

CITY OF LAREDO  
CITY COUNCIL MEETING  
CITY COUNCIL CHAMBERS  
1110 HOUSTON STREET  
LAREDO, TEXAS 78040  
5:30 P.M.

M99-R-17

M I N U T E S

JUNE 21, 1999

**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,	Councilmember, District I
Louis Bruni	Councilmember, District II
John C. Galo,	Councilmember, District III
Cecilia May Moreno,	Councilmember, District IV
Eliseo Valdez, Jr.	Councilmember, District V
Joe A. Guerra,	Councilmember, District VI
Mario A. Alvarado	Councilmember, District VII
Consuelo "Chelo" Montalvo,	Councilmember, District VIII
Gustavo Guevara, Jr.,	City Secretary
Florencio Pena, III	City Manager
Jaime L. Flores,	City Attorney

**IV. MINUTES**

1. City Council Meeting, May 24, 1999  
City Council Meeting, June 7, 1999

Motion to approve.

Moved : Cm. Guerra

Second: Cm. Agredano

For: 6

Against: 0

Abstain: 0

(Cm. Alvarado and Cw. Moreno were not present.)

**INTRODUCTORY ORDINANCE**

2. Ordinance approving a lease between the City of Laredo, as Lessor and L.A. Ventures, Inc., as Lessee, to an approximate 1.062 acres or 46,260.72 square feet of land known as Lot No.

10 located at the Laredo International Airport Airpark Subdivision and authorizing the City Manager to execute said lease agreement.

- a. The term of the lease is for thirty three (33) years and seven (7) months.
- b. The initial annual rent is \$4,348.50. The rent obligation shall be adjusted annually based on changes in the Consumer Price Index starting on October 1, 1999 and adjusted by fair market rent appraisal effective on October 1, 2003 and during every ten (10) year anniversary thereafter.

Ordinance Introduction: City Council

3. Ordinance authorizing the City Manager to execute a lease with South Texas Development Council for approximately 480 square feet of office space constituting Suite 15 of Building No. S-1 located at 1718 E. Calton Road.
  - a. Lease term is for one (1) year commencing on July 1, 1999 and ending on June 30, 2000 and may be extended for one (1) year ending on June 30, 2001.
  - b. Monthly rent shall be \$530.00 and will be adjusted during the extension term of this lease to \$576.00. Previous monthly rent was \$504.29.

Ordinance Introduction: City Council

4. Ordinance authorizing the City Manager to execute a lease with South Texas Development Council for approximately 640 square feet of office space constituting Suite 19 of Building No. S-1 located at 1718 E. Calton Road.
  - a. Lease term is for one (1) year commencing on July 1, 1999 and ending on June 30, 2000 and may be extended for one (1) year commencing July 1, 1999 and ending on June 30, 2000 and may be extended for one (1) year ending on June 30, 2001.
  - b. Monthly rent shall be \$705.00 and will be adjusted during the extension term of this lease to \$768.00. Previous monthly rent was \$672.39.

Ordinance Introduction: City Council

5. Ordinance authorizing the City Manager to execute a lease with South Texas Development Council for approximately 1,644 square feet of office space constituting Suite 12, 14, and 16 of Building\_S-1 located at 1718 E. Calton Road.
  - a. Lease term is for one (1) year commencing on July 1, 1999 and ending on June 30, 2000 and may be extended for one (1) year ending on June 30, 2001.
  - b. Monthly rent shall be \$1,810.00 and will be adjusted during the extension term of this lease to \$1,973.00.

Previous monthly rent was \$1,686.30.

Ordinance Introduction: City Council

6. Ordinance authorizing the City Manager to execute a lease agreement with Texas/Illinois Cellular Limited Partnership, by its general partner Southwestern Bell Wireless, Inc. to install, construct, operate and maintain a monopole type cellular tower, antennas, appurtenant equipment and an appropriate number of equipment buildings on a portion of Cruz Field Baseball Park located at 200 W. Travis, Laredo, Webb County, Texas. a. Lease term shall be fifteen years commencing on June xx, 1999 and ending June xx, 2014, with an option for only one (1) successive renewal term of five (5) years. b. Annual rent shall be \$7,700.00 each year during the term of the lease and will be adjusted on each anniversary of the commencement date according to changes in the Consumer Price Index, providing for effective date.

Ordinance Introduction: City Council

7. Ordinance granting a license to C-3 Communications, Inc. to erect, construct, maintain and operate a wire telecommunications system for a term of the four (4) years with one (1), four (4) year renewal option period pursuant to the City of Laredo's Wire Telecommunications System registration and licensing ordinance of 1998 #98-O-353; and providing for an effective date.

Ordinance Introduction: City Council

8. Ordinance authorizing the City Manager to execute a lease with Webb County, for leasing a minimum of sixty (60) parking spaces located at 1301 Farragut Street, the Laredo Transit Center, at the agreed upon price of \$96.00 quarterly for each space. The contract term shall not exceed six calendar quarters; provides no adjustments within the quarter; advance payment in full for the ensuing quarter; the quarterly amount will be \$5,760 or as computer based on the number of spaces to be leased during the quarter; providing that all revenues be deposited in Transit Operations Revenues Accounts; providing for an effective date.

Motion to table for the first meeting in July.

Moved : Cm. Bruni

Second: Cm. Galo

For: 8

Against: 0

Abstain: 0

9. Ordinance authorizing the City Manager to grant a Right-of-Entry Permit to the U.S. Government for military construction,

training, and operations in the area encompassed by the following City-owned blocks, including any public right-of-way abutting said blocks which are bounded on the North by the Laredo Community College, on the West and South by the Rio Grande, and on the East by the Texas-Mexican Railroad Bridge; all of Block 672A WD, all of Block 666 WD, all of Block 677 WD, all of Block 667 WD, all of Block 676 WD, all of Block 668 WD, all of Block 675 WD, all of Block 669 WD, all of Block 670 WD, all of Block 671 WD, all of Block 672 WD, all of Block 660 WD, all of Block 659 WD, all of Block 657 WD, all of Block 658 WD, all of Block 645 WD, all of Block 644 WD, all of Block 630 WD, all of Block 629 WD, all of Block 416 WD, all of Block 415 WD, all of Block 414 WD, all of Block 425 WD, and all of Block 426 WD, and providing for an effective date.

