

CITY OF LAREDO  
CITY COUNCIL MEETING

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

M99-R-01

M I N U T E S

January 4, 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 called the meeting to order.

**III. ROLL CALL**

IN ATTENDANCE:

Elizabeth G. Flores,	Mayor
Alfredo G. Agredano,	Councilmember, District I
Louis H. Bruni,	Councilmember, District II
John C. Galo,	Councilmember, District III
Cecilia May Moreno,	Councilmember, District IV
Eliseo Valdez,	Councilmember, District V
Joe A. Guerra,	Councilmember, District VI
Mario Alvarado,	Councilmember, District VII
Consuelo "Chelo" Montalvo,	Councilmember, District VIII
Gustavo Guevara, Jr.,	City Secretary
Florencio Pena, III,	City Manager
Jerry Bruce Cain,	Assistant City Attorney

**IV. MINUTES**

1. City Council Meeting, November 16, 1998  
City Council Workshop, December 14, 1998

Cm. Bruni stated there were corrections on both minutes. On page 25, November 16th, 1998, first paragraph there are first names corrections: former Governor Dolph Briscoe not "Dole", Mr. Gene Walker instead of "Jim", and Mr. Lewis Bracey instead of "Louis". Also on this same meeting, Cm. Valdez spoke of the seed money not "seat money".



4. 99-O-001 Ordinance authorizing the City Manager to execute a Lease Agreement between the City of Laredo Airport Fund, as LESSOR, and the City of Laredo Public Works Department as LESSEE, for a tract of land containing approximately 45,750 square feet located at 4402 Daugherty Avenue at the Laredo International Airport.
1. Lease term is for one year commencing on December 1, 1998 and ending on November 30, 1999.
  2. Monthly rent shall be \$754.22.
- (City Council)

Motion to approve Ordinance #99-O-001.

Moved : Cm. Bruni

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

- 99-O-002 Ordinance authorizing the City Manager to execute all necessary documents to effectively convey fee simple title to the United States of America, General Services Administration for the sale, at its market value, of certain City property described as a tract of land consisting of 15,432.35 square feet (55.56' x 277.76) more or less, of the 1000 block of Salinas Avenue between Washington and Victoria Streets and being bounded on the east by Block 172, W.D. and on the west by Block 171, W.D. Said street situated in the Western Division, City of Laredo, Webb County, Texas; provided however, that the City of Laredo will retain the entire street property as a utility easement, and providing for an effective date.
- (City Council)

Motion to approve Ordinance #99-O-002.

Moved : Cm. Bruni

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

- 99-O-003 Ordinance establishing the authority for the Parks and Recreation Department to charge certain fees for non profit organizations, commercial and governmental agencies for the use of Veterans Field and its facilities for the purpose of conducting cultural, social, recreational, and artistic events for the citizens of Laredo. (City Council)

Motion to approve Ordinance #99-O-003.



registration and licensing ordinance of 1998 #98-O-353; providing for effective date. (City Council)

Motion to approve Ordinance #99-O-006.

Moved : Cm. Bruni

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

- 99-O-007 Ordinance amending the contract with the Texas Department of Health and budget in the amount of \$74,409 for HIV/AIDS Housing Opportunities for Persons with AIDS (HOPWA) Project of the City of Laredo Health Department for the period beginning February 1, 1999, through January 31, 2000. (City Council)

Motion to approve Ordinance #99-O-007.

Moved : Cm. Bruni

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

## VII. RESOLUTIONS

5. 99-R-001 Authorizing the reissuance of a drilling permit for the operation of the natural gas well, Notzon Well No. 1 to Dynamic Production, Inc. The well is out of Abstract 239, as further described by metes and bounds located west of Highway 83, north of Tinaja Street, and south of Saltillo Street.

Cm. Bruni stated that Drilling Review Committee met with Dynamic Productions and they are in concurrence with the proposed ordinance #99-R-001.

Motion to approve Resolution #99-R-001.

Moved : Cm. Guerra

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

6. 99-R-002 Appointment of Nancy De Anda, Rene Gonzalez, and Leticia Palacios to the Convention and Visitors Bureau (CVB) Advisory Board. There are currently three vacant positions on the CVB Board.

Motion to approve Resolution #99-R-002.



soon can they expect this project to get off the ground, and what the construction completion time frame is?

Rogelio Rivera, Engineering Department Director, stated that upon awarding, they will notify the contractor tomorrow. Given the notice of awarded, they will probably take two to three weeks to get all bonding and contracts back from the contractor and get them for proper execution by our staff. He added it will be another three weeks to a month before they can get the contractor actually on site. The contractor will be given four months to complete the project or 120 calendar days.

Motion to approve.

