

**CITY OF LAREDO  
CITY COUNCIL MEETING  
M-2012-R-18  
CITY COUNCIL CHAMBERS  
1110 HOUSTON STREET  
LAREDO, TEXAS 78040  
OCTOBER 1, 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 Raul G. Salinas led in the pledge of allegiance.

**III. ROLL CALL**

In attendance:

Raul G. Salinas,	Mayor
Mike Garza,	Council Member, District I
Esteban Rangel,	Council Member, District II
Alejandro Perez, Jr.	Council Member, District III
Juan Narvaez,	Council Member, District IV
Johnny Rendon,	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

**IV. MINUTES**

Approval of the minutes of September 17, 2012.

Motion to approve the minutes of September 17, 2012.

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

Against: 0

Abstain: 0

## **V. COMMUNICATIONS**

### **Communiqués**

- a. Presentation on the unveiling of the Max Mandel Municipal Golf Course logo.

Assistant City Manager Horacio De Leon reported that Foresight Golf was an elite golf operator in south Texas that had contracted to operate and manage the Max Mandel Municipal Golf Course. He explained that they had worked with the city and stakeholders on a golf course logo that would represent the course, the name of the family, the Rio Grande and the game of golf.

Dan Pedrotti reported that the city's foresight had brought this opportunity forward. He went on to say that the opening would be two weeks and two days from now. He then displayed the logo.

### **Citizen comments**

Hector Farias, VIDA chairman, stated that they had been coming before Council asking for Cm. San Miguel's resignation since July and had brought violations of the law, conflicts of interest, nepotism, violation of his oath, violation of the Texas Open Meetings Act, involvement with the weatherization program, and now the cash handling problem.

Eva Delgado stated they should ask Charlie San Miguel to resign now.

Javier Mendoza stated that he endorsed Cm. San Miguel when he ran for City Council; however, he was upset because he had applied for the position of the director of Webb County facilities and believed that the Council Member got together with Gilberto Garza.

Armando Cisneros stated that about a month ago, Cm. San Miguel told him that if you're going to get into public office, you have to do the right thing. He added that perhaps Cm. San Miguel really believed that he was doing the right thing. He concluded that his judgment was not exactly what you would expect from an elected official.

Jaime Mendoza spoke on article 12.01 of the Charter. He believed that it was clear that Cm. San Miguel had violated that section.

Tony Gamboa extended a public invitation to the Council from the Chapel of Everlasting Love on their presentation of Quince and Prom Fashion Show 2012 on Sunday, October 14<sup>th</sup> from 1pm – 6pm at the Civic Center.

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

- a. Appointment by Mayor Pro-Tempore Cindy Liendo Espinoza to the Board of Adjustments.

Motion to postpone.

Moved: Mayor Pro Tem Liendo Espinoza

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

- b. Appointment by Mayor Pro-Tempore Cindy Liendo Espinoza to the Drug and Alcohol Commission.

Motion to postpone.

Moved: Cm. Liendo Espinoza

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

- c. Appointment by Mayor Pro-Tempore Cindy Liendo Espinoza to the Ethics Commission.

Motion to confirm the nomination of Elsa Galvan to the Ethics Commission.

Moved: Mayor Pro Tem Liendo Espinoza

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

- d. Appointment by Council Member Mike Garza of Mr. Miguel Zuniga to the Ethics Commission.

Motion to confirm the nomination of Miguel Zuniga to the Ethics Commission.

Moved: Cm. Garza

Second: Cm. Vera

For: 8

Against: 0

Abstain: 0

- e. Appointment by Council Member Juan Narvaez of Mr. George Juarez to the Ethics Commission.

Motion to confirm the nomination of George Juarez to the Ethics Commission.

Moved: Cm. Garza

Second: Cm. Vera

For: 8

Against: 0

Abstain: 0

- f. Appointment by Council Member Jorge Vera of Ms. Juliana Castillo to the Citizens Environmental Advisory Committee.

Motion to confirm the nomination of Juliana Castillo to the Citizens Environmental Advisory Committee.

Moved: Cm. Garza

Second: Cm. Vera

For: 8

Against: 0

Abstain: 0

**VII. PUBLIC HEARINGS**

1. Public hearing and introductory ordinance amending the City of Laredo FY 2013 Noise Abatement Lease Program Budget by transferring the sum of \$500,000.00 and appropriating said sum in the Airport Construction Budget. The transfer will fund the required ten (10) percent local match towards Federal Aviation Administration “FAA” Grant(s) for the construction of the new Airport Rescue & Fire Fighting Station, Noise Abatement, and other Airport projects; and authorizing the City Manager to implement said budget amendment. (Approved by Operations and Finance Committees)

Motion to open the public hearing.

