

**CITY OF LAREDO
CITY COUNCIL MEETING
M-2012-R-07
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
APRIL 16, 2012
5:30 P.M.**

I. CALL TO ORDER

With a quorum present Mayor Raul G. Salinas called the meeting to order.

II. PLEDGE OF ALLEGIANCE

Mayor Salinas led in the pledge of allegiance.

III. ROLL CALL

In attendance:

Raul G. Salinas,	Mayor
Mike Garza,	Council Member, District I
Esteban Rangel,	Council Member, District II
Alejandro Perez, Jr.	Council Member, District III
Johnny Rendon,	Council Member, District V
Charlie San Miguel,	Council Member, District VI
Jorge A. Vera,	Council Member, District VII
Cynthia Liendo Espinoza,	Mayor Pro Tempore, District VIII
Gustavo Guevara, Jr.	City Secretary
Carlos Villarreal,	City Manager
Cynthia Collazo,	Deputy City Manager
Horacio De Leon,	Assistant City Manager
Jesus Olivares,	Assistant City Manager
Raul Casso,	City Attorney

Motion to excuse Cm. Narvaez.

Moved: Cm. Garza

Second: Cm. Perez

For: 7

Against: 0

Abstain: 0

IV. MINUTES

Approval of the minutes of April 2, 2012.

Motion to approve the April 2, 2012 minutes.

Moved: Cm. Garza

Second: Cm. Rangel

For: 7

Against: 0

Abstain: 0

V. COMMUNICATIONS AND RECOGNITIONS

Recognitions

- a. Recognizing John B. Alexander High School 2011-2012 Boys Basketball Team for their outstanding performance this season with an overall record of 30-7; district record of 14-4; earning title of Bi-District Champions, Area Champions & Regional Quarterfinal Champions.

Mayor Salinas and City Council congratulated John B. Alexander High School Boys Basketball Team members Andres Avina, Patrick Connor, Philip Connor, Esteban Cornejo, Evan Degollado, Rudy Gaona, Kevin Garcia, Beau Kraus, Carlos Llanes, Artie Martinez, Juan Moreno, Kike Sanchez, Chucky Sepulveda, Diego Solis, Brian Swain, and Nolan Wilson as well as Coaches Luis Valdez, Fernando R. Alfaro, and Gilbert Cardenas; Trainer Mario Saldivar; Student Trainer Celica Gonzalez; Managers Wayo Salinas, Danny Benavides, and Shelen R. Alfaro, and presented them with certificates of recognition.

- b. Recognizing the 2011-2012 United High School Basketball Team.

Mayor Salinas and City Council congratulated United High School Basketball Team members Raul Moreno, Cesar Quiroga, Luis Martinez, Thomas Johnson, Robert Garcia, Eddy Gonzalez, Jorge Cardenas, Aaron Gonzalez, Jerry Garza, Alex Barron, Abe Rubio, Jesus Martel, Jonathon Jefferson, Andrew Zipprian, Eddie Vasquez, Rodolfo Gonzalez, and Greg Gariety as well as Head Basketball Coach Arcadio Ramos and presented them with certificates of recognition.

- c. Recognizing Martin High School & Nixon High School VMT students receiving honors at the Wednesday, April 4, 2012, District One Act Play Contest advancing to Area Contest.

Mayor Salinas and City Council congratulated Martin High School and Nixon High School VMT students Lisa Martinez, Ramiro Mata, David Barrera, Martin Vela, Alejandro Diaz, Bruno Gutierrez, Nathalie Ibarra, Nicole Banks, Andrea Garcia, Jessica Verastigui, Kathryn Carroll, Amanda Sarabia, Veronica Lozano, Roland Chamblee, Benito Bondoc, Andres Regalado, Giovanna Ortega, Augustin Dovaline, Daisy Espinosa, and Cynthia Garza and presented them with certificates of recognition.

- d. Recognizing the 2011-2012 Cigarroa High School Girls Basketball Team on their individual accomplishments.

Mayor Salinas and City Council congratulated Cigarroa High School Girls Basketball Team members Sandra Ambriz, Ashley Lara, Kassy Jaramillo, Deandra Gonzalez, Denise Loreda, Jackie Garcia, Dora Contreras, Genesis Delgado, and Alex Loreda and presented them with certificates of recognition.

- e. Recognizing Cigarroa High School Volleyball Team for their 2011-2012 Season accomplishments.

Mayor Salinas and City Council congratulated Cigarroa High School Volleyball Team members Gloria Morales, Deandra Gonzalez, Sandra Ambriz, Dora Contreras and Vilma Rodriguez as well as Coach Irma De La Cruz and presented them with certificates of recognition.

- f. Recognizing Alejandro Nava, United South High School Trombone Player, on winning the competition and being selected as a Texas All-State Musician.