Moved : Cm. Valdez

Second: Cm. Alvarado

For: 8

Against: 0

Abstain: 0

10. Award of a construction contract to the LOWEST BIDDER, N.W. Builders, Inc., Temple, Texas, in the amount of \$29,277,000.00 for the construction of the border facilities for the Laredo Northwest International Bridge (Fourth Bridge). The project consists of eleven buildings and security systems which include (1) City Administration Building, (2) Federal Administration Building, (3) Export Dock Building and Canopy, (4) the Import Dock Building and Canopy (5) the Empty Truck Inspection Pavilion, (6) Import Lot Exit Control Booth, (7) Shade Structure Building, (8) Truckers Pavilion, (9) Export Control Booth, (10) Primary Commercial Inspection Booths, and (11) Dog Kennels Building and includes related site work, water, and sanitary sewer improvements, storm drainage systems, stormceptor systems, landscaping, signalization, security fencing, illumination and lighting systems, concrete and asphalt paving, project marker/sculpture, and miscellaneous improvements. Funding is available in the Bridge System/Bridge #4 Taxable Bond; Bridge #4 Tax Exempt Bond and Bridge #4 SIB Loan.

Mayor Flores asked that they explain what Alternate #1 and Alternate #2 represent?

Florencio Pena, City Manager, explained that this is the project where they will be awarding the contract for the construction of a border station facility for the Fourth International Bridge. This is probably the single largest project the city has ever awarded. Basically, addendum #1 is \$900,000 additional cost to complete Phase I by March 15, 2000 so that we will be prepared to operate. This addendum was a requirement as a result of a

meeting held with Mexico about two months ago where they asked if we could open the bridge by March 15th. We told them that this project should really be completed by September, 2000, but that we would put an addendum in the contract and that addendum will cost us \$900,000 so that the bridge should be operational from our side by March 15, 2000. The completion of the project will not be until September, 2000 so the base bid we are awarding today, is \$29.2 million.

He asked council to defer approval of Addendum #1 until they have had time to visit with Mexico one more time to confirm that the March 15th deadline is still satisfactory to them and if it is, then they would probably be back on January 21st to award Addendum #1 which means \$900,000 more, but the project will be completed by March 15th.

David Covarrubias explained that Addendum #2 is for using pre-engineered metal buildings in the project as an alternate for the building construction. It turned out that the low bidder in this case actually turned the deductive alternate into an additive alternate. In other words, if we force them to use pre-engineered buildings they would charge us more so we are not going to do that and they are going to build the building as per plans.

Mr. Pena pointed that between now and January 21st they will need to visit with Mexico to confirm these dates. They felt confident that March 15th date is still going to be a good date and they want to pursue that date. They will be providing monthly reports to City Council. He explained that we are well within budget and that this award will be conditioned on TxDot's approval of the plan.

Cm. Galo said that considering all goes well and that we have \$6 million of bond money left over, what do we do with those monies?

Mr. Pena said that one option would be to prepay our loan and added there are other options that would have to be discussed with the financial advisors.

Motion to approve.

Moved : Cm. Valdez

Second: Cm. Alvarado

For: 8

Against: 0

Abstain: 0

11. Award of a construction contract to the SECOND LOWEST QUALIFIED

BIDDER, meeting the document specifications, Cantu America Construction Company, Inc., Laredo, Texas for a net award in the amount of \$688,537.00 for the Bruni Library Conversion. Funding is available in the Bruni Plaza Library.

Cm. Galo wants staff to be consistent with the bid requirements and the bid bonds because we are rejecting some bidder and not rejecting others.

Motion to approve.

Moved : Cm. Valdez

Second: Cm. Alvarado

For: 8

Against: 0

Abstain: 0

12. Award of contract number 99-033, to the SOLE BIDDER, G.T. Distributors, Inc., Austin, Texas, in the amount of \$24,756.00, for the purchase of forty pistols for the Police Department. These pistols will be delivered within sixty days.

Motion to approve.

Moved : Cm. Valdez

Second: Cm. Alvarado

For: 8

Against: 0

Abstain: 0

13. Award of contract number 99-008, to the LOW BIDDER, Southwestern Bell Mobile Systems, Laredo, Texas, in the estimated amount \$159,448.80, for providing cellular phone service for all city departments. The contract term will be for a period of two years. The majority of the cellular phones will be upgraded to digital service technology. This technology offers features like caller ID and provides for more secure voice transmissions. The contract pricing is approximately **50% less** than the previous two year contract.

Mr. Armando Castilla, Operations Manager of Southwestern Bell Wireless, briefed council on the Request for Proposal for the wireless service of the bid tabled at the last council meeting. He said that at that meeting Mr. Gutierrez from U.S. Cellular had asked that this item be tabled so that they could look at discrepancies on the spreadsheet.

He explained that they did meet on December 29th, present were representatives from U.S. Cellular, Southwestern Bell Wireless, and city staff who went through the spreadsheet item by item. After the meeting was finished, Southwestern Bell was still the lowest and a responsible bidder for the wireless service.

At that meeting Mr. Gutierrez asked that an 11% factor be used to quantify of put a dollar figure to the first incoming minute that U.S. Cellular offers on their rate plans. He said he wouldn't accept that at the time and did not accept that, basically because it is hard to quantify that. There are conditions as to when the first incoming minute applies, when it's free, and when it's not, but he did go over the issue over the weekend. He factored in the 11% that he was asking and in doing so, he found out that about 22 accounts were affected out of the 130 accounts. The amounts affected range anywhere from .30 to \$8.80 on a monthly bill and it only affects rate plans where you exceed the package to minutes and it only affects those minutes. That is not a significant factor, and added that still SWB wireless would be the lowest bidder.