Moved: Mayor Pro Tem Liendo Espinoza

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Rangel

Second: Cm. Rendon

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

2. Public hearing and introductory ordinance amending the City of Laredo FY 2013 Airport Construction Budget to recognize additional revenues from a grant received from the Federal Aviation Administration Airport Improvement Program being Grant Project No. 3-48-0136-73-12 in the amount of \$4,500,000.00 for construction of the Airport Rescue and Fire Fighting Station at the Laredo International Airport and appropriating said grant revenue and local match to the appropriate expenditure accounts and authorizing the City Manager to implement said budget amendment. The City’s local match of ten (10%) percent in the amount of \$500,000.00 is available in the Airport Construction Fund. (Approved by Operations and Finance Committees)

Motion to open the public hearing.

Moved: Cm. Rangel

Second: Cm. Rendon

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.



All being situated in the Eastern Division, City of Laredo, County of Webb and, being depicted on attached Exhibit “B”; and providing for a payment of \$1,000.00 to the City of Laredo for the difference in value of the properties to be exchanged and approving the submitted Post-Closure Property Improvement Plan described on Exhibit “C”, which is in compliance with Section 10 of the Street Closing/Sales Policy Handbook and providing for an effective date. (Approved and recommended item be sent to full Council by Operations Committee)

Ordinance Introduction: City Council

**IX. FINAL READING OF ORDINANCES**

Motion to waive the final readings of Ordinances 2012-O-167, 2012-O-168, 2012-O-169, 2012-O-170, 2012-O-171, and 2012-O-172.

Moved: Mayor Pro Tem Liendo Espinoza

Second: Cm. Vera

For: 8

Against: 0

Abstain: 0

5. 2012-O-167 Discuss and approve an ordinance authorizing the issuance, sale and delivery of “City of Laredo, Texas Public Property Finance Contractual Obligations, Series 2012” in approximate aggregate principal amount of \$3,880,000.00 for the purchase of personal property; securing the payment thereof by authorizing the levy of an annual ad valorem tax; approving and authorizing the execution of all instruments and procedures related thereto including a paying agent/registrar agreement and a purchase contract; approving the form of an official statement; delegating to the Mayor or the City Manager the authority to approve all final terms of the contractual obligations; authorizing amendment to the City’s budget to appropriate such proceeds for purposes authorized herein; and declaring an effective date.

Motion to adopt Ordinance 2012-O-167.

Moved: Cm. Garza

Second: Cm. Vera

For: 8

Against: 0

Abstain: 0

- 2012-O-168 Discuss and approve an ordinance authorizing the issuance of City of Laredo, Texas Waterworks and Sewer System Revenue Bonds, New Series 2012, in the approximate aggregate principal amount of \$43,080,000.00, for the purpose of improving and extending the City’s combined Waterworks System and Sewer System, approving an official statement, authorizing the extension of a purchase contract, making provisions for the security thereof; delegating to the Mayor and City Manager the authority to approve all final terms of the bonds; authorizing amendment to the City’s budget to

appropriate such proceeds for purposes authorized herein; and ordaining other matters relating to the subject.

Motion to adopt Ordinance 2012-O-168.

Moved: Cm. Garza

Second: Cm. Vera

For: 8

Against: 0

Abstain: 0

2012-O-169 Discuss and approve an ordinance authorizing the issuance, sale and delivery of City of Laredo, Texas Combination Tax and Revenue Certificates of Obligation, Series 2012A, in the approximate aggregate principal amount of \$11,435,000.00, for paying all or a portion of the City's contractual obligations incurred for the purpose of:

1. Acquiring municipal equipment and municipal vehicles for the City's Solid Waste Department;
2. Acquiring, designing, constructing, improving and equipping landfill cells at the City Landfill; and
3. Paying legal, fiscal, engineering fees in connection with such projects; securing the payment thereof by authorizing the levy of an annual ad valorem tax; approving and authorizing the execution of all instruments and procedures related thereto including a paying agent/registrar agreement and a purchase contract; approving the form of an official statement; delegating to the Mayor or the City Manager the authority to approve all final terms of the Certificates of Obligation; authorizing amendment to the City's budget to appropriate such proceeds for purpose authorized herein; and declaring an effective date.

Motion to adopt Ordinance 2012-O-169.

Moved: Cm. Garza

Second: Cm. Vera

For: 8

Against: 0

Abstain: 0

2012-O-170 Discuss and approve an ordinance authorizing the issuance, sale and delivery of City of Laredo, Texas, Combination Tax and Revenue Certificates of Obligation, Taxable Series 2012B, in the approximate aggregate principal amount of \$4,630,000.00, for paying all or a portion of the City's contractual obligations incurred for the purpose of:

1. Acquiring municipal equipment for the City's Solid Waste Department;

2. Acquiring, designing, constructing and improving building at the City Landfill; and;
3. Paying legal, fiscal, and engineering fees in connection with such projects; securing the payment thereof by authorizing the levy of an annual ad valorem tax; approving and authorizing the execution of all instruments and procedures related thereto including a paying agent/registrar agreement and a purchase contract; approving the form of an official statement; delegating to the Mayor or the City Manager the authority to approve all final terms of the Certificates of Obligation; authorizing amendment to the City's budget to appropriate such proceeds for purposes authorized herein; and declaring an effective date.

Motion to adopt Ordinance 2012-O-170.