Erasmio Villarreal made the presentation before City Council and said that for this particular right-of-entry sought for by the U.S. Government, for this particular right of entry to continue, the only way it can continue is for this particular road and the work on it to stay strictly on it and not off of it at all. He reiterated, "we must advice that they must stay strictly on this particular road and not get off of it at all."

Ordinance Introduction: City Council

**VI. FINAL READING**

**Internet Available: <http://www.cityoflaredo.com>**

Motion waive the final reading of ordinances #99-O-144, #99-O-145, #99-O-164, #99-O-165, #99-O-165, #99-O-167, #99-O-168, #99-O-169, #99-O-170, #99-O-171, #99-O-172, #99-O-173, #99-O-174, and #99-O-175.

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

Against: 0 Abstain: 0

- 10. 99-O-144 Ordinance authorizing and granting the consent of the City Council to the assignment and transfer of control of the cable television franchise and cable television system from KBL Cablesystems of the Southwest Inc., to Texas Cable Partners, L.P. subject to certain conditions. (City Council)

Motion to approve Ordinance #99-O-144.

Moved : Cm. Bruni  
 Second: Cw. Montalvo  
 For: 8

Against: 0 Abstain: 0

- 99-O-145 Ordinance consenting to the change of control of the





salaries, fringe benefits, and operational expenses from June 01, 1999 through May 31, 2000. (City Council)

Motion to approve Ordinance #99-O-169.

Moved : Cm. Bruni
Second: Cw. Montalvo
For: 8 Against: 0 Abstain: 0

99-O-170 Ordinance approving a budget revision in the amount of \$4,810 allocating the Texas Department of Health's share of program income earned to the appropriate budget line item to further the activities and scope of work for the Tuberculosis Elimination Program of the City of Laredo Health Department for the period beginning September 1, 1998, through August 31, 1999. (City Council)

Motion to approve Ordinance #99-O-170.

Moved : Cm. Bruni
Second: Cw. Montalvo
For: 8 Against: 0 Abstain: 0

99-O-171 Ordinance approving a budget revision in the amount of \$100,000 allocating administrative funds reimbursed by the Texas Department of Health to further the activities and scope of work of the Women, Infants, and Children (WIC) Program of the City of Laredo Health Department for the period beginning October 1, 1998 through September 30, 1999. (City Council)

Motion to approve Ordinance #99-O-171.

Moved : Cm. Bruni
Second: Cw. Montalvo
For: 8 Against: 0 Abstain: 0

99-O-172 Ordinance approving a budget revision in the amount of \$96,445 allocating the Texas Department of Health's share of program income earned to the appropriate budget line item to further the activities and scope of work of the Immunization Action Plan Project of the City of Laredo Health Department for the period beginning January 1, 1999, through December 31, 1999. (City Council)

Motion to approve Ordinance #99-O-172.







Motion to approve.

Moved : Cm. Bruni

Second: Cm. Galo

For: 8

Against: 0

Abstain: 0

17. Consideration to award contract number 99-104, to the SOLE BIDDER, Holmes and Shaw, Inc. San Antonio, Texas, in the amount of \$18,430.50, for services to print and mail the 1999 tax statements and tax rolls. The contract vendor is provided the tax statement data in electronic format and they are responsible for preparing the mail addresses with the ZIP + 4 format in order to qualify for postage savings. The tax statement are then mailed by the contract vendor with a return envelope. Approximately 65,000 tax statements are mailed to land owners and 20,000 duplicate tax statements are mailed to mortgage companies. The total contract pricing is approximately the same as the previous year.

Motion to approve.

Moved : Cm. Bruni

Second: Cm. Galo

For: 8

Against: 0

Abstain: 0

18. Consideration to award contract number 99-107, to the SOLE BIDDER, Aldo T. Rodriguez DBA Laredo Electric Motor Service, Laredo, Texas, in the estimated amount of \$30,000.00, for providing electric motor repair service for the Utilities Department. The bid pricing will be firm during the contract period and all repair work will be secured on an as need basis. The contract pricing is the same as the previous contract period.

Motion to approve.

Moved : Cm. Bruni

Second: Cm. Galo

For: 8

Against: 0

Abstain: 0

19. Consideration to award contract number 99-099, to the LOW BIDDER, Laredo Wholesale, Laredo, Texas, in the amount of \$35,500.00, for the purchase and installation of a vehicle lubrication system for the Fleet Maintenance Division. The system will consist of a fluid dispensing unit capable of delivering motor oil, hydraulic oil, automatic transmission fluid, and antifreeze through a reel and hose system. This will also allow the division to purchase these fluids on bulk orders.

Motion to approve.

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

Against: 0                      Abstain: 0

20. Consideration to award contract number 99-097, to the LOW BIDDER, Rush Truck Center - San Antonio, San Antonio, Texas, in the amount of \$72,356.00 for the purchase of a replacement wrecker truck for the Fleet Maintenance Division. Delivery of this vehicle is expected within one hundred and twenty days.

Motion to table for the next meeting.

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

Against: 0                      Abstain: 0

21. Consideration to award contract number 99-093, to the LOW BIDDER, Browne's Harley-Davidson, Corpus Christi, Texas, in the amount of \$174,000.00, for the purchase of twelve motorcycles for the Police Department -Traffic Division. Eight motorcycles are replacements for 1995 motorcycles. Funding is available in the Police Trust Fund budget. Delivery of these motorcycles is expected within ninety days.

Motion to approve.

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

Against: 0                      Abstain: 0

22. Consideration to award contract number 99-110, to the LOW BIDDER, for the purchase of twenty personal computers. Delivery of the computers is expected within thirty days. The computers purchased will be replacements for the following departments Municipal Court (12), Tax Department (6), and Administrative Services (2).