Mayor Salinas and City Council congratulated Alejandro Nava and presented him with a certificate of recognition.

Communiqués

- a. Presentation regarding the 4th Annual Kite Festival held Thursday, March 15, 2012 at North Central Park.

Motion to table.

Moved: Cm. San Miguel

Second: Cm. Vera

For: 7

Against: 0

Abstain: 0

- b. Presentation by Gladys Vargas regarding Fanny Vargas' bid for Nuestra Belleza Latina currently airing on Univision, Sunday's at 7:00 p.m., and request for "votes" from Laredo to support her in the televised reality-show-style completion.

Ms. Mirtha Lara was present to get the Council's and public's support by voting to support her in the televised competition. She explained that they had from 9:00 p.m. to 10:00 p.m. on Sundays to cast their vote by text message or telephone.

Citizen comments

None.

VI. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

- a. Appointment by Council Member Alejandro Perez of Mr. Danny Perez to the Parks & Leisure Advisory Committee.

No action was taken because Danny Perez is currently a City of Laredo employee.

- b. Appointment by Council Member Jorge Vera of Mr. Edward Castillo to the Planning and Zoning Commission.

Motion to confirm the nomination of Edward Castillo to the Planning and Zoning Commission.

Moved: Cm. Garza
Second: Cm. Rangel
For: 7

Against: 0

Abstain: 0

- c. Appointment by Council Member Jorge Vera of Mr. Armand Vanlor to the Convention & Visitors Bureau Advisory Committee.

Motion to confirm the nomination of Armand Vanlor to the Convention and Visitors Bureau Advisory Committee.

Moved: Cm. Garza
Second: Cm. Rangel
For: 7

Against: 0

Abstain: 0

VII. PUBLIC HEARINGS

- 1. Public hearing and introductory ordinance authorizing City Manager to accept an amendment to Federal Aviation Administration Grant Project No. 3-48-0136-068-11 to increase the grant amount from \$6,347,019.00, to \$6,747,019.00 an increase of approximately \$400,000.00 and to amend the City of Laredo FY 2012 Airport Construction Budget to recognize the additional revenues and expenditures to enable the additional realignment and reconstruction of Taxiway F with the Runway 35L Safety Area at the Laredo International Airport and appropriating said grant revenue to the appropriate revenue and expenditure accounts. The City's local match of five (5%) percent in the amount of \$21,053.00 is available in the Airport Construction Fund. (Approved by the Operations and Finance Committees)

Motion to open the public hearing.

Moved: Cm. Garza
Second: Cm. Rendon
For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Garza
Second: Cm. Rangel
For: 7

Against: 0

Abstain: 0

Ordinance Introduction: City Council

2. Public hearing and introductory ordinance amending the City of Laredo Health Department FY 2011-2012 annual budget by appropriating additional revenues and expenditures in the amount of \$274,358.00 and amending the full time equivalent positions (FTE'S) by creating nine (9) FTE positions for the Health Department, Animal Control Services to assume management and operations for the City Animal Pound. (Approved by the Operations and Finance Committees)

Motion to open the public hearing.

Moved: Cm. Garza

Second: Cm. Rangel

For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Garza

Second: Cm. Vera

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: City Council

3. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 25 acres, as further described in attached Exhibit "A", located on the east side of Cuatro Vientos Road east of Jalapa Street, from AG (Agricultural District) and R-1 (Single-Family Residential District) to B-4 (Highway Commercial District); providing for publication and effective date.

Staff is in support of the application and the Planning & Zoning Commission recommends approval of the request. Districts I and II

Motion to open the public hearing.

Moved: Cm. Garza

Second: Mayor Pro Tem Liendo Espinoza

For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Garza

Second: Cm. Rangel

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Garza

4. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by repealing Ordinance 2007-O-244, issuing a Conditional Use Permit for a birthing clinic on Lots 4, 9 and 10, Block 941, Western Division, located at 3712 Santa Ursula Avenue; providing for publication and effective date.

Staff supports the application and the Planning and Zoning Commission recommends approval of repealing Ordinance 2007-O-244. District VII

Motion to open the public hearing.

Moved: Cm. Garza

Second: Cm. Rangel

For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Vera

Second: Cm. Rangel

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Vera

5. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning the east 23.15 feet of Lot 3, Block 761, Eastern Division, located at 1417 East Bustamante Street, from R-3 (Mixed Residential District) to B-1 (Limited Commercial District); providing for publication and effective date.

Staff is in support of the application and the Planning & Zoning Commission recommends approval of the request. District IV

Motion to open the public hearing.