Moved: Cm. Garza

Second: Cm. Vera

For: 8

Against: 0

Abstain: 0

- 2012-O-171 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 1, Block 1, Trautmann M& I Subdivision, Unit I, located at 8619 McPherson Road from B-1 (Limited Commercial District) with a Conditional Use Permit for a Pawn Shop to B-3 (Community Business District), and repealing Ordinance No. 2011-O-049 authorizing a Conditional Use Permit for a Pawn Shop on Lot 1, Block 1, Trautmann M & I Subdivision, Unit I, located at 8619 McPherson Road; providing for publication and effective date.

Motion to adopt Ordinance 2012-O-171.

Moved: Cm. Garza

Second: Cm. Vera

For: 8

Against: 0

Abstain: 0

- 2012-O-172 Authorizing the City Manager to execute a Site License Agreement ("License") between the City of Laredo Texas, and New Cingular Wireless PCS, LLC, a Delaware limited liability company, for ground space at 911 Galveston St., Laredo, Webb County, TX, for the continued maintenance and operation of a 180' self-supporting Tower and related equipment building for the use in connection with its communications business. Term of the lease is five (5) years, with three (3) successive renewal terms of five (5) years. Annual license fee shall be \$15,000.00, with a four percent (4%) increase on each anniversary of the commencement date; and providing for effective date. In addition to the license fee, the licensor shall receive the greater of \$7,500.00 or 25% of the annual gross receipts licensee receives from any Sublicense that is a cellular service



provider who co-locates on the tower. This co-location fee shall apply to the equipment installed on the tower by T-Mobile. Further, Licensee shall permit the Licensor to install and maintain antennas on the tower. Licensor acknowledges the installation and maintenance of the city's Wi-Fi antennae facilities on the tower.

Motion to adopt Ordinance 2012-O-172.

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

**X. RESOLUTIONS**

6. 2012-R-078 Authorizing the City Manager to extend the grant period of the Texas Ranger Division for the FY 2011-2012 Local Border Security Program (LBSP). The grant period will be from April 1, 2011 through December 31, 2012. Funding is used to pay for overtime to increase patrol security along the Texas-Mexican border. (Approved by Operations Committee)

Motion to approve Resolution 2012-R-078.

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

7. 2012-R-079 Accepting the conveyance of the following utility easement and temporary construction easement for the 60 inch water main F.M. 1472 (Mines Road), El Pico to IH 35 Project, from:

Falcon International Bank, Trustee for the N.D. Hachar Trust, DBA Hachar Ranch—utility easement with corresponding temporary construction easement as follows: one over 20.21 acre tract, a copy of which conveyance is attached as exhibit 1; and directing that the said easement (and temporary construction easement) be filed of record in official property records of Webb County, Texas. (Approved by Operations Committee)

Motion to approve Resolution 2012-R-079.

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

8. 2012-R-080 Accepting the conveyance of the following sewer line and access easement and temporary construction easement from:

Cantu Family Management, L.L.C.—20 foot utility easement with corresponding temporary construction easement as follows:

One over a 1.62 acre tract, a copy of which conveyance is attached as exhibit 1;

This 20 foot easement is for a 12 inch sanitary sewer line, from Vidal Cantu Road (El Pico Ranch) to Sombreretillo Wastewater Treatment Plant and will provide wastewater services for El Pico Ranch and El Pico Water Treatment Plant. (Approved by Operations Committee)

Motion to approve Resolution 2012-R-080.

Moved: Mayor Pro Tem Liendo Espinoza

Second: Cm. Perez

For: 8

Against: 0

Abstain: 0

9. 2012-R-084 Amending Resolution #2012-R-001 by adding one (1) additional memorandum of understanding to the list of cooperative working agreements/mutual assistance agreements/memorandums of understanding between the City of Laredo Police Department and various federal, state and local agencies, including but not limited to: Drug Enforcement Administration (DEA), Federal Bureau of Investigations (FBI), SCAN, STCADA, et al., a comprehensive list is attached hereto as “Exhibit A”. The Police Department’s participation is part of the community service provided to our citizens, with no cost to the City of Laredo. (Approved by Operations Committee)

Motion to approve Resolution 2012-R-084.

Moved: Mayor Pro Tem Liendo Espinoza

Second: Cm. Perez

For: 8

Against: 0

Abstain: 0

10. 2012-R-085 A Resolution by the City Council of the City of Laredo, Texas, approving the memorandum of understanding with the cities of San Antonio, San Marcos, Brownsville, Corpus Christi and Edinburg for formation of the Texas South-International Alliance (TS-IA) that share the goal of promoting South Texas and attracting more international economic development opportunities and investment to the region and authorizing execution of the same.

Motion to approve Resolution 2012-R-085.

Moved: Mayor Pro Tem Liendo Espinoza

Second: Cm. Perez

For: 8

Against: 0

Abstain: 0

## **XI. MOTIONS**

11. Directing staff to prepare a service plan for the unilateral annexation of one (1) tract of land totaling 277.3634 acres, more or less, and the voluntary annexation of two (2) tracts for 217.5288 acres, more or less, for a total annexation of 494.8922 acres, more or less, as shown on attachment "A", in accordance with Section 43.052 of the Texas Local Government Code. (Approved by Operations Committee)

Motion to approve.