Francisco Meza, Purchasing Agent, stated that bids were opened Wednesday afternoon with the low bidder being Micron Government Computer Systems, Inc., in the amount of \$26,848.00.

Motion to approve.

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

Against: 0                      Abstain: 0

23. Consideration to approve award of an engineering contract to G.G. Salinas Engineering Company, Laredo, Texas for an amount not to exceed \$147,000.00, for surveys, design, and preparation of plans and specifications with cost estimates for the McPherson Acres Subdivision Drainage Improvements. Funding is available in the McPherson Acres Drainage Improvements.

Motion to approve.

Moved : Cm. Bruni

Second: Cm. Galo

For: 7

Against: 0

Abstain: 1

Cm. Guerra

24. Consideration to award an engineering contract to Freese and Nichols, Inc., Fort Worth, Texas for an amount not to exceed \$94,200.00, to provide engineering services to include but not limited to prepare design(s), provide surveys, prepare plans and specifications, cost estimates, bid documents, bid tabulation and recommendation for the reconstruction of a portion of Taxiway "A" and rehabilitation of a portion of Runway 17R. Funding for the engineering services is available in Airport Project Engineering Fees, Account No. 242-3650-583-5512. The Federal Aviation Administration is considering an Airport Improvement Program Grant(s) to fund these projects during FY1999 and/or FY2000.

Motion to approve.

Moved : Cm. Bruni

Second: Cm. Galo

For: 8

Against: 0

Abstain: 0

25. Consideration to authorize the City Manager to enter into a contract in the amount not to exceed \$21,740 with the Texas Department of Human Services for (50% of the cost) a full time Eligibility Specialist II to screen patients for Medicaid eligibility for women and children services at the City of Laredo Health Department for the period beginning October 17, 1999, through October 16, 2000.

Motion to approve.

Moved : Cm. Bruni

Second: Cm. Galo

For: 8

Against: 0

Abstain: 0

26. Consideration to authorize final payment to Laredo National Bank, Trustee for the Vidal V. Cantu Trusts, in the amount of

\$85,000.00, for the purchase of 15.7893 acres of land for the FM1472 (Mines Road) Widening Project.

Note: Ray Rodriguez, Assistant City Attorney, noted a correction of \$82,000.00 instead of \$85,000.00.

Motion to approve.

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

Against: 0 Abstain: 0

- 27. Consideration to authorize the purchase of seventy five (75), portable radios for the Police Department through the Houston Galveston Area Council of Governments (HGAC) - Cooperative Purchasing Program, in the total amount of \$230,778.15. These voice secure digital radios will be purchased through the cooperative purchasing contract vendor Motorola. Delivery of these radios is expected within sixty days.

Motion to approve.

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

Against: 0 Abstain: 0

- 28. Consideration to authorize the purchase of twelve (12), motorcycle mobile radios for the Police Department through the Houston Galveston Area Council of Governments (HGAC) - Cooperative Purchasing Program, in the total amount of \$47,669.40. These voice secure digital radios will be purchased through the cooperative purchasing contract vendor Motorola. Delivery of these radios is expected within sixty days.

Motion to approve.

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

Against: 0 Abstain: 0

- 29. Consideration to approve change order no. 1, a decrease of \$15,353.86 for the balance of quantities actually constructed in place, acceptance of the Construction of Cells 11 and 12 for the City of Laredo Landfill and approval of final payment in the amount of \$22,277.66 to Big D Lining Systems Company, Midland, Texas. Funding is available in the Solid Waste Management Purchase Professional Services.

Motion to approve.

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

Against: 0                      Abstain: 0

30. Consideration to authorize the City Manager to amend the 1993 Community Housing Development Organization (CHDO) with the Azteca Economic Development and Preservation Corporation (Azteca) to extend the deadline to expend the funds to August 15, 1999 and to allow the use of previously awarded 1996 and 1997 HOME funds to construct rental units on the lots purchased with 93 CHDO funds. The amendment to the contract is necessary since Azteca experienced difficulty in obtaining environmental clearance for the purchase of the lots in a timely manner and the lack of private sector financing for the construction of the units.

Motion to approve.

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

Against: 0                      Abstain: 0

#### IX. STAFF REPORTS

31. Presentation regarding the status of the Laredo Northwest International Bridge (Fourth Bridge).

Cindy Collazo, Assistant City Manager, reported on the status of the Fourth Bridge as follows:

#### BRIDGE STRUCTURE

A construction contract was awarded to Summit Contracting, Inc. of Weslaco, Texas in the amount of \$2,182,436.60 on September 21, 1998.

#### Construction Status of U.S. portion of Bridge:

<u>Item Description</u>	<u>Quantity Complete</u>	<u>Percent Complete</u>
<b>Substructure</b>		
Drilled shafts	41 of 41	100%
Columns	32 of 32	100%
Caps	5 of 5	100%
<b>Superstructure</b>		
Beams Fabricated	80 of 80	
Beams Erected	80 of 80	
Precast Panel Fabricated	915 of 915	
Precast Panels Erected	915 of 915	100%

Cast-in-place Slab	4 of 5	80%
<b>Miscellaneous Items</b>		
Concrete Approach Slab		0%
Interior Rail		0%
Exterior Rail		0%
Light Poles		0%
Security Fence		0%
Rip Rap		63%
Excavation at Bridge end		95%

**Amount of bridge construction complete: 80 %**

The scheduled date for completion is July 1999, a month ahead of the required completion date of August 27, 1999.

**BORDER FACILITIES:**

A contract was awarded on January 4, 1999 to M.W. Builders, Inc. from Temple, Texas in the amount of \$29,277,000.

The construction will be completed in 2 stages.

Stage I - Would allow the City to commence operations on March 15, 2000.

Stage II - Would follow with an additional 6 months of construction and therefore completion of Phase IA of the Border Facilities would be fully constructed by September 15, 2000.

City currently has identified in the plans & specs liquidated damages of \$4,500 per day for completion after March 15, 2000.

