

ORDINANCE NO. 2025-O-

AN ORDINANCE OF THE CITY OF LAREDO, TEXAS, AUTHORIZING THE CITY MANGER TO AMEND THE CITY OF LAREDO FY2025 CAPITAL IMPROVEMENT FUND TO ACCEPT AND APPROPRIATE REVENUES IN THE AMOUNT OF \$8,500,000.00 FOR THE STATE INFRASTRUCTURE BANK LOAN AGREEMENT FOR THE WEST LAREDO MULTIMODEL TRADE CORRIDOR- PHASE II AND PHASE III. FUNDING WILL BE ALLOCATED IN THE CAPITAL IMPROVEMENT FUND. PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the State Infrastructure Bank, operated by the Texas Department of Transportation, is a revolving loan fund; and

WHEREAS, on August 5th, 2024, the City Council (the “City Council”) of the City of Laredo (the “City”) approved Resolution No. 2024-R-256, which authorized the City Manager to execute and submit an application for financial assistance (the “Application”) from the State Infrastructure Bank in the amount of \$8,500,000.00, for the following purposes: (i) three million seven hundred thousand dollars and zero cents (\$3,700,000.00) as the City’s responsibility for all non- federal or non-state participation costs associated with the West Laredo Multimodal Trade Corridor – Phase II (Flecha/Las Cruces Realignment Project) – Advanced Funding Agreement (CSJ 0922-33-076) including any overruns in excess of the approved local project budget, and (ii) four million eight hundred thousand dollars and zero cents (\$4,800,000.00) as City’s responsibility for all non- federal or non-state participation costs associated with the West Laredo Multimodal Trade Corridor – Phase III (Calton Grade Separation Project) – Advanced Funding Agreement (CSJ 0922-33-093) including any overruns in excess of the approved local project budget (the “Projects”); and

;

WHEREAS, WHEREAS, the Application attached as an exhibit to Resolution 2024-R-256 included “Certificate of Obligation” as the type of issuance, and stated the following as the City’s legal authority to incur the proposed debt and the City’s proposed pledge of source of repayment: *“The proposed debt (Certificates of Obligation) is to be issued by the City pursuant to the Home Rule Charter of the City, the Constitution and general laws of the State of Texas, including particularly Subchapter C of Chapter 271, Texas Local Government Code, as amended, Subchapter B of Chapter 367, Transportation Code, and an ordinance to be adopted by the City Council at a future date. The proposed debt will be payable as to principal and interest from a combination of (i) an ad valorem tax levied annually, within the limits prescribed by law, against all taxable property in the City and (ii) a pledge of limited surplus revenues of the City’s International Toll Bridge System, to be provided in the future ordinance.”*; and

WHEREAS, the City now finds it in the best interest of the City to authorize the City Manager to revise and amend such application, to request that the type of issuance be a “Direct Loan” under Section 222.0745 of the Texas Transportation Code, as amended, and to state the following as the City’s legal authority to incur the proposed debt and the City’s proposed pledge of source of repayment: *“Section 222.0745 of the*

Texas Transportation Code, the City's Home Rule Charter, and an Ordinance to be approved by City Council. The proposed debt will be payable as to principal and interest from an ad valorem tax levied annually, within the limits prescribed by law, against all taxable property in the City.”; and

WHEREAS, the City further finds it in the best interest of the City to authorize the City Manager to negotiate and execute any State Infrastructure Bank Loan Agreement resulting from such the Application, as amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO, TEXAS THAT:

Section 1. The City Council hereby authorizes the amending of the FY2025 Capital Improvement Fund.

Section 2. This ordinance shall be cumulative of all provisions of ordinances of the City of Laredo, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 3. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 4. This Ordinance shall become effective immediately upon passage.

**PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS
_____DAY OF _____2025.**

DR. VICTOR D. TREVINO
MAYOR

ATTESTED:

MARIO MALDONADO, JR.

CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY

DOANH “ZONE” T. NGUYEN
CITY ATTORNEY