Moved: Cm. Rangel

Second: Mayor Pro Tem Liendo Espinoza

For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Rendon

Second: Cm. San Miguel

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Rendon

6. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 5 and 6, Block 1012, Western Division, located at 4001 Santa Maria Avenue, from B-1 (Limited Commercial District) to B-3 (Community Business District); providing for publication and effective date.

Staff is not in support of the application and the Planning & Zoning Commission recommends denial of the request. District VII

Motion to open the public hearing.

Moved: Cm. Rangel

Second: Mayor Pro Tem Liendo Espinoza

For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and deny the zone change request.

Moved: Cm. Vera

Second: Cm. Rangel

For: 7

Against:

Abstain:

7. Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Re-plat of Lot 1A, Block 1, and Lot 12B, Block 2, Tesoro Plaza Subdivision, located at 5102 and 5215 Tesoro Plaza Drive, from B-3 (Community Business District) to B-4 (Highway Commercial District); providing for publication and effective date.

Staff is not in support of the application and the Planning & Zoning Commission recommends approval of the request. District VII

Motion to open the public hearing.

Moved: Cm. Rangel

Second: Cm. Vera

For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and deny the zone change request.

Moved: Cm. Vera

Second: Cm. Rangel

For: 7

Against: 0

Abstain: 0

8. Public hearing providing community residents an opportunity to comment on their housing and community needs and the projects that they wish to see funded for fiscal year 2012-2013, with funds anticipated to be received from the U.S. Department of Housing and Urban Development (HUD), and more specifically through the 38th Action Year (AY) Community Development Block Grant (CDBG) (\$3,347,669.00), the 2012 HOME Investment Partnerships Grant (HOME) (\$879,662.00), and the 2012 Emergency Solutions Grant (ESG) (\$284,955.00), in support of the preparation and submission of the 2012 Consolidated One-Year Action Plan to HUD. Also for discussion and comment is the Fiscal Year (FY) 2010-2011 Consolidated Annual Performance Report (CAPER) regarding the City's administration of HUD Programs.

Motion to open the public hearing.

Moved: Cm. Rangel

Second: Mayor Pro Tem Liendo Espinoza

For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing.

Moved: Cm. Rangel

Second: Cm. Rendon

For: 7

Against: 0

Abstain: 0

9. Public hearing allowing interested persons to comment on the Proposed Substantial Amendment to the City of Laredo's 37th AY, 2011 Consolidated One Year Action Plan to include the use of \$89,709.00 in Emergency Solutions Grants Program (ESG) funds made available through the U.S. Department of Housing and Urban Development (HUD). The intent of the ESG program is to address the needs of homeless individuals and families, and/or those on the verge of becoming homeless, who reside in the community.

Motion to open the public hearing.

Moved: Cm. Rangel

Second: Mayor Pro Tem Liendo Espinoza

For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing.

Moved: Cm. Rangel

Second: Cm. Vera

For: 7

Against: 0

Abstain: 0

10. Public hearing and introductory ordinance approving and adopting the Districting Plan of the City of Laredo; providing for the redistricting of the eight (8) City Council Districts within the City of Laredo; providing for publication; and providing of an effective date.

Motion to open the public hearing.

Moved: Cm. Rangel

Second: Cm. Vera

For: 7

Against: 0

Abstain: 0

Mr. Rolando Rios reported that every ten years, the United States conducts a census and then redistricting occurs to keep population in districts as even as possible. He added that the handout in front of the Council showed the analysis of each district as it currently existed. He said that Plan B was created by the Redistricting Commission to equalize the population; however, he also had Plan A with input from the Council Members. He concluded that after working with Cm. Rendon, he had created Plan A Modified and he went on to display maps showing the differences.

Motion to close the public hearing and introduce Plan A Modified.

Moved: Cm. Rangel

Second: Cm. Vera

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: City Council

VIII. INTRODUCTORY ORDINANCES

11. Authorizing the City Manager to execute a lease with Laredo Aero Center, Inc., for approximately 178 square feet constituting Air Operations Area Office No. 5, located at 5210 Bob Bullock Loop at the Laredo International Airport Passenger Terminal. Lease term is for one (1) year commencing on May 1, 2012 and ending on April 30, 2013, and may be extended for two (2) terms of one (1) year each ending on April 30, 2014 and April 30, 2015. However, it is agreed by the parties that the lease may be terminated by either party on or not less than thirty (30) days' written notice from the party terminating to the other. Monthly rent shall be \$630.00 and will be adjusted annually according to changes in the Consumer Price Index; providing for an effective date. (Approved by the Operations Committee)