He also conducted other analyses and after conducting one analysis he said that for the August bill on those calls the city would be paying approximately \$761.00 (additional) in charges, if they were to go with his competitor.

He said we need to move forward, the city stands to save about \$6,500 a month, and having table this item a couple of weeks ago, it's about \$3,200 in savings that have been passed up at this time. By not awarding the bid today that could grow for another two weeks to another \$6,500. He asked that the current recommendation by staff be accepted.

Arturo Gutierrez, U.S. Cellular Representative, who said that when he mentioned the 11% of the incoming minute that was something that was already done with another government entity. He said he also went over the figures and used 19 numbers out of the 125 lines that the city has. He does not know what figures were used by Mr. Castilla but his savings show that for a total period of 24 months there are \$14,616.00 in savings. If we look at those numbers and someone in the city did them, at this point and using the calculation given by the city, the city will gain a savings of \$4,703.00 in the overall aspect. This is only using 19 out of the 125 lines.

Francisco Meza, Purchasing Director, stated that a determining factor is that each vendor is providing a package minute proposal to the city. In other words we geared and used the usage pattern for four months. He explained the process and criteria used for the evaluation criteria. He explained that since Mr. Gutierrez questioned the spreadsheet and to be fair to everybody they went back and met with both vendors, went through each usage, went through what they recommended to the city, what

we recommended and came to a concensus.

He said that based on the evaluations, Southwestern Bell was being recommended. There are two variables that they did not take into effect when they did the spreadsheet that Mr. Gutierrez eluded to and looking at it was difficult to determine who the low bidder is based only on that criteria. The other criteria SWB had is that they had an extended home rate. He added that both companies did some homework over the last meeting. His evaluation and basically looking at both proposals, he is still of the opinion that SWB is providing the lowest proposal based on different factors.

He pointed that both proposals are going to save the city about 50% from what is currently being charged by our current provider. We are upgrading to digital service which provides other features and the city is getting significant savings on whatever package we accept.

Motion to approve.

Moved : Cm. Valdez

Second: Cm. Alvarado

For: 8

Against: 0

Abstain: 0

14. Award of contract number 99-020, to LOW BIDDER, G.T. Distributors, Austin, Texas, in the amount of \$56,415.00, for the purchase of thirty light bars and accessories for the Police Department. These light bars will be installed on the new police sedans scheduled for delivery in March.

Motion to approve.

Moved : Cm. Valdez

Second: Cm. Alvarado

For: 8

Against: 0

Abstain: 0

15. Approval to reject the sole bid for the Re-Roofing of the Ladrillera Community Center Building Project and re-bid the project with tentative award on February 15, 1999. Funding is available in the Capital Improvements Funds Re-Roofing of the Ladrillera.

Motion to approve.

Moved : Cm. Bruni

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

16. Approval of amendment no. 1, an increase of \$22,000.00 to the architectural/engineering contract with Design Group International, Laredo, Texas, for the Expansion of the Santo Niño Health Center Project to add the expansion of the Santo Niño Branch Library to include surveys, design and preparation of plans and specifications and cost estimates. The original engineering contract was \$22,500.00. This amendment brings the total engineering contract to \$44,500.00. Funding is available in the General Fund Buildings.

Motion to approve.

Moved : Cm. Bruni

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

17. Authorizing the City Manager to submit a noncompetitive grant to the Texas Telecommunications Infrastructure Board (TIF) in the amount of \$91,000 to upgrade computer systems and Internet services for all Laredo Public Libraries.

Motion to approve.

Moved : Cm. Bruni

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

18. Authorization to accept bids on the painting of the South Lyon Tank.

Fernando Roman, Utilities Department, stated for the record that the bid award is for General Construction of San Antonio, Texas for \$76,000.00 for the painting of the tank.

Motion to approve.

Moved : Cm. Bruni

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

At this time an item under the Supplemental Agenda and under Communications were considered.

#### IX. CITY MANAGER'S REPORT

19. Status report on the Colonias Facility Plan with possible

action. We have received the right of way from the Tex-Mex Railway for the location of the wastewater line.

Fernando Roman, Utilities Director, reported that on December the consultants were working as they had intended and scheduled. There are no changes in the project other than whatever progress they have made during the month of December. He concluded by saying that both environmental consultants and engineer consultants are working in reconstructing tables, etc., but the schedule has not changed.

20. Status report on the Santa Isabel Water Well.

Fernando Roman, Utilities Director, reported that they had proposed a location next to the well and TxDot had some concerns with that location because it is at the end of a long curve. He first thought that it was not a concern because the visibility was good, but apparently it is a concern because as the vehicles are moving and if an accident might occur, vehicles might be carried to form a line on the shoulder so that would create a problem and they do not recommend that location anymore.

