisting of Lots 7, 8, 9, & 10, Block 518, Western Division, City of Laredo, Webb County, Texas; and authorizing staff to negotiate with the owners for the acquisition of said parcel in an amount not to exceed \$42,000.00 plus closing costs. Funding is available in the 1998 C O Issue Land Account.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Amaya

For: 8
0

Against: 0

Abstain:

17. Consideration to authorize the purchase of two (2) Peterbilt trucks with dump body for

the Utilities Department through the Houston Galveston Area Council of Governments (HGAC) cooperative contract pricing in the total amount of \$176,234.00. Funding is available in the Utilities Department, Wastewater Treatment Division Budget.

Motion to approve.

Moved: Cm. Galo
Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

XI. STAFF REPORTS

18. A. Update by Laredo Convention and Visitors Bureau regarding 2006 Miss Laredo

Pageant sponsorship.

Patricia Taylor, Laredo Convention and Visitor's Bureau Director, said that as the City prepares to host the 2006 Miss Texas USA Pageant they are looking forward to meeting the future and the new Miss Laredo who will represent us during the state wide pageant in the United States.

Blanca Benavides, Director of Miss Laredo Productions, thanked everyone that would be responsible for the financial support extended to the Miss Laredo USA and without exclusion to the Miss Laredo Teen USA. She noted that she was proud to say that Miss Gateway Teen USA, Nicole Garza, placed in the top 15 among 120 young ladies who competed for the Miss Texas Teen USA. She went on to say that she holds great pride to be a native of Laredo and honored to be the Executive Director for Miss Laredo USA. For those who may not be familiar, the local preliminaries are the local stepping stones to Miss Texas Teen USA, Miss Texas USA Pageants, and a greater education. Both pageants fall under the recognition and guidelines of the most prestigious pageants in the world. The City proudly holds the Miss Texas USA Pageant in the Laredo Entertainment Center. She made a plea to the Council for their financial support to the 2006 local pageant event. She advised that their support is detrimental in continuing the program which ultimately produces a winners and finalist who will represent our community on national television. She thanked the Council for their continued support.

Patricia Taylor, Laredo Convention and Visitor's Bureau Director, said that in 2005 the Convention and Visitor's Bureau provided support to the Miss Laredo Productions at \$6,400 and contributed an additional \$2,200 to the New Miss Laredo for a total of approximately \$8,500. The new Miss Laredo got the sponsorship directly in support of participation in the Miss Texas USA pageant

as a representative for our city. For this year, she noted that the CVB could support the Miss Laredo USA at the same level and in the same way.

Blanca Benavides advised that she has presented a budget report to the Convention and Visitor's Bureau which notes that the total expense is \$36,150.

Patricia Taylor advised that the report breaks down each item that the Miss Laredo Productions is required to cover which is mandatory by Miss Texas USA and some are pageant production expenses.

Cm. Garcia noted that it is very crucial for the City of Laredo to support the Miss Laredo USA in all capacities. We added that the City needs to make sure that the funding is available.

Larry Dovalina, City Manager, said that the City has an established a third party funding policy and a third party process. He noted that some individuals have not followed this process and instead approach the Convention and Visitor's Bureau which turns the CVB into a third party donor. He recommended for Council to instruct all individuals to follow the same procedure by submitting an application to the third party funding. It would allow Council the opportunity to be able to decide whether they want to fund a particular project or not. He noted that he was not suggesting that there is anything wrong with the Miss Laredo USA or any other activity but he feels uncomfortable allowing people to come to the CVB and having the CVB and their board authorizing third party contracts and at the same time asking for third party funding. The idea behind the third party process is to make sure that we have a coordinated and very knowledgeable approach as to who is getting funded and what is being provided. He further suggested for Council to allow staff an opportunity to review the issue and create a contract to present the first meeting in February.

Horacio De Leon, Assistant City Manager, suggested that the production of the Miss Laredo Teen brings in relatives from out of town and creates heads in beds and does qualify funding for the event.

Cm. Belmares said that he agrees with Cm. Garcia that Council does need to support this event. The only question that he had was he wants to make sure that the City of Laredo does not break the law. The City must meet the criteria.

Patricia Taylor said that she was prepared to say that the City of Laredo can donate monies for the event without breaking the law.

Mr. Dovalina said that he has been involved in law suits related to hotel motel and third party funding at least twice with his career with the City and he feels that it does not meet the criteria. He asked Council to give him a chance to fund the event with the different source.

Motion to locate the funds for the 2006 Miss Laredo Pageant from a different source other than the Convention and Visitor's Bureau.