Ordinance Introduction: City Council

12. Authorizing the City Manager to execute a lease with Elite Aviation, L.L.C., for approximately 117 square feet constituting Air Operations Area Office No. 2, located at 5210 Bob Bullock Loop at the Laredo International Airport Passenger Terminal. Lease term is for one (1) year commencing on May 1, 2012 and ending

on April 30, 2013, and may be extended for two (2) terms of one (1) year each ending on April 30, 2014 and April 30, 2015. However, it is agreed by the parties that the lease may be terminated by either party on or not less than thirty (30) days' written notice from the party terminating to the other. Monthly rent shall be \$630.00 and will be adjusted annually according to changes in the Consumer Price Index; providing for an effective date. (Approved by the Operations Committee)

Ordinance Introduction: City Council

13. Authorizing the City Manager to approve an amendment to lease agreement dated February 5, 1990 and approved by Ordinance No. 90-O-019 and further amended by Ordinance No. 99-O-364 between the City of Laredo, as Lessor, and Laredo Development Foundation, as Lessee regarding Building No.1007 located at 616 Leal Street within the Laredo International Airport. The purpose of the amendment is to allow Lessee to sublease surplus office space. All other terms and conditions remain unchanged and in effect; providing for an effective date. (Approved by the Operations Committee)

Ordinance Introduction: City Council

14. Ratifying the execution of easement documents for the conveyance to AEP, Texas Central Company, a 15ft wide easement lying wholly within the Laredo Airport Subdivision Plat, City of Laredo, Texas as recorded in Volume 5, Page 1, Plat Records of Webb County, Texas. Said easement being more particularly described by GPS coordinates in attached Exhibit A. This easement tract is being requested for a new electrical line extension within the Airport Facility; providing for effective date. (Approved by the Operations Committee)

Ordinance Introduction: City Council

15. Amending the City of Laredo, Code of Ordinances, Section 19-410, entitled *Truck Routes Designated*, to add Mangana-Hein Road, between US 83 and Cuatro Vientos Boulevard (Loop 20) and edit the extent of Loop 20 within the listing of streets and sections of streets which are established and designated as "Truck Routes", within the City; providing for publication and effective date. (Approved by the Operations Committee)

Ordinance Introduction: City Council

16. Authorizing the City Manager to execute a multi-year lease with Garros Services, L.L.C., for the management and operation of two (2) separate refrigerated inspection facilities located within the federal import lots at World Trade Bridge and Colombia Solidarity Bridge.
 1. Lease term is for ten (10) years with right of first refusal for two (2) additional five (5) year terms.

2. Garros Services, L.L.C. will be responsible for collecting from each broker or customer, a facility use fee in the amount of \$95.00 per truck and that any and all future increases in the amount of said fee shall require prior City Council approval.
3. Monthly compensation to the City will be a flat fee of \$11.88 for each truck that utilizes the refrigerated facilities during inspection by U.S. Customs and Border Protection.
4. Garros Services, L.L.C. will be entitled to the remaining amount of \$83.12 for compensation and expenses associated with the management and operation of the refrigerated inspection facilities.
5. Garros Services, L.L.C. will contribute \$15,000.00 annually to a Capital Improvement and Repair Fund to be paid in quarterly installments. (As amended & approved by the Operations and Finance Committees)

Carlo Menchaca, a Licensed U.S. Customs Broker, spoke against the contract with Garros, saying that he hoped that they would take the Laredo Licensed Customs Brokers Association into consideration. He added that they had over 1,000 years of experience whereas Garros had only 100. He pointed out that at the last Council Meeting, the Council Members had mentioned a monthly fee that was not in this contract. He also said that it didn't seem that there was a true non-compete clause. He concluded that the City would only receive \$11 per trailer but that Garros also had the right to charge the stevedores an additional fee at their discretion, which put the stevedores at a competitive disadvantage.

Victor Gonzalez spoke against the contract with Garros, saying that there was no non-compete clause in the contract. He went on to say that the non-solicitation part called for repayment instead of complete cancellation. He added that the \$95 fee was supposed to be all-inclusive. He concluded that the City assumed a great risk of financial losses.

Jose D. Martinez, a broker since 1987, stated that they were against, not the facility, but who would be running the facility because there would be a broker competing against them directly who would have access to their information. They had been told that there would be a non-compete agreement, and there wasn't one. Therefore, a monopoly was being created to run both facilities.

Rodolfo Delgado, a Licensed U.S. Customs Broker, stated that he was neutral on the issue in the sense that he had striven to set up a refrigerated facility and, until now, it had not happened. He felt that they had taken too long to get to this point. He asked that the contract be reviewed so that it would be neutral to everyone, not just leaning to one side.

Adolfo Campero spoke in favor of the contract because he was counsel for Garros Services and was also a Licensed U.S. Broker and a member of the Association. He said that he was involved in the drafting of the contract, and there was a non-compete provision which prohibited Garros from competing with the brokers. He added that there was a fiduciary relationship established there between Garros and the Licensed U.S. Customs Brokers. He concluded that the principals of Garros had met with the stevedores who did not think that anything was unfair regarding the contract.