Moved: Cm. Rangel

Second: Mayor Pro Tem Liendo Espinoza

For: 8

Against: 0

Abstain: 0

12. Consideration to authorize the City Manager to negotiate and execute contracts with U.S. and Mexico print, billboard and electronic media vendors listed in the enclosed attachment entitled CVB Fiscal Year 2012-2013 Media Buy Plan. Media plan advertisements for the Laredo Convention & Visitors Bureau will be placed beginning October 2012. The total amount is not to exceed \$794,000.00. Funding is available in the CVB FY 2012-2013 Budget. (Approved by Operations Committee; as amended by Finance Committee)

Motion to approve.

Moved: Cm. Rangel

Second: Mayor Pro Tem Liendo Espinoza

For: 8

Against: 0

Abstain: 0

## **XII. CONSENT AGENDA**

Motion to approve the consent agenda.

Moved: Mayor Pro Tem Liendo Espinoza

Second: Cm. Rangel

For: 8

Against: 0

Abstain: 0

## **XII (a) RESOLUTIONS**

13. 2012-R-081 Authorizing the City Manager to enter into contract with the Texas Department of State Health Services (DSHS) in the amount of \$111,000.00 for the continuation of City of Laredo Health Department (CLHD) Maternal and Child Health (MCH-Title V) Program to provide prenatal care services, women's health and wellness, and child early detection and prevention care for the medically indigent, underserved and uninsured for the period beginning September 1, 2012 through August 31, 2013.

14. 2012-R-082 Authorizing the Mayor of the City of Laredo to execute the Metropolitan Planning Fiscal Agency Agreement between the Texas Department of Transportation, the Laredo Urban Transportation Study, which has been designated the Metropolitan Planning Organization (MPO) for the Laredo urbanized area, and the City of Laredo, which serves as the fiscal agent for the MPO.

City Planner Nathan Bratton reported that this was an authorization to sign a fiscal agency agreement. He added that at the time that they had prepared the agreement, the federal government had told them to remove certain provisions from the agreement. He explained that subsequently that they were instructed to re-add the provisions for disadvantaged business enterprises and for compliance with the equal protection clauses.

Motion to approve as amended to include Articles A-F.

Moved: Cm. Garza

Second: Mayor Pro Tem Liendo Espinoza

For: 8

Against: 0

Abstain: 0

## **XII (b) MOTIONS**

15. Consideration to authorize the City Manager to place work orders with several creative services providers during Fiscal Year 2012-2013 for the design and production of advertisements and marketing images to promote Laredo as a destination. The contractual amount shall not exceed \$60,000.00. Funding is available in the CVB Marketing Division Budget.
16. Consideration to authorize a contract with Kraftsman Commercial Playgrounds through the Buyboard Cooperative Purchasing Agreement Program's contract pricing, in the total amount of \$107,137.50 for the purchase and installation of a soft surface walking track at Eistetter Park. Funding is available in the Community Development 33<sup>rd</sup> Action Year/2007 Grant, the 34<sup>th</sup> Action Year/2008 Grant, and 2010 Bond discretionary funds.
17. Authorizing the City Manager to amend the City of Laredo's 2011 Consolidated One-Year Action Plan for the purpose of reprogramming Community Development Block Grant (CDBG) funds totaling \$1,355,238. It is proposed that the funds be utilized to fund, in part, the construction of the (1) Cigarroa Park Improvements (\$300,601); (2) East Hachar Soft Walking Track (\$193,649); (3) Slaughter Park Water Feature/Trail Improvements (\$417,200); (4) Anna Street Multi-Purpose Field Improvements (\$75,000); and (5) Sidewalks – District VII (\$368,788). It is further proposed that the newly created projects be funded by cancelling projects that are no longer viable, and through the use of fund balances from completed projects from the 28<sup>th</sup> through 37<sup>th</sup> AY as listed below:

### **CDBG PROJECT FUND BALANCES**

	<u>28<sup>th</sup> AY</u>	
Santa Rita Park Phase II		<u>\$65,241</u>
Total 28 <sup>th</sup> AY Fund Balances		\$65,241
	<u>29<sup>th</sup> AY</u>	
Santa Fe Park Improvements		<u>\$18,619</u>
Total 29 <sup>th</sup> AY Fund Balances		\$18,619
	<u>30<sup>th</sup> AY</u>	
Slaughter Park		<u>\$22,597</u>
Total 30 <sup>th</sup> AY Fund Balances		\$22,597
	<u>36<sup>th</sup> AY</u>	
Code Enforcement		<u>\$601</u>
Total 36 <sup>th</sup> AY Fund Balances		\$601
<b>TOTAL FUND BALANCES</b>		<b>\$107,058</b>