Moved: Cm. Garcia

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

B. Update by Utilities Department on City of Laredo water issues.

1. Secondary water source
2. Transition to public operations
3. Water conservation program
4. Current Capital Improvement Projects

Transition to Public Operation

Utilities Department Force

May 2005	186 Employees
January 2006	195 employees

Senior Level Experience
Program Development
Short Term Objectives

Transition to Public Operation
(Short Term Objectives)

Capital Improvement Needs

- Capital Development
- Capital Improvements
- Water Line Improvements
- Sewer Infrastructure Improvements

Impact Fee Development
Asset Management Development
Management Team

Water Conservation

Phase II Conservation Still in Effect
Efforts of the 2005 Drought Contingency
Initiated on July 21, 2005
Effective Response from Customers
New Position: Water Conservation Planner

Capital Improvements

Hwy. 59 Improvement (16" at Ejido to Loop 20)
12" Winfield Line Extension

12" Larga Vista/Hurd Line Extension
Projected Completion: April 2006
University Storage Facility
Projected Completion: May 2006
TAMIU 2 MGD Elevated Storage Tank
Projected Completion: Feb 2007

Capital improvements

MHOC Booster Station Improvements
Projected Completion: March 2007
18" Transmission Line from McPherson to Tank
Projected Completion: March 2007
18" Transmission Line from MHOC station to McPherson
Projected Completion: March 2007
NADBANK Water Line Extension
Projected Completion: February 2007

Secondary Water Project

Historical Timeline
Summer 2003 – North Laredo Pre-verification
March 2004 – Recommendation to Suspend this project site for Secondary water
May 2004 – Water Delivery Proposals were received
May 2005 - Initiation of an afford ability analysis
September 2005 - Completion of First Draft

Next Steps

Develop and Submit Require for Proposals
Adoption of rate structure
Negotiation of Secondary Water Supply Agreement

C. Update by Parks and Recreation Department on general park development.

XII. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

19. A. Request by Council Member John C. Galo

1. Discussion with possible action regarding the policy for interview notice and call back for employment with the City of Laredo.

Dan Migura, Administrative Services Department Director, reported that the City has an on-going discussion with job applicants because they call the department asking for the status of their applications. In September of 2004 the City had a formal distribution of notification to the applicants; however,

budget cuts and personnel transitions have affected the department. He told them that in prior years his staff would send over 12,000 cards notifying applicants that they did not qualify or was not selected for the job.

Larry Dovalina said that there is some validity to the notification process. He agreed that there may be a more viable procedure that staff needs to research. Any applicant that does not meet the minimum qualifications does not get transferred to director for review. He agreed that there are glitches in the application system and there should be a notification system for applicants.

Mr. Migura advised that directors receive all qualifying applications.

Cm. Galo advised that he would not have a problem with Administrative Services asking the applicants to inquire about their job status in seven days. He added that staff should be more in tune with the applicant and their requirements. If a City employee accepts an application from an applicant he/should make sure the application is complete and all questions should be answered.

2. Discussion with possible action requesting extra doors to be installed at the Three Points Park Dome.

Miguel Pescador, Parks and Recreation, explained that the cage was constructed at the Three Points Park Dome in 1995 or 1998 to deter vandalism and alleviate bird droppings. He noted that staff could review the possibilities of adding doors to the dome.

3. Discussion with possible action regarding the Appeals and Grievance Policy.

Cm. Galo expressed his dissatisfaction regarding the Appeals and Grievance Policy because there is nothing in the City Charter that states that the City Manager should have the last option on the grievance. He said that if the decision from the grievance committee goes to the City Manager for his decision then the City should dissolve the grievance committee. He noted that the appeals and Grievance Policy should be the final decision on grievances.

Larry Dovalina, City Manager, advised that he has concurred with the Appeals and Grievance Committee on every issue that has been submitted to him for a decision. He added that he was the Appeals and Grievance Chairperson for the first eleven years of the Appeals and Grievance Committee. The reason why the Appeals and Grievance Committee was formed is because of a group of employees who formed an organization called NAGE. They asked for a grievance committee to be formed in order to address grievances that they had. The grievances that an employee has in the work place are something that should be addressed by the City

Manager. In the Charter there is a conflict with the issue of appeals. The appeals and the way the Charter currently reads is that the department head has the ultimate authority to hire and fire so there is a conflict within the Charter of the City Manager providing oversight on the appeal of the firing but the issue of a grievance is very clearly addressed in the Charter and it is in the purview of the city manager. What they attempted to do is merge both groups into one ordinance giving the City Manager oversight. He added that there have been some instances where there have been some modifications and very few reversals since the creation.

Cm. Galo suggested creating an ordinance that would eliminate the conflict. He said that the City Manager should not have the last option on the decisions of the Appeals and Grievance Committees.

Moved: Cm. Galo
Second: Cm. Rendon
For:

The second was redrawn.

Mayor Pro Tempore Valdez said that if there are two people elected by the employees at large and two that are appointed (Management) why can't the management section also elect two representatives instead of having the City Manager appoint them.

Jaime Flores, City Attorney, explained that there is not a conflict within the charter but there is a conflict within charter and the ordinance. He said that he would create an ordinance that reconciles with the charter. The current charter speaks to the authority of the City Manager on one hand and the authority of the department directors to appoint, suspend, and remove.

Cm. Galo said the charter does not give the city manager the ability to override a decision.

Jaime Flores said that the City Manager has the authority to appoint, suspend or remove department directors. He asked that in regards to the composition of the committee should I rewrite that part too?

Cm. Galo advise that staff needs to amend the city ordinance.