They have another location which is being investigated right now. The location is on the other side of the street of the road and a little bit to the north, just at the end of the Ashley Acres Subdivision. It is a perfectly straight area and there are two entrances already and they are separated by about 400 feet. They can queue approximately 10 trucks with trailers completely off of the asphalt. He said that area would be a much safer place.

Also, TxDot has asked that we consider a prototype facility such as the one done in El Paso. They are waiting for that information, but as soon as they have received that information they will proceed with the project.

Mr. Alvarado questioned if the new location would require additional monies and how soon is TxDot going to provide the information on the prototype facility?

Mr. Roman answered that he thinks that we are still within our \$20,000. He added that in reference to the information from TxDot, he is expecting it today or tomorrow from El Paso.

## X. COMMUNICATIONS

- a. Mary Simmons, IRS Consultant VITA Program, spoke of a free tax assistance program to taxpayers who cannot afford professional services. They are in the middle of a volunteer recruitment program and are recruiting anyone who is interested in helping do tax returns.

She explained that they go through a full training program which starts January 9th, from 8-5 p.m., the training is free by IRS accountant employees, they will help people with basic tax returns, they will help people with non-english speaking abilities, low income, and the elderly. They will offer free electronic filing and will be stationed at the Public Library beginning the first Saturday in February on through the Saturday before April 15th.

She added that they won't guarantee anything, but if everything works right they can assist people to get back their tax refunds in one week.

They need about 60 volunteers but only have 35. The training is for two Saturdays, January 9th and 16th from 8-5 p.m., plus they have a free course book that they will provide. They intend to certify people after they have learned to prepare these tax returns and will have tax assistance at the library from 9-3 every Saturday, in Mercy Hospital tax assistance Monday, Wednesday, and Friday from 7-9 p.m., at the Santo Nino Branch Library, 2200 Zacatecas on Mondays from 3-5 p.m. She concluded by saying that for further information they can call 726-2347.

- b. Cm. Bruni said that in reading the Morning Times on the loudness and the criminal acts happening during the New Year's Eve Celebration, he would like to see that in the next meeting, that staff come up with an ordinance whereby we can have more strict ordinances on fireworks coming into the city.

He also spoke on the lawless criminal acts that were taking place in our corporate city limits of people discharging firearms. He suggested that maybe they can impose a ban on the sale of the ammunition for at least a week prior to New Years because there were thousands of rounds fired during the celebration. He added that many of the rounds went through residences and that we are not even safe in our own homes anymore. Since there is going to be such a huge celebration in the Year 2000 he thinks that we should start now and try to get something in the books that would really tighten the control of fireworks and on the criminal acts of

firing firearms within our corporate city limits.

Mayor Flores said this is an excellent idea and suggested that the issue take some study as to what other cities have done. She added that this is an idea that we need to look at and certainly thinks they need to come up with some recommendations.

Cm. Valdez expressed that what concerns him the most is the fact that the Police Department was only able to make one arrest because they actually witnessed the discharging of the firearms in one occasion. There were several reports that came in, but nothing could be done because they didn't get to witness those. He thinks that they need to put some teeth into the ordinance, do some research, and see what can be done to make sure these things don't happen again. He added that at least people doing these acts suffer some severe consequences such as losing their license for a year, etc. He concluded by saying that there was a fatality in Nuevo Laredo and that someone in Laredo got hurt during this year's celebration, so this is a serious problem.

Cm. Bruni stated that fireworks are a lot of fun but we have to abide by our ordinances and maybe even looking at the possibility, if legally, to have some checkpoints on the highways coming in to the city such that if we see fireworks that are not allowed inside the city limits that they not be allowed to come in the city limits. He wants feedback from staff and other Councilmembers on this issue.

City Manager Pena stated that certainly more enforcement is something we can do and must do. He added that we need to start an educational program this summer before the 4th of July. He suggested that it be started with the July 4th weekend so that people are aware that we are going to confiscate fire crackers/fireworks.

He pointed that we need to increase our enforcement efforts by an educational program. Also, other things that cities are doing are organized fireworks displays block parties where in essence they organize fireworks displays on a small scale, but with the city's support and on an organized safer manner. They can explore the educational program before the end of the year, they will prepare some kind of enforcement program to see how council feels about that, and get council a report on how much was confiscated during the last season.

**XI. CITY COUNCIL PRESENTATION AND DISCUSSION**

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

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

- 1. Confirmation of appointee Ms. Anne Bearden to the Tree Board USA.

Motion confirming of appointee Ms. Anne Bearden to the Tree Board USA.

Moved : Cm. Bruni

Second: Cm. Galo

For: 8

Against: 0

Abstain: 0

- 2. Recognition of the Health Department's Vital Records Office on their Five Star Vital Registration and Excellence Award given by the Texas Department of Health, Bureau of Vital Statistics.

