

**CITY OF LAREDO
CITY COUNCIL MEETING**

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

MINUTES

M-96-R-07

MARCH 18, 1996

I. CALL TO ORDER

With a quorum present Mayor Saul N. Ramirez, Jr. called the meeting to order.

II. PLEDGE OF ALLEGIANCE

Mayor Saul N. Ramirez, Jr. led in the Pledge of Allegiance.

III. ROLL CALL

IN ATTENDANCE:

SAUL N. RAMIREZ, JR.,	MAYOR	
JOSE R. PEREZ, JR.,	COUNCILMEMBER,	DISTRICT I
LOUIS H. BRUNI,	"	DISTRICT II
ALFONSO I. "PONCHO" CASSO,	"	DISTRICT III
BLAS CASTANEDA,	"	DISTRICT V
JOE A. GUERRA,	"	DISTRICT VI
JOSE GERARDO (JERRY) PEREZ,	"	DISTRICT VII
FELIPE CARDENAS,	"	DISTRICT VIII
GUSTAVO GUEVARA, JR.,	CITY SECRETARY	
PETER H. VARGAS,	CITY MANAGER	
CARLOS R. VILLARREAL,	ASST. CITY MANAGER	
JESUS NAVA,	ASST. CITY MANAGER	
FAUSTO SOSA,	CITY ATTORNEY	

ABSENCES:

Cw. Cecilia May Moreno, District IV

IV. APPROVAL OF MINUTES

2. City Council Meeting of March 4, 1996

Motion to approve.

Moved : Cm. Bruni

Second: Cm. Cardenas

For: 5

Against: 0

Abstain: 0

(Cm. Casso, Cw. Moreno and Cm. Castañeda were not present.)

Motion to dispense with the regular order of business and move up items C-(4), F-(1), and F-(2) for discussion and consideration at this time.

Moved : Cm. Bruni

Second: Cm. Cardenas

For: 5

Against: 0

Abstain: 0

Cm. Casso came in at 5:40 p.m. and Cm. Castañeda at 6:00 p.m.

V. INTRODUCTORY ORDINANCES

3. Authorizing the City Manager to execute a lease with Wholesale Shoes of Laredo, Ltd., for approximately 8,466 square feet constituting Building #464 located at 1705 E. Hillside Road, for the purpose of warehousing and Foreign Trade Zone Operations.

Ordinance Introduction: City Council

4. Authorizing the City Manager to execute a lease with the State of Texas' General Services Commission on behalf of the Texas Department of Health, Public Health Region 11, for 2,268 square feet of office space at the City of Laredo Health Complex located at 2600 Cedar St. The term of the will be from March 6, 1996 through August 31, 1997, at no rental cost. The lessee shall pay a sum in the amount of \$626.87 per month for electricity and custodial services.

Ordinance Introduction: City Council

5. Ordering and proclaiming a general election to be held on Saturday, May 4, 1996, designating polling places, designating the run-off date, and providing for publication.

Ordinance Introduction: City Council

6. Closing as public easements those sections of:
 - A. The 55.56 feet of Ross Street right-of-way described as containing approximately 956 square feet and extending 17.19 feet west from its most eastern boundary line identified as the original east City limits.
 - B. The 55.56 feet of Barrios Street right-of-way described as containing approximately 1,510 square feet and extending 27.19 feet west from its most eastern boundary line identified as the original east City limits.
 - C. The 55.56 feet of Boulanger Street right-of-way described as containing approximately 1,510 square feet and extending 27.19 feet west from its most eastern boundary line identified as the original east City limits situated in the Eastern Division, City of Laredo, Webb County, Texas and providing for an effective date.

Ordinance Introduction: City Council

VI. FINAL READINGS

Motion to waive the final reading of ordinance(s) #96-O-033, #96-O-034, #96-O-35, and #96-O-036.