City Manager Carlos Villarreal stated that he felt that it was important to inform the public that they had met with all groups involved. He added that the stevedores were made independent because of a recommendation made by the Licensed U.S. Customs Brokers Association. He went on to state that the non-compete clause was very clear in the contract. He concluded that they had been fair and diligent in the process and had even offered the Association the running of the facility if they would provide half the investment.

Motion to introduce the ordinance.

Moved: Cm. Garza

Second: Mayor Pro Tem Liendo Espinoza

For: 6

Against: 0

Abstain: 1

Cm. San Miguel

Ordinance Introduction: City Council except Cm. San Miguel

17. Authorizing the City Manager to execute a lease agreement with Eagle Creek Broadcasting of Laredo, L.L.C., for the use of Lots 1 & 12, Block 727 W.D. for expansion of parking facilities, for City impoundment services and additional parking for patrons of the Laredo Animal Shelter. The lease term is for two (2) years at no cost to the City, with an option to renew provided that the City make the necessary parking improvements and maintain three (3) neighboring lots owned by Eagle Creek Broadcasting.

Ordinance Introduction: City Council

IX. FINAL READING OF ORDINANCES

Motion to waive the final readings of Ordinances 2012-O-058 and 2012-O-059.

Moved: Cm. Garza

Second: Mayor Pro Tem Liendo Espinoza

For: 7

Against: 0

Abstain: 0

18. 2012-O-058 Amending Chapter 19, Motor Vehicle and Traffic, Article VIII, Stopping, Standing or Parking, Section 19-360, Parking Meters, of the Code of Ordinances of the City of Laredo, establishing the availability of residential parking meter permit contracts for parking meter spaces located west of Santa Maria Avenue and north of Hidalgo Street at a non-refundable yearly rate of fifteen dollars (\$15.00) per permit with a limit of two (2) permits per residence and providing for severability, publication and effective date.

Motion to adopt Ordinance 2012-O-058.

Moved: Cm. Garza

Second: Cm. Rangel

For: 7

Against: 0

Abstain: 0

- 2012-O-059 Authorizing the City Manager to accept additional funding in the amount of \$155,208.00 with an in-kind match of \$15,560.00 for a total grant amount of \$465,327.00 from the Department of State Health Services (DSHS) and amend the City of Laredo Health Department (CLHD) FY 2011-2012 Annual Budget for continuation of Public Health Emergency Preparedness and Response Program for the term period of August 1, 2011 through July 31, 2012.

Motion to adopt Ordinance 2012-O-059.

Moved: Cm. Garza

Second: Cm. Rangel

For: 7

Against: 0

Abstain: 0

X. RESOLUTIONS

19. 2012-R-028 Accepting the donation of a 9,298 square foot utility easement from Broadacres Apartments Company, a Texas Limited Partnership, for the Canal Street Drainage Improvements Project, Phase 3. Said utility easement being out of a 7.0 acres tract of land owned by Broadacres Apartment Company, as recorded in volume 1838, pages 118-121 of the Webb County Deed Records, Texas; and described on attached Exhibit 1. (Approved by the Operations Committee)

Motion to approve Resolution 2012-R-028.

Moved: Cm. Garza

Second: Cm. Vera

For: 7

Against: 0

Abstain: 0

20. 2012-R-029 Accepting the donation of a 2,288 square foot parcel of land from Broadacres Apartments Company, a Texas Limited Partnership, for

the Canal Street Drainage Improvements Project, Phase 3. Said parcel being out of a 7.0 acres tract of land owned by Broadacres Apartments Company, as recorded in volume 1838, pages 118-121 of the Webb County Deed Records, Texas; and described on attached Exhibit 1. (Approved by the Operations Committee)

Motion to approve Resolution 2012-R-029.

Moved: Cm. Garza

Second: Cm. Vera

For: 7

Against: 0

Abstain: 0

21. 2012-R-031 Authorizing the City Manager to accept a grant in the amount of \$9,000.00 from the Texas Department of Transportation for the enforcement of Vehicle Occupant Protection during the "Click it or Ticket" Campaign. This grant is for overtime salaries and fringe benefits and is funded 100% by the Texas Department of Transportation. (Approved by the Operations Committee)

Motion to approve Resolution 2012-R-031.

Moved: Cm. Garza

Second: Cm. Vera

For: 7

Against: 0

Abstain: 0

22. 2012-R-033 Accepting the donation of a 5.9364 acre tract from San Isidro North, LTD., by special warranty deed of gift dated March 2, 2012, for storm water drainage and detention and/or for recreational and other public purposes. (Approved by the Operations Committee)

Motion to approve Resolution 2012-R-033.