CANCELLED PROJECTS

	<u>32<sup>nd</sup> AY</u>	
Santa Rita Park Improvements		<u>\$28,710</u>
Total 32 <sup>nd</sup> AY Cancelled Projects		\$28,710
	<u>37<sup>th</sup> AY</u>	
Slaughter Park Swimming Pool		\$582,033
Chicago Street Pedestrian Bridge		<u>\$637,437</u>
Total 37 <sup>th</sup> AY Cancelled Projects		\$1,219,470
<b>TOTAL FUNDS TO BE REPROGRAMMED</b>		<b>\$1,355,238</b>

18. Authorizing the City Manager to enter into contract and award 2011 Emergency Solutions Grant (ESG) funds made available by the U.S. Department of Housing and Urban Development in the total amount of \$89,709.00 to Catholic Social Services for the provision of financial assistance for short or medium term rental assistance, security deposits, utility deposits, utility payments, and housing relocation and stabilization services. This assistance will be made available to homeless individuals and families, and those on the verge of becoming homeless residing within the City of Laredo.
19. Award of construction contract to the lowest bidder, Vision Construction Co., Inc., Laredo, Texas, in the base bid amount of \$116,507.93 for the CDBG Eliseo Valdez Park Metal Structure Project with a construction contract time of seventy (70) working days; and authorizing the City Manager to execute all related contract documents contingent upon receipt and approval of insurance and bond documents. Completion date for the project is scheduled for February 2013. Funding is available in the CDBG 36<sup>th</sup> Action Year.
20. Authorizing the City Manager to execute two (2) year appraisal service contracts with the following State Certified, Independent Real Estate Fee Appraisers: Texas

Land Services, L.L.C., Porrás Residential Appraisals, Frank Leal Real Estate, Wright Realty Company and DLG Appraisal Group in support of the City of Laredo International Airport Noise Compatibility Program. Appraisers will be alternated and conduct property appraisal services for a fee not to exceed \$450.00 per appraisal for residential homes and not to exceed \$750.00 per appraisal for apartment complexes; also a fee not to exceed \$350.00 as appraisal reviewers of residential properties, and a fee not to exceed \$700.00 as appraisal reviewers for apartment complexes. Funding is available under Federal Aviation (FAA) Administration Airport Improvement Projects (AIP), Grant No. 69. Individual contracts not to exceed \$50,000.00 for the two (2) year term.

21. Authorizing the City Manager to enter into a Promotional Agreement with Aerolitoral S.A. de C.V. d/b/a AREOMEXICO AIRLINES for daily 50-passenger regional jet air service to and from Monterrey, Nuevo Leon, Mexico effective December 2012 in the amount of \$260,000.00 as enabled under Chapter 380 of the Texas Local Government Code for the promotion and encouragement of economic development and further authorizing the City Manager to execute all necessary documents. Funding is available in the Hotel-Motel Fund.
22. Authorizing the City Manager to execute all necessary documents to convey all of Block No. 17, Subdivision Plat of Laredo Airport, Laredo, Webb County, Texas consisting of approximately 2.5738-acres to the Diocese of Laredo, sole bidder, meeting all bid specifications for the amount of \$720,300.00.
23. Authorizing the selection of HawesHillCalderon LLP, consultant, and authorizing the City Manager to enter into negotiations with consultant and TEAM SOL for the District 3 and District 8 Economic Development Consultant for Laredo, Texas.

Cm. Perez reported that they had been working on this for a year, and he thanked Mayor Pro Tem Liendo Espinoza for being a big part of this. He added that they would be splitting this three ways so that one-third would come from his district, one-third from Mayor Pro Tem Liendo Espinoza's district, and one-third from TEAM SOL.

Viviana Frank explained that they would follow the directive of the City Manager's office. She added that they had pooled their resources and would be negotiating with the city and the consultant.

Motion to approve.

Moved: Cm. Garza

Second: Cm. Vera

For: 7

Against: 0

Abstain: 0

Cm. San Miguel was not present.

24. Consideration for approval of amendment no. 1, an increase of \$24,545.00 to the professional services contract to Puig Engineering, Laredo, Texas, Laredo Division

of Civil Engineering Consultants, for additional environmental services required as a result of the updated Environmental Rules enacted in April 2012, and the revised project footprint resulting from the schematic development and sizing of the drainage structure across Las Manadas Creek Tributary 2. This has been reviewed and approved by TxDot. The increased project footprint requires an archeological survey, Historic Resources Assessment, Nationwide 14 Pre-construction Notification to the USACOE, and revisions to the Environmental Justice task for the West Laredo Corridor - Flecha Lane/Las Cruces Intersection re-alignment. Current engineering contract amount with this amendment is \$353,145.00. Funding is available in the Capital Improvement Fund-West Laredo Corridor – Phase II.

25. Consideration to award contract FY12-078, for the purchase of general automotive repair parts utilizing a best value evaluation format to the listed bidders:
  1. Gonzalez Auto Parts, Laredo, Texas, in the estimated amount of \$200,000.00
  2. Vehicle Maintenance Programs, Boca Raton, Florida, in the estimated amount of \$20,000.00
  3. ROK Brothers, Inc., Millersville, Maryland, in the estimated amount of \$20,000.00
  4. O'Reilly Auto Parts, Springfield, Missouri, in the estimated amount of \$10,000.00
  5. Full Service Auto Parts, San Antonio, Texas, in the estimated amount of \$10,000.00.