Moved : Cm. G. Perez

Second: Cm. Cardenas

For: 7

Against: 0

Abstain: 0

7. 96-O-033 Street Improvements Project 58-I; declaring the necessity for and ordering the paving and improvements of certain streets in the City of Laredo, Texas; approving the street paving assessment roll and cost estimates as prepared by the City Engineer; and directing the City Secretary to file this Ordinance with the County Clerk as a notice of its enactment and ordering and setting a public hearing on the 15th day of April 1996. (Unanimous City Council)

Motion approving street improvements Project 58-I; declaring the necessity for and ordering the paving and improvements of certain streets in the City of Laredo, Texas; approving the street paving assessment roll and cost estimates as prepared by the City Engineer; and directing the City Secretary to file this Ordinance with the County Clerk as a notice of its enactment and ordering and setting a public hearing on the 15th day of April 1996.

Moved : Cm. Perez

Second: Cm. G. Perez

For: 7

Against: 0

Abstain 0

8. 96-O-034 Approval of a contract for fiscal year 1996-1997 with the Texas Department of Health and budget in the amount of \$72,153 for the HIV/AIDS Counseling, Testing, Referral and Partner Elicitation/ Notification (CTRPE) Project of the City of Laredo Health Department for the period beginning January 1, 1996, through December 31, 1996; and increase Revenue Line Item No. 226-0000-323-4043 from \$0 to \$72,153.00, and Expenditure Line Item No. 226-6035 from \$0 to \$72,153.00. (Unanimous City Council)

Motion to approve a contract for fiscal year 1996-1997 with the Texas Department of Health and budget in the amount of \$72,153 for the HIV/AIDS Counseling, Testing, Referral and Partner Elicitation/ Notification (CTRPE) Project of the

City of Laredo Health Department for the period beginning January 1, 1996, through December 31, 1996; and increase Revenue Line Item No. 226-0000-323-4043 from \$0 to \$72,153.00, and Expenditure Line Item No. 226-6035 from \$0 to \$72,153.00.

Moved : Cm. Perez
Second: Cm. G. Perez
For: 7 Against: 0 Abstain: 0

9. 96-0-035 Approval of an amendment to the budget in the amount of \$18,656 for the Comprehensive Public Health Services Programming of the City of Laredo Health Department for the period beginning September 1, 1995, through August 31, 1996; and increasing Revenue Line Item No. 226-0000-232-4033 from \$309,324.00, to \$327,980.00, and increasing Expenditure Line Item No. 226-6021 from \$309,324.00, to \$327,980.00.
(Unanimous City Council)

Motion to approve an amendment to the budget in the amount of \$18,656 for the Comprehensive Public Health Services Programming of the City of Laredo Health Department for the period beginning September 1, 1995, through August 31, 1996; and increasing Revenue Line Item No. 226-0000-232-4033 from \$309,324.00, to \$327,980.00, and increasing Expenditure Line Item No. 226-6021 from \$309,324.00, to \$327,980.00.

Moved : Cm. Perez
Second: Cm. G. Perez
For: 7 Against: 0 Abstain: 0

10. 96-0-036 Approval of an ordinance authorizing the issuance of City of Laredo, General Obligation Refunding Bonds, Series 1996 authorizing the execution of a purchase contract, approving an official statement and the execution of an escrow agreement.
(Unanimous City Council)

Motion to table this item for the next meeting.

Moved : Cm. G. Perez
Second: Cm. Castaneda
For: 7 Against: 0 Abstain: 0

Mr. Robert Estrada of Estrada Hinojosa & Company the Financial Advisor for the City of Laredo and Mr. Peter Tart the Bond Consul with the firm of McCall Parkers stated that they were looking at the market and explained that the market rates that they would get by going in and selling those bonds

last week would not justify the level of savings that they had anticipated. He added that the present value of savings is below level 3% it is about 2.89% that only yields about \$780,000.00 savings. He thinks that at a minimum we should be looking at a 3% for the savings.

Motion to reconsider this item for discussion and for action.