On January 18, 1999, following the meeting in Mexico City, City Council was presented with Change Order No. 1 to the Construction contract with M.W. Builders, Inc. The change order includes the following:

1. The original Construction Contract time was changed from September 15, 2000 to March 15, 2000.
2. Also, as an incentive, the contractor will be paid \$4,500 for each calendar day that all work and construction in Stage I Facilities is complete and operational prior to March 15, 2000. This incentive will be paid up to a maximum of 60 calendar days for a maximum of \$270,000.

**CONSTRUCTION STATUS OF U.S. BORDER FACILITIES**

<u>Item Description</u>	<u>Quantity Complete</u>	<u>Percent Complete</u>
Mobilization	1.00	100%
Clear & Grub Site	0.90	100%
Site Cut & Fill	0.45	70%
Import Dock	0.20	30%
Site Utilities	0.35	40%
Off-site Utilities	0.20	30%
Primary Comm. Insp. Booths	0.05	5%
City Toll Admin. Building	0.05	5%
Storm Drainage	0.7	70%
Retaining Wall	0.05	5%

**Amount of U.S. Border Facilities Construction Complete: 18%**

Note: Those items for which work has not yet commenced are not included above.

**ROADYWAY - TxDOT**

Milo Approach:

Project Summary:

Total % Complete - 31.51%  
Total Time Used - 19.70%

Total Contract Amount - \$32,842,589.99 - awarded February 1999.

Embankments on the project are 85% complete.  
Concrete Box Culvert #2 (100% complete).  
Concrete Box Culvert #3 (100% complete).  
Concrete Box Culvert #4 (40% complete).

Riverbank Bridge:

Drill shafts are 100% complete.  
Concrete columns are 100% complete.  
The large box culvert is 100% complete (Culvert #1) -- just need the wing wall to be constructed.  
The placement of prestressed concrete beams is tentatively scheduled for Saturday, June 26, 1999. Retaining walls are 2% complete.

FM 1472 Bridge:

Abutments, as well bents are 100% complete.  
The west side retaining walls are 100% complete.  
60% of the east side wall and embankment is complete.  
The placement of prestressed concrete beams is tentatively scheduled for Sunday, June 27, 1999.

FM 1472 Roadway: Phase I of the programmed construction phases is 95% complete, and the switching to the second phase is scheduled for Saturday, June 19, 1999.

FM 1472 Connector: All footings, as well as the drill shafts are 100% complete. 5% of the columns are complete.

Phase II: Includes 2 bridges for railroad tracks, 4 new bridges on IH35 and 2 direct connectors from southbound IH35 to northbound Loop and eastbound Loop to northbound IH35. This phase will be let in July 1999.

### MEXICO

A contract was awarded to Empresas ICA in the amount of \$18 million pesos, and construction started August 1998.

#### CONSTRUCTION STATUS OF MEXICO'S PORTION OF BRIDGE

<u>Item Description</u>	<u>Quantity Complete</u>	<u>Percent Complete</u>
<b>Substructure</b>		
Drilled Shafts	41 of 41	100%
Columns	32 of 32	100%
Caps	5 of 5	100%
<b>Superstructure</b>		
Beams Fabricated	80 of 80	100%
Beams Erected	80 of 80	100%
Precast Panels Fabricated	1290 of 1290	100%
Precast Panels Erected	1290 of 1290	100%
Cast-in-place Slab	5 of 5	100%
<b>Miscellaneous Items</b>		
Concrete Approach Slab		100%
Interior Rail		100%
Exterior Rail		100%
Light Poles		100%
Rip Rap		100%
Embankment at Bridge end		100%

**Amount of Bridge Construction Complete: 95%**

#### **Roadway/Interchange and Border Facilities:**

Border Station bids have been opened and the bids for the access road should be opened this week.

(End of Report)

32. Presentation to City Council regarding the current Capital Improvement Program that is on the City of Laredo's web page.

Keith Selman, City Planner, reported that the revised and updated changes are highlighted in gray and are available in the agenda book for public review.

After short discussion, it was decided that City Council be given a few days to review the report. Mayor Flores asked that the item be placed on the agenda again, in case there are any questions on the information.

33. Status report of the City of Laredo International Airport Noise Compatibility Program for the month of June 1999.

Mr. Erasmo Villarreal reported on the Noise Compatibility program as follows:

**Group I** - Participation selection breakdown is as follows:

-Fee Simple Acquisition	20	appraisals completed to date.
-Acquisition offer presented.	20	
-Offers accepted.	19	- 1 pending
-Acquisition Completed	18	
-Acoustical Treatment	08	
-Avigation Easement	13	
-Undecided	0	-originally 11
-Non-Qualifying	04	-non-occupant owners
-Non Participating	05	-do not wish to participate.
Total	50	

**\*Avigation Easement** - Staff has met with residents who chose this option of the NCP.

-A total of 13 families signed up for participation in this program. Of these:

- 13 letters have been presented informing them of the 8 percent to be offered to acquire avigation easements.
- 11 have signed and appraisal work in proceeding.
- 2 still are pending to reply, but will reply shortly.

**\*Acoustical Treatment** - City Legal Department reviewing consultant contract and will make recommendations.

\*Acoustical Program will take between 5 and 6 months to actually start with construction due to necessary procedures as dictated by FAA.

**Group II** - Title Commitments being prepared. Appraisals have been

requested.

The Group II - breakdown is as follows:

-Fee Simple Acquisition	17
-Avigation Easement	5
-Acoustical Treatment	2
-Non-Qualifying	4
-Undecided	9
Total	37

- Non-attendees have been contacted individually, waiting on response.
- **THE ADDITIONAL RESIDENCES WILL BE PROCESSED AS FAR AS CURRENT FUNDING ALLOWS.**

**Funds committed** - \$1,945,500.00

**Funds actually spent** - \$1,588,887.00 including appraisals and closing costs.

**Average cost** - \$88,271.50

(End of Report)

34. Status report and presentation on the design and cost of the extension of University Blvd. west of Bob Bullock Loop.

Rogelio Rivera, City Engineer, reported that the extension will happen at about 850 feet west of the Bob Bullock Loop. They have a budget of about \$85,000 in the 1999 CIP. To date, they do not have the right-of-way for the roadway. He said that they have been in contact with the Killams, but they do not have such document yet.