These replacement parts will be purchased on an as needed basis for all City fleet vehicles. The contract items include: oil/fuel filters, front end parts, hoses, clamps, belts, lamps/bulbs, service lubricants, and brakes. Funding is available in the Fleet Maintenance budget.

26. Authorizing the City Manager to enter into a contract with a retail electric provider (REPs) for electric services to meet the electricity requirements of all City of Laredo accounts. Final pricing options will be submitted by these REPs and authorization is requested to allow the City Manager to lock in a retail electric rate when it is deemed most favorable to the City. This service contract shall begin on the first meter reading on or after May 31, 2014. Based on current pricing, the City anticipates annual savings of approximately \$1,200,000.00 after May 2014.
27. Consideration to award annual service contract number FY12-094 to Rafter P. Transport Inc., Floresville, Texas, in the estimated amount of \$450,000.00 to provide hauling and disposal services of wastewater bio-solids from the Southside Wastewater Treatment Plant. This service supplements the Department's equipment capabilities and helps control wastewater bio-solids overflow during the rainy season. The frequency and number of loads vary depending on the City's need. The bid price is based on a per load rate. Funding is available in the Utilities Department—Wastewater Division budget.

28. Consideration to authorize a purchase contract to Insituform Technologies, Inc., Houston, Texas, through the BuyBoard Cooperative Purchasing Program's contract pricing, in the amount of \$1,276,272.50 for the purchase and rehabilitation of sewer pipes at Santa Ursula Avenue and Clark Boulevard-Yearly Avenue. These pipes will be flushed cleaned, relined with a special anti-deteriorating pipe materials and all existing sewer services will be re-connected to the rehabilitated pipes. Funding is available in the 2010 Utilities Bond proceeds.

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

#### **29. A. Request by Mayor Raul G. Salinas**

1. Discussion with possible action regarding the ongoing police investigation on the mishandling of cash generated by the "No Mud No Glory—One Tough Mud'r" event held at North Central Park on Saturday, September 15, 2012. (Co-Sponsored by Mayor Pro Tempore Cynthia Liendo Espinoza, Council Member Mike Garza, & Council Member Johnny Rendon).

Mayor Salinas stated that they wanted the information to come out because they were committed to being transparent.

City Manager Carlos Villarreal reported that there had been two inquiries related to this topic moving on parallel tracks, one from the Laredo Police Department for a police report that he requested from Chief Navarro and another that he requested from the Internal Auditor. He added that this was not intended to accuse anyone because they had made a determination that there was no missing money. However, he stated that he would address the issues related with internal control of the project itself.

#### **B. Request by Council Member Mike Garza**

1. Discussion with possible action to instruct the City Manager to formally request the Police/Fire Civil Service Commission to adopt a nepotism prohibition as part of their Civil Service Commission Rules. (Co-Sponsored by Mayor Raul Salinas and Council Member Jorge Vera)

Cm. Garza stated that, for the record, he had only spoken about this item with Cm. Vera and there was no conspiracy as had been alleged. He added that, for the record, Dr. Farias and he had never conversed on any subject except for Dr. Farias lecturing him on nepotism. He went on to say that his initial thought was that they needed to avoid any potential future problems, and so he wanted to add a prohibition that would not affect anyone that currently sat on the Council. He explained that all they could do as a Council was recommend to the Civil Service Commission, and they could do as they pleased with the recommendation.

Motion to recommend to the Police/Fire Civil Service Commission to adopt a nepotism prohibition as part of their Civil Service Commission Rules.



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

Against: 0

Abstain: 1  
Cm. San Miguel

2. Presentation on Dia del Rio by members of the Rio Grande International Study Center.

Diana Garcia reported on the Rio Grande International Study Center events to be held during the month of October and invited the public, Mayor Salinas and City Council to attend. The events include: Historical River Exhibit at the Special Collections & Archives at TAMIU Killiam Library on Monday, October 1<sup>st</sup>; DDR 2012 Kick-Off & Proclamation at Paso del Indio Nature Trail entrance on Friday, October 5<sup>th</sup> at 10 am; Paso del Indio Nature Trail Workday at the Laredo Community College main campus on Saturday, October 6<sup>th</sup> from 7:30 am - noon; Children's story-telling and arts & crafts activity at the Laredo Public Library on Tuesday, October 9<sup>th</sup> from 6 am – 7 pm; 3<sup>rd</sup> annual Rio Research Roundup on Wednesday, October 10<sup>th</sup>; Slam Poetry on the Rio Grande! at Stingray Alley on Wednesday, October 10<sup>th</sup> from 10 pm – midnight; DDR River Art Contest: Splendors of the Rio Grande at the Laredo Center for the Arts on Thursday, October 11<sup>th</sup> from 5 pm – 8 pm; Yoga by the River at Dos Laredos Park on Saturday, October 13<sup>th</sup> at 9:30 am; Gateway Book Club at the Laredo Public Library on Wednesday, October 17<sup>th</sup> from 7 pm – 8 pm; A History of La India & Herbal Remedies on the Border at La India Packing Co. & Tasting Room Café on Thursday, October 18<sup>th</sup> at 6 pm; Cactus and Succulents: Desert Beauties & Water Conservation at the Laredo Farmer's Market on Saturday, October 20<sup>th</sup> at 10am; and Loving Laredo Hike #12 on Saturday, October 27<sup>th</sup> at 8am with the location to be announced.