Mayor Flores informed that the Laredo Registrar of Vital Records Office is part of the City of Laredo Health Department. It is one of 33 local registrar offices selected from approximately 600 offices statewide to receive this very prestigious award. The Laredo Registrar of Vital Records Office is one of eight local offices that is ever repeated as winners for two consecutive years.

During the course 1998, the local registrar office registered over 5,400 births, 850 death and issued over 15,000 birth certificates and 4,500 death certificates.

The Vital Records Office Staff received the award and recognition from Mayor Flores and Council's congratulations.

Jerry A. Robinson

Health Department Director and Registrar of Vital Records.

Yael Gomez

Deputy Registrar of Vital Records

Elizabeth Flores

Vital Records Clerk

Alejandra Ramirez

Vital Records Clerk

Rosa Villalobos

Vital Records Clerk

- 3. Approval for publication of the final draft (12-30-98) of the City of Laredo Protocol Handbook. (Cm. Louis H. Bruni

and John C. Galo)

Cm. Galo said that he spoke to the Senator and she said she wants to make it subject to text revisions and corrections that will be done after this approval.

Mayor Flores explained that they have a revised list of technical corrections. She would like the document be approved first and then adopt the protocol handbook with the idea that there maybe some technical changes or revisions as they go along.

Motion to adopt subject to text revisions and corrections that will be done after.

Moved : Cm. Bruni

Second: Cm. Galo

For: 8

Against: 0

Abstain: 0

Mayor Flores said there is one physical change and quoted the following for the public to understand.

"The Protocol Committee has been meeting and we've had several meetings with Dr. Zaffirini to come up with what we have here. When we first started to meet we had two different ideas. We had an idea that we needed a protocol handbook for the City of Laredo and we also had an idea that we needed a procedures handbook for the City of Laredo as far as changes in our agenda and things like that for meetings that we hold, but for your information because we all had the same problems. We were thinking "procedures" in many instances, but we were talking about "protocol". Protocol is defined as the customs, guidelines, and regulation related to formality, presidency, etiquette in official life, and in ceremonies involving governmental officials and their representatives."

She added that the handbook was developed especially for the City of Laredo and it is to ease the burden of all who wonder about proper protocol. Many attend functions and people are sort of scrambling around trying to find out who goes first, who gets introduced first or sometimes the guest speaker is introduced first and then there are people that speak longer than the guest speaker. There are many things that happen and so they decided that in order to respect traditions and offer balance with common sense and popular preferences that

they would at least initiate this protocol handbook.

She pointed that in the City of Laredo although the protocol is different in other places and Washington is dictating differently, in the City of Laredo we are going to call "Honorable" those persons or those elected officials that we have traditionally called honorable and that includes the Councilmembers, the County Judge and others. She added there are some things here that they have deviated from, the general acceptance in other cities. The other physical change is that the order of council seating will change. Right now council is seating according to the council district that they represent. In this handbook they have agreed that we should seat in order of seniority with the Mayor Protemp always seating at the right hand of the Mayor so that in case she has to leave the room the Mayor can hand over the gavel to the Mayor Protemp, therefore it will be easier for the flow of the meeting.

The senior members of the City Council whether previous elections, former elections, or continuous elections will be seating next and they will pick where they will seat. For instance Cm. Galo and Cm. Agredano were both elected at the same time and so then they would draw against who chooses what seat after that.

She said they will try things differently, try them out, and they are willing to do these changes.

In conclusion she said that included in the contract, Dr. Zaffirini is providing 24 copies, they will make copies available to large organizations or non-profits that may benefit from it and they will be sold.

**B. Request by Council member Alfredo Agredano**

1. Confirmation of appointee Mr. Manuel Jordan to the Tree Board USA.

Motion confirming Mr. Manuel Jordan to the Tree Board USA.

Moved : Cm. Bruni

Second: Cm. Galo

For: 8

Against: 0

Abstain: 0

**C. Request by Council member Louis H. Bruni**

1. Status report with possible action on the request from the City of Rio Bravo on the proposed property annexation in the City of Laredo's Extra Territorial Jurisdiction. (Co-sponsored by Cm. Joe A. Guerra and Cm. Mario G. Alvarado)

Cm. Bruni said that the City of Rio Bravo has withdrawn its request to annex 1/2 north. There was a lengthy meeting and staff had good ideas on what should be done in our next meeting with the City of Rio Bravo which will probably be held the first Monday of February. He asked that Mr. Pena brief council on the motion made at that meeting.

Mr. Pena stated that the motion was to consider favorably the annexation (for Rio Bravo to annex) the area east on Highway 83, south of their current boundary, southwest of their boundary as well as the elementary school (Salvador Garcia Middle) immediately north. He added that the rest of the north would not be considered and the annexation would be conditioned on three things:

- (1) That we reach an interlocal agreement to provide fire protection service for the schools within the boundaries of Rio Bravo.
- (2) That we obtain the approval of the owners in the areas just mentioned. That they agree to be annexed.
- (3) That they show the city that they have the authority to annex those areas because there were questions raised by city staff regarding their authority to annex.

Mr. Pena concluded by saying that the three conditions will be presented at the next meeting in February.