At the last meeting they were directed to do a cost estimate for the entire boulevard, since Phase I only included half of the boulevard. The cost estimate is about \$220,000. He added that this includes possibly a new negotiated contract with the consultant that they now have on board to do the design for the entire boulevard, if that's council's wish and they decide to go that route. These monies are not budgeted, only \$85,000 for the first phase.

Cm. Bruni said that the second phase can be discussed at the budget hearings. He asked that staff continue dialoguing with the Killam Family so they can get the right-of-way in order to start the construction.

Mrs. Collazo stated that hopefully they can get that document this week.

35. Authorizing for the City Manager to enter into an Agreement between the City of Laredo and the Laredo Metro, Inc., a Texas non-profit corporation, (dba "El Metro") for the provision of Employee Support Services to manage and operate the city's transit system, effective July 1, 1999.

Motion to approve.

Moved : Cw. Montalvo

Second: Cm. Alvarado

For: 8

Against: 0

Abstain: 0

36. Request for Executive Session pursuant to Texas Government Code Section 551.072 in regards to deliberating the purchase, exchange, lease, or value of real property for additional City office space, because deliberation in an open meeting would have a detrimental effect on 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 deliberating the purchase, exchange, lease, or value of real property for additional City office space, because deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person; and return to Open Session for possible action.

Moved : Cm. Guerra

Second: Cm. Alvarado

For: 8

Against: 0

Abstain: 0

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

## X. COMMUNICATIONS

- a. Cm. Bruni submitted a Weather Modification weekly report plus information on the physical basis for cloud seeding for the record as follows:

### WEEKLY REPORT

Report from Southwest Texas Rain Enhancement Association date June 17, 1999.

As of this morning, June 17, 1999, a cell developed in Frio County (western part) and moved through SE Zavala in to NW Dimmit and ultimately Maverick. Intensity was low and seeding

was not done due to path crossing the melon harvest areas.

On June 15, 1999 a seeding flight was done at from 2:20 to 5:00 p.m. covering parts of all four counties in the target area.

On June 16, 1999 there were two seeding events covering parts of La Salle, Dimmit & Webb counties. The first flight was conducted at 1:45 p.m. to 3:55 p.m. covering the South/Southeastern portion of La Salle County and the Southeastern corner of Dimmit and the northern section of Webb Counties.

Carrizo Springs Project:

- 24-Hour Forecast - valid: 1200 Wednesday June 16, 1999 to 1200 Thursday June 17, 1999.

Weather synopsis: Today's surface map shows low pressure over central Oklahoma with a cold front curving southwestward through the pan handle of Texas. Upper air charts indicate a broad trough extending from Oklahoma southward into central Texas.

Area Forecast: Today, skies will be partly cloudy with late afternoon isolated thunderstorms developing with northeasterly winds at 10-15 mph. High temperatures will warm into the upper 80's. Tonight will have partly cloudy skies with easterly winds at 10 mph. Low temperatures will cool into the mid 60's.

Extended outlook: The trough will slowly lift northeastward out of Texas on Thursday bringing late afternoon isolated thunderstorms to the area. A ridge will build into south Texas on Friday with a return to dry and warmer conditions into Wednesday of next week.

Remarks: One seeding flight was conducted yesterday (15th) and flew for approximately 2.6 hours between 1420 and 1700 with conditions being considered excellent.

#### THE PHYSICAL BASIS FOR SEEDING CLOUDS

**WEATHER MODIFICATION (CLOUD SEEDING)** is the intentional treatment of individual clouds or storm systems for the purpose of achieving a beneficial effect without harming people or the environment. Dr. Vincent J. Schaefer, the father of modern weather modification, conducted the first field experiments following his basic discoveries in 1946 at the General Electric Laboratory in Schenectady, New York. Since 1946, various inorganic and organic materials have been known to alter the physical processes which lead to the formation and growth of

water droplets and ice crystals in clouds. In more recent years, extensive scientific experiments and the application of scientific concepts have led to the development of techniques which can provide predictable results when applied under proper supervision. Cloud and storm-related events which are often the target for cloud seeding programs include rainfall, snow, fog, lightning, hail and devastating winds from severe storms.

To some degree, all air contains moisture (water vapor). The meteorologist calls this degree of moisture relative humidity, and it is extremely important to the formation of clouds. The colder the air, the less water vapor it can hold before clouds form. If a parcel of air at 80°F (27°C) has a relative humidity of fifty percent, it means the air contains half of the water vapor it can hold at the temperature. If this air parcel cools, the relative humidity increases and at 60°F (16°C) it reaches 100%. If further cooling takes place, the water vapor may condense and form cloud droplets.

These cloud droplets are formed around microscopic particles -dust, smoke, salt crystals, soil and other materials that are always present in the atmosphere. Scientists classify these particles as cloud condensation nuclei and without them there would be no clouds. Among the total particles in the atmosphere, there are a few special kinds known as ice nuclei, on which cloud droplets freeze or ice crystals form directly from the water vapor. Generally, there is an abundance of condensation nuclei in the air, but a scarcity of the special ice-forming nuclei.

Clouds are made up of billions of these tiny water droplets or ice crystals and sometimes combinations of both. The cloud droplets are so small it may take a million or more to produce a single raindrop. Millions of tons of water in the form of water vapor, liquid droplets and ice particles constantly flow in the atmosphere around the world.

Sometimes precipitation only occurs in small amounts, or not at all, because certain required conditions are not present. Of prime importance for determining both the initiation and amount of precipitation from the cloud system are (1) the vertical and horizontal dimensions, of the clouds, (2) the lifetime of the clouds and (3) the sizes and concentrations of cloud droplets and ice particles. Under proper conditions, one or more of these three factors can be favorably modified by seeding the cloud with appropriate nuclei.