Moved : Cm. Castañeda
 Second: Cm. G. Perez
 For: 7 Against: 0 Abstain: 0

Motion to set a minimum of 3% as the level of which the market must be before we do any transactions to create the financial savings that we have, as a result of this refunding.

Moved : Cm. G. Perez
 Second: Cm. Bruni
 For: 7 Against: 0 Abstain: 0

Motion to table the item for the next Regular Council Meeting.

Moved : Cm. G. Perez
 Second: Cm. Castañeda
 For: 7 Against: 0 Abstain: 0

VII. RESOLUTIONS

11. 96-R-029 Resolving that the City Manager may execute a Subordination, Non-Disturbance and Attornment Agreement between the City of Laredo, as Lessor, Aero Center, Inc., as Lessor, and Euroamerica Credit Corporation, as Lender, for the purpose of securing a loan to refinance existing notes on two (2) hangars constructed by Aero Center, Inc., install a fuel storage system at the airport, construct an addition to the Border Patrol hangar, and for certain furniture, fixtures, and equipment.

Motion resolving that the City Manager may execute a Subordination, Non-Disturbance and Attornment Agreement between the City of Laredo, as Lessor, Aero Center, Inc., as Lessor, and Euroamerica Credit Corporation, as Lender, for the purpose of securing a loan to refinance existing notes on two (2) hangars constructed by Aero Center, Inc., install a fuel storage system at the airport, construct an addition to the Border Patrol hangar, and for certain furniture, fixtures, and equipment.

Moved : Cm. G. Perez
 Second: Cm. Cardenas
 For: 7 Against: 0 Abstain: 0

12. 96-R-030 Authorizing the City manager to submit a grant application to the Texas Water Development Board for the Economically Distressed Areas Program (Colonias) for an amount not to exceed \$159,000.00, to carry-out the City's Facility Plan Project, of which 75% or \$119,250.00, will be in the form of a grant from the Texas water Development Board and 25% or \$39,750.00, will be provided by the County of Webb as a local match.

Motion authorizing the City Manager to submit a grant application to the Texas Water Development Board for the Economically Distressed Areas Program (Colonias) for an amount not to exceed \$159,000.00, to carry-out the City's Facility Plan Project, of which 75% or \$119,250.00, will be in the form of a grant from the Texas water Development Board and 25% or \$39,750.00, will be provided by the County of Webb as a local match.

Moved : Cm. Bruni
 Second: Cm. Castaneda
 For: 7 Against: 0 Abstain: 0

VIII. MOTIONS

13. Award of a contract to the Low Bidder, Gateway Uniform Service, Laredo, Texas, in the estimated amount of \$33,997.30, for providing uniforms for the Bridge System and Traffic Safety personnel.

Motion to award a contract to the Low Bidder, Gateway Uniform Service, Laredo, Texas, in the estimated amount of \$33,997.30, for providing uniforms for the Bridge System and Traffic Safety personnel.

Moved : Cm. G. Perez
 Second: Cm. Cardenas
 For: 7 Against: 0 Abstain: 0

14. Award of contract to Low Bidder, Hydro Conduit, San Antonio, Texas, in the amount of \$63,435.44, for the purchase of reinforced concrete pipe, as required for the McPherson Road Drainage Improvements (Del Mar Blvd. - Country Club Dr.).

Motion to award a contract to Low Bidder, Hydro Conduit, San Antonio, Texas, in the amount of \$63,435.44, for the purchase of reinforced concrete pipe, as required for the

McPherson Road Drainage Improvements (Del Mar Blvd. - Country Club Dr.).

Moved : Cm. G. Perez
Second: Cm. Cardenas
For: 7

Against: 0 Abstain: 0

15. Approval of change order no. 3, a decrease of \$15,494.85, acceptance of the Tinaja Creek Drainage Improvements Phase II and approval of final payment in the amount of \$75,447.40 to Ramex Construction Company, Houston, Texas.