Cw. Moreno questioned if UISD will be asked also, since we are asking the landowners.

Mr. Pena answered that they can ask UISD if they agreed also because they are landowners as well.

Cm. Bruni said that since the Metro Government consists of UISD and LISD people that represent them, he asked that they join them in the next meeting and that they be advised of the committee's recommendation.

Cm. Alvarado asked that when the Metro Government

Committees are held, that we advise all of the different entities out there such as the county and school districts, of these meetings and that they send a copy of the agenda so they can elect whether or not they want to have representation at these meetings.

2. Status report with possible action on the motion made February 2, 1998, to authorize the City Manager and the legal staff to write a letter to Continental Airlines expressing concern on the type of equipment in use to service the Laredo-Houston route and voicing our dissatisfaction with their rates but most of all the safety problems that are being experienced with their Embraer EMB-120 as stated on the (NTSB) National Transportation Safety Board Reporter.

Cm. Bruni said that when he made this motion on February 2, 1998 staff did generate a letter and it was sent to Continental except that it was not forwarded to his office and he did not know of any other Councilmember that had received a copy of such letter, so that is the reason he put this item again. He added that he had some discussion a week ago with Mr. Flores who said he had generated a draft for all Councilmembers and for the Mayor to sign.

He expressed that he is still concerned about this equipment and would really like to see that they bring Regional Jets to Laredo. He thinks that by putting them on notice that we are not satisfied with the type of equipment, that maybe we can spur them to bring different types of planes to Laredo.

Jose L. Flores, Airport Director, said they did send that letter in February and they are prepared to send another one. He said there was no response on the first letter to date.

Cm. Bruni asked Council that if it would be in order to finalize the draft letter with the Mayor's concurrence, that the Mayor and the rest of the council sign such letter that way they have been officially put on notice about our concern of the equipment and about the rate.

Mayor Flores asked that they send the letter to her office and they will have it done plus get it distributed to council and see that it gets mailed out.

Cw. Moreno asked that the letter include that it is the second request or second notification sent.

3. Status report on a motion made October 27, 1997, on a proposed recreation center in District II in the immediate area of Spur 400, with possible action.

John Vidaurri, Parks and Recreation Director, stated that there was an initial assessment conducted in that area. The D.D. Hachar Elementary School was actually recommended as the location for a recreation center based on the availability of land at that location. There were some other areas off Spur 400 that were looked at by the Community Development staff. There were some parcels of property that could potentially be used as a park site off of Clark and New York, but these are very small parcels and would not have the square footage to house a full blow recreation center.

Cm. Bruni said his intent was that the children of District I and II enjoy a recreation center and that it be beneficial for both districts. He said that by the way the district is set up in that area, with the railroad actually dividing the area, those are two groups of children that live there, and the recreation center at D.D. Hachar would be beneficial for both districts (District I and District II), but there is a completely different group that would be able to enjoy a recreation center on Spur 400 (the Heights area, east Laredo, the Milton area, and the Ryan area) they could all enjoy the other recreation center and the intent was not to do one, or another, his intent was to do the Hachar area recreation and then find funding for another recreation center in the area around Spur 400.

Cw. Montalvo asked that Cm. Bruni wait until the budget hearings so he can put in the schedule for projects to be done.

Mr. Viduarri said that the Spur 400 recreation center is on the city CIP project for the year 2002. The reason for the initial analysis prioritizing the D.D. Hachar School site is because of the availability of land. He explained that Spur 400 is located between Arkansas and Loop 20, at Clark and New York and they did find that the city owns three lots that can potentially be developed as a park site or for a possible a community center, but would not contained the square footage necessary.

Cm. Bruni said that maybe they can look for donations from the large landowners in that area. He said there are two or three different large landowners in that area.

Mr. Pena wanted clarification on the Spur 400 issue.

Cm. Bruni answered that what he would like to see is that council at least allow staff to talk to some of the landowners in reference to donating some land or maybe getting cost information and then during the budget hearings that the issue be discussed.

Cm. Alvarado said that one of the things he would like to be able to discuss are precisely these type of matters at the budget workshops retreats because there is a 10-year master plan for the Parks Department, we also have the COPS Program, and there are several types of selection projects that are done throughout the city. We need to be aware of being able to keep those time frames that are already in place especially with the CIP plan and the projections that they have for three and five years down the road.

Cm. Bruni said he is aware of the 10-year plan, but that is a plan that can be flexible such as when they had to appropriate monies for the Lafayette Street relocation and the extension of Killam Blvd. they were also flexible so all he wants is to be flexible.

4. Presentation by TXDOT on the possible upgrade to the intersection of Hwy 59 and Country Club Estate.

Mr. Juan Villarreal, TxDot Area Engineer, stated that as far as that specific area is concerned they have a project scheduled for the Year 2000. It will actually widen five lanes all the way a mile pass the loop. This will include reconstructing the bridge at Chacon Creek and it will also include a bridge separator at the loop on 59. So for the Year 2000 all that area is going to be reconstructed.