Motion to instruct the City Manager to return to council with a draft ordinance which will create and ordinance that reconciles with the city charter.

Moved: Mayor Pro Tempore Galo
Second: Cm. Rendon
For: 8

Against: 0

Abstain: 0

4. Discussion with possible action regarding the installation of speed humps on Lane Street between Bartlett Avenue and Arkansas Avenue. (Co-sponsored by Council Member Hector J. Garcia)

Roberto Murillo, Traffic Director, said that when the City first initiated the speed hump policy back in 1999 we did discuss reducing the requirements for speed humps fronting a school. Instead of the 35 mph requirement it is reduced to 32 mph and that does make a difference. The study for a speed hump excludes school hours where traffic is required to drive very slowly. He added that he would begin the study for speed humps on Lane Street between Bartlett Avenue and Arkansas Avenue.

Motion to use the discretionary funds to install the speed humps on Lane Street between Bartlett Avenue and Arkansas Avenue.

Moved: Cm. Galo

Second: Cm. Amaya

For: 8

Against: 0

Abstain: 0

B. Request by Council Member Johnny Rendon

1. Discussion with possible action regarding the funding of Safe Haven Program

under the Children's Advocacy Center. (Co-sponsored by Council Member John

C. Galo)

Motion to table the item.

Moved: Cm. Rendon

Second: Mayor Pro Tempore Valdez

For: 8

Against: 0

Abstain:

0

2. Status report on Noon Lions Park.

Mike Pescador, Parks and Recreation Director, advised that the City of Laredo is working in conjunction with Webb County to complete the Noon Lions Park for a total of \$50,000. He advised that the equipment which includes playground equipment, shades, and benches are stored in the warehouse while staff constructs the cement foundation for the playground.

C. Request by Mayor Pro-Tempore Jose A. Valdez, Jr.

1. Discussion with possible action regarding the allocation of District VII Discretionary funds for the following projects:

A. Placing a batting cage at Father McNaboe Park.

B. Sidewalk project on Rancho Viejo Drive between River Bank and the entrance to

- Father McNaboe Park.
- C. Sidewalk Project on the 1900 Block of Baltimore –north side.
- D. Relocate a utility pole located on Salinas Avenue between Lafayette and Madison Streets.

Motion to approve the allocation of District VII Discretionary funds for the projects.

Moved: Mayor Pro Tempore Valdez

Second: Cm. Rendon

For: 8
0

Against: 0

Abstain:

XIII. EXECUTIVE SESSION

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

20. Request for executive session pursuant to Texas Government Code Section 551.072 in

regards to deliberation of the purchase, exchange, lease, or value of real property, along the upper Zacate Creek for purposes of drainage, transit, and airport improvements; because deliberation in an open meeting would have a detrimental effect in the position of the governmental body in negotiations with a third person; and return to open session for possible action.

Motion to go into executive session pursuant to Texas Government Code Section 551.072 in regards to deliberation of the purchase, exchange, lease, or value of real property, along the upper Zacate Creek for purposes of drainage, transit, and airport improvements; because deliberation in an open meeting would have a detrimental effect in the position of the governmental body in negotiations with a third person; and return to open session for possible action.

Moved: Cm. Agredano

Second: Mayor Pro Tem Valdez

For: 8
0

Against: 0

Abstain:

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

Motion to authorize the City Manager to acquire a 65.78 acres parcel of land, more or less, out of G.B. & C.N.G.R.R. Survey No. 1021, Abstract No.64, along the Zacate Creek and next to the Airport for the purpose of installing drainage improvements, Airport purposes and El Metro Transit operations, in the amount not to exceed \$6,600,000.00 plus incidental expenses.

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

Against: 0

Abstain: 0

XIV. RECESS AS THE LAREDO CITY COUNCIL AND CONVENE AS THE LAREDO MUNICIPAL HOUSING CORPORATION

Motion to recess as the Laredo City Council and convene as the Laredo Municipal Housing Corporation.

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

Against: 0

Abstain:

0

21. Consideration to award contract number FY06-031 to the low bidder, Caldwell Country

Ford, Caldwell, Texas, in the total amount of \$13,596.00 for the purchase of a cargo van or to Sames Motor Company, Laredo, Texas, in the amount of \$13,680.00 under the local bidder's preference provision of the Texas Local Government Code 271.905. Funding is available in the Laredo Municipal Housing Budget.

Motion to approve award of contract to local low bidder of Sames Motor Company for the purchase of one cargo van.

Moved: Cm. Belmares
Second: Mayor Pro Tem Valdez
For: 8

Against: 0

Abstain: 0

XV. ADJOURN AS THE LAREDO MUNICIPAL HOUSING CORPORATION AND RECONVENE AS THE LAREDO CITY COUNCIL.

Motion to adjourn as the Laredo Municipal Housing Corporation and reconvene as the Laredo City Council.

Moved: Cm. Belmares
Second: Mayor Pro Tem Valdez
For: 8

Against: 0

Abstain:

0

XVI. ADJOURNMENT

Motion to adjourn.

Time: 10:20 p.m.

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

Against: 0

Abstain:

0