Motion to approve change order no. 3, a decrease of \$15,494.85, acceptance of the Tinaja Creek Drainage Improvements Phase II and approval of final payment in the amount of \$75,447.40 to Ramex Construction Company, Houston, Texas.

Moved : Cm. G. Perez
Second: Cm. Cardenas
For: 7

Against: 0 Abstain: 0

16. Approval of amendment no. 1 for a decrease of \$33,111.00 to delete the testing services from the engineering contract with Raba Kistner Consultants, Inc., Laredo, Texas, to provide Construction Quality Assurance (CQA) Services for the Type IV Landfill at the City of Laredo Landfill located at State Highway 359.

Motion to approve amendment no. 1 for a decrease of \$33,111.00 to delete the testing services from the engineering contract with Raba Kistner Consultants, Inc., Laredo, Texas, to provide Construction Quality Assurance (CQA) Services for the Type IV Landfill at the City of Laredo Landfill located at State Highway 359.

Moved : Cm. G. Perez
Second: Cm. Cardenas
For: 7

Against: 0 Abstain: 0

17. Award of an engineering contract for an amount not to exceed \$72,449.00, to Raba Kistner Consultants, Inc., Laredo, Texas, teamed with Mejia Engineering Company, Laredo, Texas, to design, provide surveys and prepare plans and specifications for the City of Laredo Type IV Landfill located at State Highway 359.

Motion to award an engineering contract for an amount not to exceed \$72,449.00, to Raba Kistner Consultants, Inc., Laredo, Texas, teamed with Mejia Engineering Company, Laredo, Texas, to design, provide surveys and prepare plans and specifications for the City of Laredo Type IV Landfill located at State Highway 359.

Moved : Cm. G. Perez
Second: Cm. Cardenas
For: 7

Against: 0 Abstain: 0

- 18. Approval of change order no. 3, an increase of \$12,840.00 to the construction contract with Pete Gallegos Paving, Inc., Laredo, Texas, for additional drainage improvements to the Bond Street Paving Assessment Project 53 (54.5 Blocks) in the South Laredo Area.

Motion to approve change order no. 3, an increase of \$12,840.00 to the construction contract with Pete Gallegos Paving, Inc., Laredo, Texas, for additional drainage improvements to the Bond Street Paving Assessment Project 53 (54.5 Blocks) in the South Laredo Area.

Moved : Cm. G. Perez
Second: Cm. Cardenas
For: 7

Against: 0 Abstain: 0

- 19. Consideration and action regarding adoption of a Managed Care Plan offered by the Texas Municipal League (TML) effective May 1, 1996 and authorizing the development of a Wellness Program.

Motion to adopt a Managed Care Plan offered by the Texas Municipal League (TML) effective May 1, 1996 and authorizing the development of a Wellness Program.

Moved : Cm. G. Perez
Second: Cm. Cardenas
For: 7

Against: 0 Abstain: 0

IX. CITY MANAGER'S REPORT

- 20. Authorizing the City Manager to sell five (5) surplus vehicles to our Sister City, Cienega de Flores, N.L., Mexico, for a total of \$3,450.00.

The vehicles consisted of:

- a. 1977 Case Backhoe Tractor \$ 500.00
- b. 1980 Case Backhoe Tractor 500.00
- c. 1989 Chevrolet Pick-up Truck 500.00
- d. 1989 GMC Pothole Patcher 1,500.00
- e. 1993 Ford Crown Victoria 450.00

Motion authorizing the City Manager to sell five (5) surplus vehicles to our Sister City, Cienega de Flores, N.L., Mexico, for a total of \$3,450.00.

Moved : Cm. Castaneda
Second: Cm. Guerra
For: 7

Against: 0 Abstain: 0

X. COMMUNICATIONS

- a. Request from officer Candelario Viera for an extension of paid injury leave.

Sgt. Candelario Viera explained why he was requesting an extension of injury leave.