Cm. Bruni asked if there is anything that can be done in the interim, maybe just put signs up or make a temporary turning lane or widen the area a little.

Mr. Villarreal said he will look at the area, but that probably the only thing that could be done now is re-

stripping and probably eliminating the shoulders.

**D. Request by Council member John C. Galo**

1. Discussion and possible action concerning the replacement of the sidewalk at the Market Street Tennis Courts.

Cm. Galo said that half of the section has been lifted and were are ready for replacement, he does not know who made the decision, but the other half looks just as bad and wants to know if it can all be replaced at the same time.

Mr. Pena said he will look into it.

Mr. Vidaurri said the Projects Committee looked at this issue about two weeks ago and the consensus was to go ahead and for the minimal amount necessary, repair the remainder of the block and go ahead and do the balance of the sidewalk that needs to be done.

2. Discussion and possible action concerning the installation of a protected turn signal at the intersection of Market St. and Meadow Ave.

Mr. Pena said they can conduct a study and get a report for next meeting.

3. Discussion and possible action concerning the installation of a control device at all international bridges to stop vehicles from crossing when in pursuit by a law enforcement agency.

Cm. Galo said these control devices are installed at Customs for people coming into the country for people not to try to run customs. He added it seems like a simple procedure to have those devices at the collection booth and maybe radio ahead that cars are going to run the bridge.

Rafael Garcia, Bridge Manager, said that Customs are the ones that in fact have those sticks to blow out tires, etc. One of his concerns here is certainly the safety factors because you are addressing something on the Customs side the speed bumps for the "speed" and vehicles that are not travelling fast.

What happens on the contrary though is there is a vehicle



Conrado Hein, Finance Director, reported that on the refunding issue that took place in September they were able to gain about \$1 million plus in savings. Simply what they did is took \$40 million of the debt and refinanced it at a cheaper rate which translated to a million dollars in savings to the city. What that will do for us is that we are going to realize our savings in the Year 2000, 2001, and 2002 which is where the bulk of the savings is. The bulk of that is going to our tax supported issues.

He thinks that the water utility will be in about \$400,000 for three years and basically what that tells us is that in the Utilities Department they will have \$400,000 of less debt service for those three years that they can use in operations. They will also have another \$200,000+ on the sewer side. Tax supported side means that they will have those savings which will give us a reduction in the debt service that is supported by taxes. Either that or they can move some dollars from issues that are tax supported or a combination tax supported and revenues where they can give some further relief to some of the functions where they issue combination tax and revenue debt.

He concluded by saying that the bulk of savings will start manifesting themselves on the Year 2000. The savings this year will be very minimal.

2. Recommendation from city staff on the existing problem with ingress and egress at the Broadacre Apartments due to the traffic on McPherson Rd.

Roberto Murillo, Traffic Engineer, reported that the problem in that location is that there is only one lane road in each direction and when that road is widen they should get a lot of relief from that. On the issue of pedestrians walking across the street he knows there is a concern about that and they have said that they should use the traffic light which would be the safest crossing rather than making a crosswalk in front of the place which was the recommendation at that time.

In reference to signage, he does not know what type of signage can be used for helping them get out of there. There is quite a bit of traffic and they expect more traffic with the opening of Mercy Hospital, but the only relief he sees is when the widening of that road takes



Second: Cm. Galo

For: 7

Against: 0

Abstain: 0

2. Confirmation of my appointment of Mr. Alejandro Arreguin to the Cemetery Board.

Motion confirming Mr. Alejandro Arreguin to the Cemetery Board.

Moved : Cm. Agredano

Second: Cm. Galo

For: 7

Against: 0

Abstain: 0

#### **H. Request by Council member Mario G. Alvarado**

1. Confirmation of my appointment of Mr. Jon Radenbaugh to the Tree Board USA.

Motion confirming Mr. John Radenbaugh to the Tree Board USA.

Moved : Cm. Agredano

Second: Cm. Guerra

For: 8

Against: 0

Abstain: 0

2. Confirmation of my appointment of Mr. John Romani to the Cemetery Committee.

Motion appointing Mr. John Romani to the Cemetery Committee.

Moved : Cm. Agredano

Second: Cm. Guerra

For: 8

Against: 0

Abstain: 0

3. Discussion on request by the Camino Colombia principles to change the traffic circulation pattern on Dolores Blvd. from a two lane two way roadway to a two lane one way roadway with possible action.

Mr. C.Y. Benasvides, III, President of Camino Colombia, Inc. presented copies of an exhibit and explained that the exhibit is the existing Dolores Blvd., what exists and was constructed by the Scibienski Family and the Dolores Development. It is currently a piece of concrete pavement and they are looking to turn that into a two lane one-way southbound road.

He added he has visited with city staff (Traffic, Bridge and Legal Staff) and there is no issue on this. He concluded by saying that currently the city controls 500 feet that is in the city limits.

Juan Villarreal, TxDot Area Engineer, stated that as far as this Dolores Blvd. is concerned, it is part of the Camino Toll Road Project. As far as design of the project itself, they are working very close with their consultant and everything presented by them so far has been towards their standards, specifications, and has received their approval. He said his office concurs with this change.