Moved: Cm. Garza

Second: Cm. Vera

For: 7

Against: 0

Abstain: 0

23. 2012-R-034 Accepting the donation of a 22.6975 acre tract from San Isidro Northeast, LTD., by special warranty deed of gift dated March 2, 2012, for storm water drainage and detention and/or for recreational and other public purposes. (Approved by the Operations Committee)

Motion to approve Resolution 2012-R-034.

Moved: Cm. Garza

Second: Cm. Vera

For: 7

Against: 0

Abstain: 0

24. 2012-R-035 Expressing the City of Laredo’s support for Fanny Helen Vargas, a finalist in the competition for Nuestra Belleza Latina 2012, a televised reality-style-beauty competition airing weekly on Spanish-language network Univision. The native Laredoan is set to compete for the title and crown and all the action can be viewed locally on affiliate station KLDO. Laredo officially recognizes the dedicated Miss Vargas as a role model in the community. Furthermore, the pageant event features an interactive component that allows any viewer to vote upon the completion of each telecast on Sunday nights. Laredo conveys its official vote through this document and encourages the entire community to text or enter their “vote” for Fanny Vargas.

Motion to approve Resolution 2012-R-035.

Moved: Cm. Rangel

Second: Cm. Garza

For: 7

Against: 0

Abstain: 0

XI. MOTIONS

25. Consideration to authorize the installation of speed cushions along Jalapa Street, between North Merida Drive and Dorado Drive, under the special provision of the Speed Hump Installation Policy. Project costs are estimated at \$8,000.00 and funding will be made available from the 2007 C.O.—City Council District I and from the 2005 C.O. (Approved by the Operations Committee)

Motion to approve.

Moved: Cm. Garza

Second: Cm. Rangel

For: 7

Against: 0

Abstain: 0

26. Refund of property tax in the amount of \$1,340.84 to the following taxpayers;
1. A refund in the amount of \$779.82 payable to International Bank of Commerce due to an erroneous payment. Account #962-80001-310.
 2. A refund in the amount of \$561.02 payable to International Bank of Commerce due to an erroneous payment. Account #105-00245-050.

Motion to approve.

Moved: Cm. Garza

Second: Cm. Rangel

For: 7

Against: 0

Abstain: 0

27. Approving monthly adjustments to the tax roll. The amounts to be adjusted for the month of March 2012, represents a decrease of \$33,282.83. These adjustments are determined by the Webb County Appraisal District and by court orders.

Motion to approve.

Moved: Cm. Garza

Second: Cm. Rangel

For: 7

Against: 0

Abstain: 0

28. Consideration for approval of the World Trade/Columbia Solidarity Bridges Port of Entry Refrigerated Inspection Facilities as complete, approval of change order no. 3 a decrease of \$5,361.69 for the balance of contingency allowance and approval of final payment in the amount of \$17,787.12 to Leyendecker Construction, Inc., Laredo, Texas. Final construction contract amount is \$1,811,401.86. Funding is available in the Capital Improvement Fund and Bridge Series 2005 Bond.

Motion to approve.

Moved: Cm. Garza

Second: Cm. Rangel

For: 7

Against: 0

Abstain: 0

29. Consideration for approval to amend the contract for Antares Development Corporation to increase in the amount of \$185,500.00 utilizing the BuyBoard Cooperative Purchasing Program Contract 331-09 for the continuation of Phase IV of the data management system. This will allow final completion of the Animal Control Services automation to improve field operations, inspections and permitting as well as operations of the pound and to test and implement a functional electronic medical/dental record and archiving system for clinical and laboratory services to improve patient care and customer service (through improved records management and archiving) and will prepare the health department for new Medicaid and third party billing requirements for the term of November 1, 2011 through October 31, 2012. Funding is available through the Health Department Budget.

Motion to approve.

Moved: Cm. Garza

Second: Cm. Rangel

For: 7

Against: 0

Abstain: 0

XII. CONSENT AGENDA

Motion to approve the Consent Agenda.