Florencio Peña, Administrative Services Director, reported to council that Mr. Viera had an injury on March of 1992 and he has been on injury with pay for 333 days as of this day. Police and Firefighters fall under different regulations and civil service provides that if an officer or a firefighter is injured that the first year he must get paid injury leave with pay and he has received that, if he goes beyond one year then he has to ask the City Council or the governing body for an extension and he can get an extension up to one year. He concluded by saying that Mr. Viera is apparently going to have some surgery in the middle of April.

Motion to extend Mr. Viera's leave for a full year, subject to being released by the doctor before the year's term.

(Mayor stated that if we get a doctor's release prior to that year, the benefits stop for his injury leave and he can come back to work).

Moved : Cm. Perez
Second: Cm. Bruni
For: 7

Against: 0 Abstain: 0

XI. CITY COUNCIL DISCUSSION AND PRESENTATION

21. Request by Mayor and City Councilmembers for discussion and presentation.

A. Requests by Mayor Saul N. Ramirez, Jr.

1. Discussion and possible action concerning the use of Hotel/Motel Reserve Fund monies for the erection of a natural action sculpture for the new Laredo International Airport Terminal.

Mayor Ramirez went over the location placement of the sculptures and the first part of the overall development that would take place. He stated that the work plan that was submitted was detailed in the proposal. The plan they are proposing is that they do one section first, the campfire site that was detailed in the estimate, east of the terminal entrance. The first part of the development would be what would be finished when they inaugurate the facility.

He stated there is approximately \$100,000.00 of matching money, and \$100,000.00 of federal money within the project that is already going into landscaping for this area, so the request that was made earlier is half of \$100,000.00 coming from Hotel/Motel. He asked that the City Council proceed so that by August we can have the campfire site. The wildlife trail would be the second phase and they will go out and look for funding from the private sector.

Mr. Anthony Pena stated that we should take a few more steps in formulating a concept to this project and suggested that this project be expanded in an ad hoc committee manner.

Mr. Jerry Castillo stated that this is needed in a progressive step and that art in public places serves many functions, it provides tangible evidence of a city striving to improve its community and surroundings. He said that funding for the arts is being threatened at all levels and it is getting even harder for artists to get funds to realize their projects and the only way we can start do something about it is through the local level from private or public sources. He added that they should start a specific fund for the future in case this fund is threatened by people who oppose it.

Motion to break the project down into two phases, the first phase being the Friendship Campfire Scene and landscaping and the second being the Texas Wildlife Walk (the second phase not being subject to any funding this evening), but to instruct staff to proceed so that they can come up with a funding plan for the project for the first phase of this project and that Mayor Ramirez be authorized to name an Ad Hoc Committee to move ahead with the bigger picture.

Moved : Cm. G. Perez
Second: Cm. Cardenas
For: 7

Against: 0 Abstain: 0

B. Requests by Councilmember Jose R. Perez, Jr.

1. Discussion and possible action concerning changing the current City policy which provides for an annual performance evaluation on an employees anniversary date to a system which evaluates an employee at the end of the fiscal year or at a set time during the fiscal year.

Mr. Vargas, City Manager, stated that he would like to come back with a written report with the pros and cons within a period of six weeks.

C. Requests by Councilmember Louis H. Bruni

1. Discussion and possible action on Supervisory Control and

Data Acquisition (SCADA) and Variable Frequency Drive (VFD) booster station improvements to the following industrial parks

- a. UNITEC Stations H (Hurd) and T (UNITEC Park)
 - b. Pinto Valle 1 (Dolores) & 2 (Pinto Valle)
- as specified in the plans of Turner, Collie and Braden. These improvements will be made by the owner or developer at the time of platting any new subdivisions in the above mentioned parks.

Cm. Bruni stated that this item was co-sponsored by Mayor Ramirez and Cm. Joe Perez. They were requesting that the city endorse the recommendations that were presented at the Ad Hoc Water Committee Meeting of March 14th.