Mr. Benavides explained that what already existed, will stay exactly the way it is, then they are going to build Camino Colombia (the main lanes) just like 35 and then they will build another frontage road so you would have an eastbound frontage road one-way two lanes and then when they connect our southbound lanes to this particular piece of pavement that is now constructed there will be two lanes one-way southbound towards the bridge.

Mr. Pena stated this requires an ordinance, requires public notice, TxDot doesn't see a problem with it, they only need to do some procedural steps to get this done. He asked Mr. Benavides if there is a timeline?

Mr. Benavides answered that there is a timeline, they need to have this preferably before his trip to New York to finalize this deal and this is one of the vital issues that has come up. They understood from legal that there was no problems at all because it is just 500 feet and all the different landowners involved are in the deal and have donated property.

Mayor Flores clarified that if action taken would be only for the 500 feet.

Mr. Benavides answered, that is correct.

Mr. Galo quoted, "and only if and when, when they do finally connect and they need it."

Keith Selman, Planning Director, said that there is one issue that he sees here, what they are doing is ratifying an activity within the public right-of-way and that is something to consider very seriously.



Motion to close the public hearing and introduce.

Moved : Cm. Galo

Second: Cm. Valdez

For: 8

Against:

Abstain: 0

Ordinance Introduction: City Council

99-R-01(S)

SUPPLEMENTAL AGENDA

JANUARY 4, 1999

#### VIII. MOTIONS

Approval of a contract with RMI Consultants, to do a preliminary audit of Central Power and Light's franchise fee payments to the City of Laredo in an amount not to exceed \$10,000.

Ms. Magda Lopez Baker, Area Business Manager for Central Power and Light, was before council to make the presentation. She explained what a franchise is and said that CP&L operates with a franchise ordinance passed in each of its cities which grants them the use of streets, avenues, alleys, and public places for distributing/suppling and conveying/selling electricity. In accordance with these ordinances CP&L pays each of the cities that it serves the gross receipts tax equals the 4% of its gross receipts from the sale of electricity for customers within the corporate city limits. As a result of this agreement CP&L neither loses money nor makes money it is basically just to pass through from your constituents and then relay back to the city. If CP&L is required to pay more to the city it will be required to collect from its customers by increasing rates. The franchise fees audits are now unusual, CP&L performs regular internal audits periodically on its own and partners with city staff if desired of the franchise fee it collects from customers and pays to the city.

She said they will be happy to work with the city to confirm the accuracy of their payments and if the city decides to do that through the consulting firm that is their prerogative.

Cm. Galo wanted to know why we are requiring this audit.

Mr. Dovalina explained that a year ago, the city had asked in a formal letter some financial documents from CP&L. They provided the city with the financial documents and within those financial documents they have the revenue codes assigned to the particular cities (by areas) and within those forms they show how the money is paid and obviously the 4% that they are taking is not on the total money produced out of the areas that are there and that is where some of the disagreement is. It is a continuous contract, that has been altered since 1950 but it is a continuous contract. The contract has basically never expired and doesn't have a statute of limitations because of the fact that it never expired. The definition of gross receipts has changed between the times that the contracts have been extended each time. Those are questions of issue and it is basically good business practice to audit all the franchises that we have not just CP&L. The commission is in the process of recommending that to council, that in the future there be a regular audit of all franchises just to make sure that what is being reported to the city is accurate. The contract has not been extended and is now set to expire in the year 2005.

Cm. Bruni stated he is not in favor of contracts that are in perpetuity and he thinks that we need to evaluate that contract so that it will be more favorable to the City of Laredo and that we get better equipment and to at least get a telephone number where the customers and constituents can call when they have a complaint or a power outage. He said there was a power outage in North Laredo and West Laredo and parts of his area and when they called the toll free 800 number they did not even know that the lights were out and said to call back in Monday which is not acceptable to the City of Laredo.

Ms. Baker stated that they have direct contacts and each one checks their phone mail, there were no messages on their phone mail, they all have pagers, mobile phones, and the media didn't contact them to the increase. They do encourage customers to call their 1-800-274-2611 number because that is the only way they will know if there is an outage. There is an automated process and to where TSR will answer questions or will take the information. She said Cm. Bruni is right, there were multiple outages, there were three to four broken poles, and three to four accidents on New Year's Eve. They did restore power as quickly as they could and have had some other outages in North Laredo. She concluded by saying they get customers back on as fast as they can.

Cm. Galo agreed that we should be auditing all our contracts.

Motion to approve.

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

Against: 0                      Abstain: 0

**XIII. ADJOURNMENT**

Motion to adjourn.

Adjournment time: 7:38 p.m.

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

Against: 0                      Abstain: 0

I hereby certify that the above minutes contained in pages 01 to 32 are true, complete, and correct proceedings of the City Council Meeting held on the 4th day of January, 1999. A certified copy is on file at the City Secretary's Office.

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

Minutes approved on: February 16, 1999