There are two basic mechanisms by which precipitation forms in clouds. These are called the "warm rain" and the "cold rain" processes. The term "warm rain" was derived after scientists noticed that rain in tropical regions often fell from clouds with temperatures never colder than 32°F (0°C). Rain is formed in these warm clouds when larger droplets collide with and absorb smaller cloud droplets in a process known as coalescence.

The "cold rain" process occurs when temperatures in all or parts of the clouds are colder than 32°F. In these colder regions the clouds are usual composed of both ice crystals and liquid water droplets. The ice crystals which in the supercooled region grow rapidly, drawing moisture from the surrounding cloud droplets, until their weight causes them to fall. These falling ice crystals may melt and join with small liquid cloud droplets, growing to raindrops in a manner similar to the warm rain process. If the ice crystals do not melt, they may grow to large snowflakes by agglomeration and reach the ground as snow.

Compared to the amount of water that is visible as clouds or that falls to the ground as precipitation, the atmospheric reservoir of water above the earth is large. The sizes, types and concentrations of nuclei present in the atmosphere play an important role in determining the efficiency with which a cloud system forms and ultimately produces rain or snow. For instance, salt crystals acting as giant condensation nuclei are abundant in the oceanic regions. These allows larger cloud droplets to form and the subsequent coalescence process rainfall well within the lifetime of the clouds. Conversely, the atmosphere over continental regions usually contains much smaller and more numerous condensation nuclei. Medium-sized clouds formed in these regions normally dissipate before the coalescence mechanism has had a chance to initiate rain. Likewise, many regions have only a few ice nuclei in the atmosphere which further reduces the efficiency of the cold rain process. The technology may best be described as simply lending Nature a helping hand.

Man can assist nature by furnishing appropriate types and numbers of nuclei through "seeding" the clouds at the proper time and place. Seeding with very large condensation nuclei (hygroscopic particles such as salt crystals) can be done to accelerate the warm rain process. Seeding with proper ice nuclei (such as silver iodide or ice) to supply naturally deficient clouds with the proper concentration of ice crystals will increase rainfall through the cold rain process.

Following is a list of some primary equipment supplied and operated by Atmospherics Incorporated in support of our weather research programs and mission-oriented cloud seeding projects.

- Weather Radar Systems
- Special Cloud Seeding Aircraft
- Airborne Seeding Equipment
- Pyrotechnic Seeding Devices
- Cloud Physics Instrumentation
- Data Acquisition Systems
- Meteorological Measurement Systems
- Airborne Instrumentation
- GPS Navigation & Tracking
- Rawinsonde Equipment
- Photographic Equipment

-Communications Systems

- b. Mayor Flores read a letter from Southwest Airlines dated June 11, 1999.

Letter quotes:

"I received your thoughtful letter on May 24 and am grateful for your continued, strong interest in Southwest Airlines. Indeed, I applaud the tenacity of the Laredo community in pursuing improved air service.

Given this, I would much prefer to extend an invitation to include your fine city in our route system than to, yet again, disappoint you. Unfortunately, Southwest Airlines remains unable to commit to Laredo.

Presently, we are entrenched in expansion projects that most likely will carry us into the new year. Our focus in terms of new growth is on the Mid-Atlantic and East Coast regions, and we also have dedicated a portion of our new equipment to meeting neglected demand in our existing markets.

While this is a positive in Southwest Airlines' future, I'm afraid it does not bode well for Laredo -at least not right now. We will, however, re-evaluate the potential of this market as we continue to chart our course. With this in mind, I am sharing your letter with Pete McGlade, our Vice President Schedule Planning.

Incidentally, it has been a pleasure to support Leadership Texas, and I thank you for your past involvement in this program.

Best regards,  
Herbert D. Kelleher"

(Letter ends)

- c. Mayor Flores read a letter from Cinnamon Teal residents complaining about Burlington Motor Carriers.

Residents claimed they are being exposed to invasion of privacy, lack of security, the running of trucks all night long, air and noise pollution, risk of contamination from hazardous materials stored in trailers within 15' of their homes, and the dumping of diesel oil in plastic containers on their property throughout the night, plus air and noise pollution, and risk of contamination.

Also the residents reported that Burlington Motor Carriers is in the midst of installing pole lights which will now shine right in their yards as well. They said that Planning and Zoning needs to be more selective in what businesses can operate abutting residential areas, and urged the city to take action on this issue.

#### **XI. CITY COUNCIL PRESENTATION AND DISCUSSION**

#### **37. Requests by Mayor and City Council members for presentation and discussion.**

##### **A. Request by Mayor Elizabeth G. Flores**

1. Legislative briefing by the Honorable State Senator Judith Zaffirini, Honorable State Representative Henry Cuellar and the City of Laredo's Legislative Liaison representatives.

(Cm. Alvarado joined the meeting at 5:50 p.m.)

Senator Zaffirini and Representative Henry Cuellar spoke on the accomplishments of their legislative work particularly in health, education, and in border region issues.

Mayor Flores presented a plaque to Senator Zaffirini and Representative Cuellar on behalf of the City Council for their legislative work to the citizens of Laredo.

Mario Martinez gave a brief presentation highlighting the T-BIC (Texas Board Infrastructure Coalition). Following are key issues involved with **T-BIC** that were passed:

- Operation of vehicle theft check-points on the Mexican border.
- Establishing maintenance of one-stop border inspections.
- Increasing private investments in transportation infrastructure in border regions.
- Disposition of the proceeds of fines collected for overweight vehicles.
- Issues relating to authorizing the State Agency to waive the matching funds requirement to economically disadvantaged areas.
- Issues addressing bottlenecks at customs inspection lanes.

There were a lot of good pieces of legislation that did passed as a result of the input of the T-BIC.



The project is ready to bid and ready to receive federal funding. Their cost estimate is \$6.5 million which includes the relocation of the instrument landing system to what would become the primary runway. The land required for this project has been acquired over a year ago, so FAA has been reimbursing us for this expense.