Charlie Borchers, representing Dolores Pinto Valle Joint Venture and Attorney Julio Garcia who represents Royal Joint Venture, appeared before the council stating the developers' position on this issue. He stated that it is his understanding that everybody's position here is not necessarily one that is opposed to the SCADA and the VFD booster station improvements, the problem is that the city or Mr. Bruni and the people who are sponsoring this motion are tempting to alter a contract that is already in existence and forcing this obligations on Royal Joint Venture and the Pinto Valle Joint Venture. He quoted that they have negotiated and worked something out, "but just because you are the city or a governing body and you are one side of the contract, it doesn't mean that they can unilaterally change it."

Fausto Sosa, City Attorney, stated that the concern that has generated is just how do we implement what needs to be done. He said he needs to look at the contract to see how it is that we can force the developers to make these improvements.

*Note: Cm. Bruni stated he wants a verbatim of this discussion. He stated for the record that Mr. Borchers said, "that there was certain illegal water sales by me or a company that I'm involved in illegal water sales, that's what he said." Cm. Bruni wanted to set the record straight and added that the same people that own UNITEC Industrial Park own 90% of all the colonias down Highway 359 and his mother has seen fit to provide water to all the colonias on Hwy. 359 free of charge and added that he should do his homework before he accuses him and his family of selling water in the colonias.

*Note: Verbatim of discussion included as "Exhibit A"

Motion to endorse the recommendations presented to the Water Ad Hoc Committee by Turner, Collie and Braden and deleting the following "These improvements will be made by the owner or developer at the time of platting any new subdivisions in

the above mentioned parks."

Moved : Cm. Bruni

Second: Cm. Guerra

For: 7

Against: 0

Abstain: 0

2. Report on enforcement on Ordinance #95-0-107 which prohibits tractors/trailers from parking in residentially zoned areas. (This item is co-sponsored by Cm. Jerry Perez)

Chief Martinez stated that they have given some citations pertaining to this particular ordinance, however they have had some problems due to the language of the ordinance. He stated that the ordinance does not specify as to writing a citation to corporations. Ms. Ginger Reinert from the legal staff wrote an opinion on this particular ordinance and recommends some changes on the language.

Cm. Bruni wants to make sure that all the police officers are knowledgeable of the ordinance and that when they do see a violation, that they immediately act on it and also on 18-wheelers that are traveling on residential areas.

Cm. G. Perez wants more enforcement on Ordinance #95-0-107 which prohibits tractor/trailers from parking in residentially zoned areas.

3. Status report on the development of an Ordinance prohibiting persons from riding in the back of an open bed pick-up truck.

Mayor Ramirez suggested that a committee be formed to research the state legislation on the matter, and to see if we can include this into the legislation in Austin and amend to state incorporated areas. He named Mr. Dan Ramirez to head the committee.

Motion to instruct staff to draft a resolution so that we can ask our state people to help us with this problems and that it be presented at our next regular council meeting.

Moved : Cm. Bruni

Second: Cm. Casso

For: 7

Against: 0

Abstain: 0

4. Status report on Casa Verde acres.

Peter Vargas, City Manager, stated that a status report was provided. They had a meeting with the neighborhood residents, the Utilities Department, and the Planning Department and they have outlined what requirements would be in order to get an extension of water service in the area. In the report they have also indicated that they are working with the EDAP program. They identified several areas where

they might be able to get money. They have contacted the Rural Economic and Community Development Office, the Texas Department of Housing and Community Affairs, Texas Department Water Development Board, and South Texas Development Council plus the Webb County Offices to request funding for a project of this nature. They feel that the EDAP Program is the one that perhaps would be the best choice and they have requested an application packet from them in order to make an application. As soon as the packet comes in, staff will fill it out, contact the individuals there for any information needed about the owners of the property and forward that application to the council to approve and submit to the Water Development Board.