3. Information and presentation by Ms. Veronica Burgoa regarding health issues related to agricultural chemical use, with possible action.

Veronica Burgoa and her students gave a presentation before Mayor Salinas and City Council.

United Independent School District Federal & State Compensatory Programs Department Through Its Migrant Education Program cordially invites you to “El Moscas” y Los Pesticidas, A community play by Nephtalí De León.

A community play by EPA (Environmental Protection Agency) and MIA (Migrants in Action) is an interactive play designed to increase safety awareness for families and individuals who work in areas that are treated with pesticides and to broaden their understanding of the “take-home” risks they may be bringing home.

The performance is being presented by United I.S.D. students from United South and L.B.J. High Schools under the direction of Brenda Joy Llano through the Migrant Education Program.

Thursday, October 18, 2012, 6:00 P.M.  
Bill Johnson Student Activity Complex Auditorium  
5208 Santa Claudia Lane

Veronica Burgoa and her students invited the City of Laredo to continue with awareness of these issues.

C. Request by Council Member Alejandro “Alex” Perez

1. Presentation by Pet Haven of Laredo on overpopulation of animals in Laredo/Webb County and what may be done to reduce those numbers, and otherwise provide solutions to this community problem, with possible action.

Joyce Liendo gave a presentation before Mayor Salinas and City Council.

Pet Haven of Laredo

Statistics & Solutions for Laredo’s Pet Overpopulation Crisis

The National Average Numbers...

- Approximately 5-7 million companion animals enter animal shelters nationwide every year, and approximately 3-4 million are euthanized (60% of dogs & 70% of cats).
- Of lost cats that end up in shelters, only 2% will be returned to their homes.
- Dogs have it slightly better, because they are more likely to be wearing rabies or identification tags, but even so, only 15% will be reclaimed.
- We expect the reclaim numbers in Laredo to be significantly less than the national average.

Laredo’s Euthanasia Numbers Are Significantly Higher the National Average

- According to a LAPS memo, they euthanized 10,200 in 2011.
- We don’t have official published numbers available from LAPS, but previous directors verbally said they received approximately 1,000+/month.
- This puts Laredo’s euthanasia rate at around 85%, well above the national average.

What is Pet Overpopulation?

- “It is only natural that as the human population rises, so does the number of companion animals. This does not mean that pet-overpopulation is a myth. If we accept that there are now more humans, and subsequently more animals, but that there are not enough people willing to adopt this increase in animals, then it is reasonable to say that there are too many unwanted animals. This is and of itself, defines pet overpopulation.”

The High Cost of Pet Overpopulation

- Over \$2 billion spent annually by local governments to shelter & subsequently euthanize 8 to 10 million unwanted cats and dogs.
- Impounded, unaltered pets are a financial burden to all taxpayers.

- Most breeders yield financial gain while flying under the radar of local, state, and federal governments.
- Most impounded, unaltered pets will have subsequent impoundments, which mean taxpayers continue to fund breeding.

What Can We Do?

- Bring the SNAP mobile unit at least twice a month. (Approximately \$5K per visit) This would spay/neuter 100 cats or dogs at once.
- Offer FREE spay/neuter to Laredo residents who can prove financial hardship or are on government assistance.
- Offer LOW COST spay/neuter to all Laredo citizens to make it an attractive and affordable option.
- Implement an aggressive Trap-Neuter-Release program.
- Educate the public through advertising and public segments about the crisis Laredo is facing and the benefits of spaying and neutering their pets.
- The City of Laredo needs to fine and penalize people who are breeding animals for profit.

To Summarize...

- Pet Haven of Laredo is a newly formed 501(c)3 Non-Profit Organization that is eager to work with the City of Laredo to help bring about change. We are limited by donations and people's generosity, therefore we hope that you will take the aforementioned facts into consideration and allot funds from the city budget to tackle Laredo's overpopulation problem and provide low-cost spay/neuter solutions to Laredo's residents.

City Manager Carlos Villarreal stated that staff was in the process of working with fourth-year veterinary students on a rotating basis so that there would be a permanent spay/neuter operation.

Dr. Hector Gonzalez explained that they had initiated negotiations with Texas A&M to bring fourth-year vet students and two local vets to run a routine spay/neuter clinic, hopefully by the end of the month.

City Manager Carlos Villarreal advised that he would figure this out and bring it back to City Council at the next meeting. He concluded that they would put up \$50,000 so that there would be ten clinics coming in that could be scheduled accordingly.