He explained that moratoriums are not something that FAA readily supports. They require a special study (a study of their own) before FAA would even consider this. Moratoriums serve to disrupt the flow of interstate commerce and it goes against our economic development efforts in our community. The best thing we can continue to do is advance the implementation of our Part 150 Airport Noise Compatibility Program. People being impacted by airport noise, have the option of selling their property (fee simple) and relocating into a quieter part of the city or sound proofing their home to reduce the noise impact.

2. Request for presentation by staff on the construction of a median on Hwy 59 approximately between Buena Vista and Jarvis by the Texas Department of Transportation, with possible action.

Note: Cw. Moreno joined the meeting at 6:15 p.m.

Ignacio Urabazo, President of Commerce Bank located at the intersection of Bartlett and Saunders, stated that the median being constructed between Saunders and Buena Vista will not have any median cuts, so there will not be access to the businesses. Commerce Bank is against the continuous "barrier" median because it would be detrimental to its customers. Mr. Urabazo feels that the median is not a safety issue, but a money issue since the City wants to spend money obtained from a State grant.

He further added that the existing study that the City has is irrelevant and obsolete. He added that such study doesn't address the section between Bartlett and Buena Vista and there are inconsistencies in the study, plus that it was compiled with old data. He added that two issues have occurred since the data was compiled, the widening of Saunders from Loop 20 to IH35 and the opening of Bustamante from Arkansas which has facilitated the traffic flow.

Because of these issues, the City re-evaluated the existing study and now have a computation of accident reports.

Incidentally, City staff found out that there were only 30 accidents reported from December 1998 thru May of 1999. However, only nine accidents took place at the intersection of Bartlett and Saunders and two at Bartlett/Buena Vista with a total of nine accidents in six months. If they analyze these 11 accidents it can be determined that none of these accidents would have been eliminated because of this continuous barrier. Of the nine accidents that occurred at the intersection of Bartlett/Saunders, eight were rear end collisions, the other was an on-safe lane change that occurred at the intersection between Buena Vista and Bartlett.

It is his opinion that if they take the traffic lane out because of this continuous median barrier there will be more rear end collisions because of the stacking of more cars into the four lanes as opposed to five lanes. The continuous median creates more of a hazard than a safety item. He again stressed that the continuous median is not necessary, it creates more traffic congestions and that it is a waste of money. He suggested that a proper study be conducted based on "current" traffic counts and that patterns be conducted before five or six business are affected.

Keith Selman, City Planner, showed a video presentation on access control management to the highway system.

After the video presentation he explained what Access Management is? Access Management is the process of managing access to land development while simultaneously preserving the flow of traffic on the road systems in terms of capacity, improving safety, and in some scenarios increasing capacity.

He explained that one of the mechanisms used in access management is driveway spacing, medians, median openings, traffic signals, and freeway interchanges.

Goals: To limit the number of conflict points, separate the conflict points, to remove turning vehicles and queues from through movements.

Benefits: Are safety, fewer and less severe accidents, less auto pedestrian conflicts, efficiency, higher levels of service, less stop and go traffic, the esthetics allow room for pedestrians a place of refuge in the middle of the roadway, as well as providing areas for landscaping.

Effects of not managing the access: Damage to homes/business to widen roads, damage to established neighborhoods providing one-way pairs parallel to overburden arterials, and building by-pass routes.

Mr. Selman added that TxDot and TTI are currently conducting a study on raised medians and that it is currently in its third year. Early findings on the study show that the destruction phase is critical. This study was done by TTI and was a recommendation of TTI, not by city staff plus it was a recommendation that the district office supported. He explained that the study was originated at this council, TxDot went out and hired TTI to do the study, they made the study and made recommendations that competed favorably on a statewide basis and the funding was received for the project.

He said that clarification needs to be made, that the study actually was conducted all the way to Meadow and all the movements were analyzed from Arkansas to Meadow. It was suggested earlier that the areas west of Bartlett were not considered, but they were and they were studied extensively.

Cm. Bruni said that by putting a continuous median in front of the bank would impede the customers from going in there.

Cm. Alvarado asked if there a possibility of an access road on the north side of Saunders through Buena Vista to access and enter into the bank? That would provide access to everyone who is on that side and who currently does not have access.

Mr. Selman stated that it might be feasible. They have not had discussions with Mercy to consider that option.

Cm. Alvarado said that would provide access to everyone on the north side of Saunders including the hospital.

Cm. Alvarado recommended this as an option.

Motion to eliminate the median from Bartlett (west) to where the study ends, but continue the median from Bartlett (east) and if a new study can be generated, that this also be incorporated in the motion.

Moved : Cm. Bruni

Second: Cm. Guerra

For: 8

Against: 0

Abstain: 0

**D. Request by Council member Eliseo Valdez Jr.**

1. Recognition of Alexander High School's baseball team in their successful season by representing Laredo in the State Semi Final Playoffs. (Co-Sponsored by Cm. John Galo, Cm. Alfredo Agredano and Cm. Joe Guerra)

Cm. Valdez recognized the Alexander High School's baseball team for a successful season by representing Laredo in the State Semi-Final Playoffs.

Mayor Flores presented a Certificate of Recognition to Mr. Jose Aguire, Assistant Vice Principal, Armando Gamez, Assistant Coah, and Javier Compean, player.

**E. Request by Council member Joe A. Guerra**

1. Presentation by Mr. Pete Gallegos, President of Pete Gallegos Paving on the recent theft of backhoe tractors from different job sites throughout the City with possible action.

Mr. Pete Gallegos stated that for the last two years there have been many backhoes disappearing from Laredo. There have been a total of 24 backhoes stolen in the last 18 months. Each backhoe is approximately \$50,000, which means that \$1 million have been stolen. He said not only backhoes, but utility equipment from the job sites has also been stolen. He added it is getting to a point where they are having to haul every backhoe into their yard which makes it very expensive for the developers, the city, and for everyone in the construction business. He said that now that Laredo is booming, the insurance companies are getting tough and it is getting to the point where they cannot afford insurance anymore. He has spoken to Police staff, Sheriff Juan Garza, and they have tried to help. He added that the people stealing these backhoes are not rookies, they are professionals. He wants to know what can be done, to either get the state, the county, and the police to do more work.