Keith Selman of the Planning Department stated this area was annexed in 1991 and it was an involuntary annexation.

Mr. Marco Garcia, representing Casa Verde residents, turned in a signed petition representing 51% of the residents in the area requesting city water services.

Mr. Luis Murillo a stated that his greatest concern besides utilities is the entrance to that road. They only way they can enter is through the loop and the way the loop angles with the existing road poses a hazard.

Mr. Hector Elizondo owner of acreage on Casa Verde Road stated they have been paying taxes for almost five years and still do not have water.

Mr. Javier Elizondo wanted to know if the city is in violation, if after three years the city doesn't provide services such as sewer and water.

Peter Vargas, City Manager, explained that it is up to the individual property owners to extend the water lines in order to provide that service. If the line has not been extended, obviously the city cannot provide that service.

Mayor Ramirez explained that with the exception of grant funded projects which they have gotten from state or federal sources to pay for some of the water lines, sewer lines or extensions, barring that then it is the ordinance that requires the developer to pay for the expense to get the water out there or whoever is going to be the one to receive the service.

Mr. Vargas stated that they still have not defined the project.

Mayor Ramirez stated he wants to pursue the line of whether this involuntary annexation has not met its obligations under the required services to be provided and if we have met all our obligations. These people will understand that

they need to participate to get water out there.

Motion to table the item for council meeting of April 1st for Service Plan presentation by staff.

Moved : Cm. G. Perez

Second: Cm. Cardenas

For: 6

Against: 0

Abstain: 0

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

5. Status report on the travel trailers at Bartlett Avenue and Lyon Street.

Mr. Vargas stated that staff has attempted to contact all those individuals. They determined that there were eight (8) families that live out there, seven (7) people have been contacted and they have tried to make a determination as to their eligibility in alternate housing. They are working with those individuals to try to find alternate housing for them in housing where they can qualify. They are working with the Laredo Affordable Housing and the City of Laredo Municipal Housing Authority in order to try to identify alternate housing for these individuals. They can bring a more detailed report in two weeks as to which programs they have tried to entered them into, relocate them, and what the status is at that point and time.

(Cm. Joe Guerra left the meeting at 7:15 p.m.)

6. Appointing Louis LaVaude to the Citizens Advisory Water Committee. (Co-sponsored by Mayor Saul N. Ramirez, Jr., & Councilmember Jose R. Perez, Jr.)

Motion appointing Louis LaVaude to the Citizens Advisory Water Committee.

Moved : Cm. G. Perez

Second: Cm. Cardenas

For: 4

Against: 0

Abstain: 0

(Mayor Ramirez voted in favor as Councilmembers Guerra, Casso, and Castaneda were not present to vote.)

7. Presentation by Rolando Herrera concerning economic development matters.

Mr. Roland Herrera, representing the Labor Organizations, stated that he was concerned with the rate of unemployment in Laredo and wanted to address the following:

1. Is there an aggressive plan for economic development by the City of Laredo?
2. Are there plans to assist the downtown district?
3. Is there effective and ongoing cooperation with other local entities to address this problem?

4. In view of the fact that the Colombia Toll Road will become a reality are there negative economic repercussions to our city in sight?
5. What is the role of the Laredo Development Foundation and is it following an aggressive plan to bring jobs to our city?
6. Is there a program in place to assist the small contractors of our city in jobs undertaken by our city government?
7. The City of San Antonio has a one-stop economic development center by which small businesses are assisted. Can something similar be developed in our city to help in business start-ups (loans) and provide technical assistance to those already in existence?
8. The City of San Antonio has an alliance for economic development whereby the major governmental bodies and other economic development groups have joined together for the overall development of attracting business/industry to the city. Can this city study their plan or any other model from a major city and develop one that will pursue industry, tourism, recreation, and any other form of job creating venture.

Mayor Ramirez, Mr. Vargas, and staff explained the various and answered each one of the above questions.