Moved: Cm. Garza

Second: Mayor Pro Tem Liendo Espinoza

For: 7

Against: 0

Abstain: 0

XII (a) RESOLUTIONS

30. 2012-R-026 Authorizing the City Manager to submit a grant application in the estimated amount of \$500,000.00 to the Texas Automobile Theft Prevention Authority to fund the Laredo Auto Theft Task Force for the period of September 1, 2012 through August 31, 2013. This grant pays salaries, equipment and supplies for LPD personnel to combat auto theft in the City of Laredo.
31. 2012-R-030 Accepting a grant awarded by the National Drug Control Policy (ONDCP) High Intensity Drug Trafficking Area (HIDTA) in the amount of \$736,104.00 to fund the Laredo Financial Narcotics Enforcement Team and a grant in the amount of \$99,916.00 to fund the Laredo Multi-Agency Drug Related Public Corruption Task Force. Both grants are funded by the Executive Office of the President, Office of the National Drug Control Policy (ONDCP), and High Intensity Drug Trafficking Area (HIDTA) at no cost to the City. Funding will be used to pay personnel salaries, fringe benefits, overtime, travel and operating expenses from January 1, 2012 through December 31, 2012. Funding for the STX Multi-Agency Drug Related Public Corruption Task Force will be used for payment of fringe benefits, overtime, and operating expenses from January 1, 2012 through December 31, 2012.
32. 2012-R-032 Authorizing the City Manager to accept and enter into contract with the Border Environment Cooperation Commission (BECC) in the amount of \$50,000.00 to conduct the Children's Environmental Health Initiative by the City of Laredo Health Department (CLHD) for the term period beginning April 1, 2012 through April 1, 2013.

XII (b) MOTIONS

33. Consideration for acceptance, approval of credit change order and final payment in the amount of \$9,155.00 to Star Operations, Inc., for the System Integration Project. The City of Laredo has been working to upgrade intelligent transportation systems to address the growing demand in the central business district and to provide communication to signals from the Traffic Management Center located at the Traffic Safety Department. The total adjusted contract amount is \$375,320.00. Funding is available in the Intelligent Transportation System Project Fund.
34. Consideration to authorize a contract with Kraftsman Commercial Playgrounds through the Buyboard Cooperative Purchasing Agreement Program's contract pricing, in the total amount of \$69,492.25 for the purchase and installation of

fitness equipment at Ryan Elementary. Funding is available in the 2010 District III and IV Discretionary Funds—Ryan Elementary Equipment.

35. Consideration for approval of the Independence Hills Regional Park as complete, release of retainage and approval of final payment in the amount of \$156,250.00 to Zertuche Construction, L.L.C., Laredo, Texas for a final construction contract amount of \$3,125,000.00. Funding is available in the 2007 C.O., 2008 C.O., Capital Improvements Fund and Parks Capital Grants.
36. Consideration to award contract FY12-047 to low bidder, Novem Water System, McAllen, Texas, in the estimated annual amount of \$60,979.20 to provide pool chemicals for the Parks and Leisure Services Department. Funding is available in the Parks and Leisure Services Department Budget.
37. Consideration for approval of the World Trade International Bridge Hazardous Material Containment System Retrofit as complete, release of retainage and approval of final payment in the amount of \$42,824.91 to the Gibson & Associates, Inc., Balch Springs, Texas. Final construction contract amount is \$856,498.20. Funding is available in the Revenue Bond Series 2005A—Improvements Other Than Buildings.
38. Consideration for approval of change order no. 2, a credit to the City of Laredo, acceptance of the project, and release of retainage in the amount of \$71,050.62 to Insituform Technologies, Inc., Houston, Texas; for the rehabilitation of several sewer lines and manholes for the Utilities Department. Change order no. 2 is to consolidate the final quantities with a credit in the amount of \$119,012.35 for the total contract amount of \$831,515.65 and an increase of one hundred and fifteen (115) calendar days to the contract time. Funding is available in the 2009 Utility bond.
39. Consideration to award contact FY12-052 for the purchase of police pursuit tires and regular passenger tires for all City fleet vehicles to the low bidders meeting specifications:
 1. GCR Tire Center, Laredo, Texas, in the estimated amount of \$134,983.50; and
 2. A to Z Tire & Battery Inc., Amarillo, Texas, in the estimated amount of \$83,458.20.

All tires will be purchased on an as needed basis. Funding is available in the Fleet Fund.

END OF CONSENT AGENDA

XIII. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

40. A. Request by Council Member Charlie San Miguel

1. Discussion with possible action regarding the extension of Springfield Avenue between Del Mar and International Boulevard.

Community Development Director Ronnie Acosta reported that this past fall, Cm. San Miguel had indicated that a property owner whose land lay in the proposed route was willing to donate the property. She added that for construction there were only \$70,000 available in the 2008 bond, and proposed cost was \$3.5 million. She went on to say that prior to accepting any donation of right-of-way, they needed Council's authorization to proceed with this project.

Cm. San Miguel explained that this had been part of the master plan since 1990, and the City of Laredo had deemed it so necessary for alleviation of traffic congestion that a tract of land was condemned at the end of Springfield. He added that the City of Laredo had paid \$952,000 for the right-of-way of that piece of land. He said that when Mr. Salinas had approached them last year saying that he was willing to donate the land, he felt that this was an excellent opportunity for the city. He went on to say that Mr. Salinas had recently donated right-of-way for an Ejido extension, and they could use the same design structure for the extension of Springfield which was only $\frac{3}{4}$ the length and $\frac{3}{4}$ the width of the Ejido project. He concluded that he thought that the \$3.5 million construction estimate was inflated, since Ejido cost only \$2.2 million. He asked if there could be a more efficient and economical design.