Cm. Valdez asked if there is anyway they can participate with them in doing public service announcements?

Police Chief Dovalina reported that they are in the process of setting up a series of meetings with contractors that have been affected by this criminal activity and hopefully they will come up with a solution to the problem. They also went to Austin last weekend

lobbying for more state funds. They got additional funding and have tentatively been advised that we will be getting additional funds to be able to have more people assigned to the task force.

**F. Request by Council member Mario G. Alvarado**

1. Discussion with possible action on working with a consultant to do a feasibility study of the Utilities Department's operations.

Cm. Alvarado said they are looking at ways whereby the system can be improved. He asked that we do some benchmarks, so that when we approach the ratepayers to decide whether or not to increase the rates, council would have looked at all of the options.

Fernando Roman, Utilities Director, reported that one of the last actions taken a year ago was to talk to different consultant firms that would have guided us through the process of benchmarking and operations plus learning about our savings. There was no action taken and the issue was put to rest at that time. However, they have done the procurement necessary to bring back to council a portion of the study that would bring us to a benchmarking. He also talked to a firm that assured him that by looking at the water plant process, operational strategies, contracts, etc. they would be able to give us an idea as to where the monies were and as to what we can change to abate our cost of operation. The firm said they would do this in about a month or two and not to exceed \$25,000. Mr. Roman suggested that instead of doing a study for the whole Utilities Department, that we do one department at a time and learn the process of innovating these costs.

Cm. Galo said he is not ready to endorse any water rate increase at this moment until we explore privatization. For the record he presented a publication called "Privatization 1999, the 13th Annual Report on Privatization" by Reason Public Policy Institute. This publication covers issues pertaining to money savings attained through privatization.

Motion to take from the table the privatization study of the Utilities Department for reconsideration.

Moved : Cm. Bruni

Second: Cm. Galo

For: 8

Against: 0

Abstain: 0

Mr. Roman asked that if we go through privatization and that council take the following into consideration:

- 1) We need to know the origin and magnitude of the savings.
- 2) Consistency on the personnel issues.
- 3) Impact on construction activities.
- 4) We all need to know we benchmark against other cities and how we compare to other cities.

After lengthy discussion on this issue, Cm. Alvarado stated that we need to do the benchmarking first, then go out and see what is available through the private sector, and finally bring all the information back to this council.

Mr. Roman concurred with the idea and added that the consultants could be directed to go into this order. That is the first 30-45 days would be devoted to benchmarking and then proceed to the privatization study.

Mr. Pena's recommendation is that if they go with requests for proposals to actually receive proposals to take over the city's water/sewer system, he would recommend that a consulting firm be hired because these are very complicated contracts that have long term implications to the city and he is not certain that our staff in the attorney's office is experienced enough. He also added that this is a very complicated area so he would recommend hiring a firm to help in analyzing those proposals.

Cm. Bruni suggested that they go through the public hearing process and then go from there.

Cm. Alvarado said what they need to do, is ask staff to take the information brought up and bring this item back next Monday with more information to the table. He does not know if they need to do benchmarking first or put RFP's for privatization maybe they can do both in conjunction.

Mayor Flores questioned, "do we do benchmarking or do we go straight into privatization"? If we do benchmarking it could possibly cost us up to \$200,000 or do we just do the short term \$25,000 water plant?

Motion to direct staff to proceed with RFP's so they can once again look into privatization (bring privatization





will eventually filter on to the consumers. Their goal is to ask City Council to waive all the cost increases and understand that if passed (in its current form), that there will be substantial increases, not only to the trucking industry, but to the consumer and there will be cost increase for residential properties. He stressed that his organization opposes the ordinance as presented.

Bill Skeen stated that this ordinance requires that any development over five (5) acres have a detention/retention facility to be built to a 50-year storm event. The City of Austin which has one of the most stringent storm water ordinances in the country doesn't require anything over 25-years. He added that it is a tremendous incremental cost.

Second, it requires water quality after development to be the same as it was prior to development. In other words, if it is raw land - grass or vegetation and you go in and build streets and put in things that can create pollution and/or runoff, that you have to make that water the same quality as it was prior to the development. He added that Austin has the same thing and it costs \$300,000 for a five acre piece of land in order to put in those facilities.

Third, he pointed out that he has checked other cities and other consultants, these NPDES permits go anywhere from zero structural controls to structural controls. EPA charges the cities to submit a plan that works for them and the economic cost is a key part of that process.

Arthur Zuniga spoke on behalf of the Laredo Builders Assoc. stating that their group has been heavily involved in this ordinance from its inception, they have gone through numerous meetings with the staff, they have made a lot of progress and basically their group at the P&Z level and at the P&Z sub-committee level have recommended this ordinance. They are recommending approval of the ordinance and they do think that there is an issue that needs to be addressed, but because of the deadline they are facing right now which is to get the ordinance in place, they are recommending that it be approved. They think it should be revisited just to have the city only do what EPA requires and not more.

Jeff Hogan, from Environmental Engineering Department, made the presentation before council.

Mayor Flores asked how would they address the specific recommendations made by Mr. Zuniga?

Mr. Riazul of Engineering stated that they have to comply with





Cm. Valdez  
Cm. Alvarado

Motion to confirm the City Manager's action.

Moved : Cm. Galo  
Second: Cw. Montalvo  
For: 5

Against: 3                    Abstain: 0  
Cm. Valdez  
Cm. Guerra  
Cm. Alvarado

**XIII. ADJOURNMENT**


Motion to adjourn.

Adjournment time: 10:25 p.m.

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

Against: 0                    Abstain: 0

I hereby certify that the above Minutes contained in pages 01 to 39 are true, complete, and correct proceedings of the City Council Meeting held on the 21th day of June, 1999. A certified copy is on file at the City Secretary's Office.

  
\_\_\_\_\_  
Gustavo Guevara, Jr.  
City Secretary

Minutes approved: July 6, 1999