D. Request by Council Member Johnny Rendon

1. Discussion with possible action regarding an opening ceremony for the Veteran's signage located on Highway 83 North.

Cm. Rendon stated that this is for Vietnam Veterans because they had been left behind by our country. He added that they had worked on a nice sign which would be dedicated in their honor.

Mr. Cuellar of the US Navy thanked Cm. Rendon for his pro-veteran stand and the services that he and Mayor Pro Tem Liendo Espinoza had provided to the veteran community.

Motion to organize an opening ceremony for the Veteran's signage located on Highway 83 North.

Moved: Cm. Rendon

Second: Cm. Vera

For: 7

Against: 0

Abstain: 0

Cm. Rangel was not present.

2. Status report on the Eistetter Park walking trail, with possible action.

Cm. Rendon said he brought this item because it was one of their busiest parks.

Community Development Director Ronnie Acosta said that the contract approved that evening stipulated thirty days after notice to proceed was given.

- E. Request by Council Member Charlie San Miguel

1. Discussion with possible action to authorize the issuance of two banner permits to Run Strong Laredo, for the installation of a banner across the intersection of Calton Road and Yearly and a banner across Del Mar Blvd and McPherson Road from October 9, 2012 to October 28, 2012 and the wavier of the permit fee. (Co-sponsored by Council Member Alejandro Perez)

Motion to approve.

Moved: Cm. San Miguel

Second: Cm. Vera

For: 8

Against: 0

Abstain: 0

- F. Request by Council Member Jorge A. Vera

1. Discussion with possible action to request a legal opinion regarding Laredo City Charter, §2.03 (C)'s prohibition against Interference with Administration as it applies to the "No Mud No Glory" event held at North Central Park on September 15, 2012, and the resulting violations of the City of Laredo's Cash Handling Policy. (Co-Sponsored by Council Member Juan Narvaez & Council Member Esteban Rangel).

Cm. Vera stated that his thought was that even though they did have the Charter as a guideline, he felt it did not have enough teeth to eliminate some issues such as Council Members giving directives to administration. He thought there should be repercussions to enforce that.

Cm. Rangel said that he wanted to direct the City Manager to talk to staff, no matter what department head would not listen, to not be accepting directives from Council Members. He added that it had caused a lot of problems to department heads, and it was unfair.

City Manager Carlos Villarreal replied that they would bring it forward for their approval. He felt it was set forth clearly in the City Charter already, but that they would formalize everything such as movement of discretionary money and agenda items.

City Attorney Raul Casso stated that the Charter does not provide a remedy for when a Council Member interferes with administration. He added that if an addition to the Charter were not made by referendum, it could be done through a new Charter Review Commission which would meet every two years.

#### **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: 8

Against: 0

Abstain: 0

30. 2012-RT-003 Authorizing the City of Laredo to file an application with the U.S. Department of Transportation, Section 5310 Elderly Individuals and Individuals with Disabilities Project Grant Agreement no. 51322F7142, in the amount of \$22,000.00 in federal match, and \$5,500.00 in local match to be used for preventive maintenance for the El Lift Department; and authorizing the City Manager to execute all related documents resulting for the submission. (Approved by Operations Committee)

Motion to approve Resolution 2012-RT-003.

Moved: Mayor Pro Tem Liendo Espinoza

Second: Cm. Vera

For: 8

Against: 0

Abstain: 0

31. Consideration for approval of the El Metro ADA Sidewalks and Ramps Project No. 51 (5 blocks-District III) as complete, release of retainage and approval of final payment in the amount of \$5,949.99 to ALC Construction, Inc., Laredo, Texas.

Final construction contract amount is \$29,529.85. Funding is available in the Transit New Freedom Grant XF7094. (Approved by Operations Committee)

Motion to approve.

Moved: Mayor Pro Tem Liendo Espinoza

Second: Cm. Vera

For: 8

Against: 0

Abstain: 0

32. Consideration for approval of the El Metro ADA Sidewalks and Ramps Project No. 49 (5 Blocks-District IV) as complete, release of retainage and approval of final payment in the amount of \$2,758.13 to ALCE Construction, L.L.C., Laredo, Texas. Final construction contract amount is \$27,581.30. Funding is available in the Transit New Freedom no. 51222F7094 Grant-Improvements Other Than Building. (Approved by Operations Committee)

Motion to approve.

Moved: Mayor Pro Tem Liendo Espinoza

Second: Cm. Vera

For: 8

Against: 0

Abstain: 0

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

Motion to adjourn.

Moved: Mayor Pro Tem Liendo Espinoza

Second: Cm. Garza

For: 8

Against: 0

Abstain: 0

I, Gustavo Guevara, Jr., City Secretary, do hereby certify that the above and foregoing is a true and correct copy of the minutes contained in pages 01 to 22 and they are true, complete, and correct proceedings of the City Council meeting held on October 1<sup>st</sup>, 2012.

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Gustavo Guevara, Jr.  
City Secretary