City Engineer Rogelio Rivera reported that they had received very good bids on the Ejido project and had saved almost \$1 million because the cost estimate had been a little over \$3 million. He explained the reasons behind the present design and added that Porrás Engineering had done the cost estimate.

Motion to accept the gift of land and redesign the roadway.

Moved: Cm. San Miguel

Second: Cm. Perez

For: 7

Against: 0

Abstain: 0

2. Discussion with possible action to consider adding Monday after Easter as an official holiday for City employees. (Co-Sponsored by Council Member Esteban Rangel, Council Member Alejandro Perez, & Council Member Jorge A. Vera)

City Manager Carlos Villarreal reported the parameters of how much adding this holiday would cost. He stated that the total would be \$377,904. He added that he would rather use this to provide pay raises for employees than a one-day holiday. The breakdown was for Police, \$141,000; Fire, \$127,458; Bridge, \$12,612; Solid Waste, \$3,328; other departments, \$13,312; plus the cost of

fringe, made \$377,904 total. He thought that if they took a poll of the employees, they would rather have a pay raise than the holiday.

Cm. Vera said that he thought it should be up to the employees to see if they'd rather have the day off or the pay raise. He felt that the employees should be allowed to vote on what they wanted through a ballot process, because they deserved to have this option.

City Manager Carlos Villarreal suggested allocating the \$377,000 for a vote of the employees whether they would prefer a holiday or an additional 1% pay raise as a starting point.

Motion to approve \$377,000 and let the employees decide between a pay raise or a paid holiday.

Moved: Cm. Rangel

Second: Cm. San Miguel

For: 7

Against: 0

Abstain: 0

B. Request by Mayor Pro-Tempore Cynthia Liendo Espinoza

1. Discussion with possible action on working on a Memorandum of Understanding (MOU) with LISD for playground placement at Macdonell Elementary, using discretionary funds.

Motion to approve the use of discretionary funds in an amount not to exceed \$65,000 to build a playground at Macdonell Elementary.

Moved: Mayor Pro Tem Liendo Espinoza

Second: Cm. Rangel

For: 7

Against: 0

Abstain: 0

XIV. EXECUTIVE SESSION

None.

XV. RECESS AS THE LAREDO CITY COUNCIL AND CONVENE AS THE LAREDO MASS TRANSIT BOARD

Motion to recess as the Laredo City Council and convene as the Laredo Mass Transit Board.

Moved: Cm. Garza

Second: Mayor Pro Tem Liendo Espinoza

For: 7

Against: 0

Abstain: 0

41. Consideration for approval of the El Metro ADA Sidewalks and Ramps (5 blocks—District VII) as complete and approval of change order number 2, a decrease of \$1,583.50 for the balance of quantities actually constructed in place, release of retainage and approval of final payment in the amount of \$11,994.25 to ALC Construction, Inc., Laredo, Texas. Final construction contract amount is \$38,087.50. Funding is available in the Transit New Freedom #51222F7094 Grant. (Approved by the Operations Committee)

Motion to approve.

Moved: Cm. Garza

Second: Mayor Pro Tem Liendo Espinoza

For: 7

Against: 0

Abstain: 0

42. Consideration to award annual supply contracts (FY12-032) to the listed vendors to provide bus and van fleet parts. Contracts will be awarded by item(s) to the lowest responsible bidder for parts most commonly purchased for non-warranty repairs. All items will be purchased on an as needed basis. Funding is available in the El Metro Operations Fund. (Approved by the Operations and Finance Committees)

Motion to approve.

Moved: Cm. Garza

Second: Mayor Pro Tem Liendo Espinoza

For: 7

Against: 0

Abstain: 0

XVI. ADJOURN AS THE LAREDO MASS TRANSIT BOARD AND RECONVENE AS THE LAREDO CITY COUNCIL AND ADJOURN

Motion to adjourn as the Laredo Mass Transit Board and reconvene as the Laredo City Council and adjourn.

Moved: Cm. Garza

Second: Mayor Pro Tem Liendo Espinoza

For: 7

Against: 0

Abstain: 0

I, Gustavo Guevara, Jr., City Secretary, do hereby certify that the above and foregoing is a true and correct copy of the minutes contained in pages 01 to 21 and they are true, complete, and correct proceedings of the City Council meeting held on April 16th, 2011.

Gustavo Guevara, Jr.
City Secretary