Motion to incorporate a new category within our Economic Advisory Council to include a labor representative whether it be AFL-CIO or any other union representative that we have, that would be decided by council, but be appointed to this Economic Advisory Council, and also that the category be added to the bi-national.

Moved : Cm. Guerra

Second: Cm. Cardenas

For: 6

Against: 0

Abstain: 0

(Cm. Guerra had already left the meeting.)

*Note: At this time Cm. Bruni stated for the record that he wants to comment on item 21.C(1) to set the record straight.

D. Requests by Councilmember Alfonso I. "Poncho" Casso

1. Discussion and possible action regarding the installation of a computer system in city council chambers to enable the City Council to view the agenda via computer.

Cm. Casso wanted staff to look into what San Antonio had because he felt that there could be other means to provide the necessary agenda items, council communications, and the other materials furnished in the agenda book.

Gustavo Guevara, City Secretary, replied that the City of San Antonio uses the access channel to scroll the agenda items on monitors in front of the Councilmembers and that they are not computerized.

2. Discussion and possible action regarding the passage of a resolution to convince the Webb County Appraisal Board to lower property values due to the economic slowdown.

Cm. Casso stated that he does not think it is a good idea for governments to try to convince the Webb County Appraisal Board to reduce property values. He wants staff to see what can we do to reduce the tax rate and that we should not try to mettle with property values. He asked that staff see what can we do to reduce tax rate for the next budget, he asked for an analysis to see if it is feasible or not.

Carlos Villarreal, Assistant City Manager, replied that the answer is yes.

3. Discussion and possible action regarding the promotional budget of the City.

Cm. Casso stated that he wants to use some money to mail reports to their constituents.

Mr. Vargas replied that he will bring costs back to council.

4. Discussion and possible action regarding the curb and gutter for the 1900 Block of Piedra China.

Rogelio Rivera, City Engineer, stated that this block is scheduled in project 59 now being designed and plans should be ready within 30-45 days.

5. Discussion and possible action regarding the internet.

Cm. Casso wanted to know how much it's costing and who is doing the updating of information to the Web.

Mr. Vargas stated that the Economic Development Center is doing the updating.

Mrs. Laura Mora stated that the cost for the Web Page is \$400 + \$50 monthly fee.

6. Discussion and possible action regarding the use of wood shingles.

Cm. Casso stated that he already has his answer.

E. Requests by Councilmember Cecilia Moreno

1. Discussion and possible action on a request for a study to upgrade the 4-way stop at the corner of Lyon and Monterrey to a traffic light.

Motion to table.

Moved : Cm. Perez

Second: Cm. Guerra

For: 7

Against: 0

Abstain: 0

2. Discussion and possible action for a request to have placed on the 1996-1997 CIP for consideration during the budget hearing a neighborhood park at the Ochoa Elementary campus to include a play module, a basketball court, and a roller blade sidewalk as well as a maintenance agreement with the school district.

Motion to table.

Moved : Cm. Perez

Second: Cm. Guerra

For: 7

Against: 0

Abstain: 0

F. Requests by Councilmember Joe Guerra

1. Discussion and possible action concerning the development of a police sub-station to be located at Mall Del Norte.

Mrs. Leticia Palacios, Mall del Norte General Manager, stated that the ownership and management of Mall Del Norte was offering a space at this shopping center to house a combined Police Department and Sheriff's sub-station at no expense to the City of Laredo or the County of Webb. The mall owners will pay for construction, they will also purchase all the fixtures, equipment and everything that is necessary. She will proceed with the drafting of the necessary documents.

2. Request by Mrs. Marcia Jovel concerning police matters.

Mrs. Jovel, president of United for Education, read a prepared letter for the record regarding the handling of open records request of Police Chief J.L. Martinez with several questions asked of the Chief.

Mr. Vargas replied that he will follow up on the particulars of the letter presented by her and will respond in writing to Ms. Jovel and to the City Council.

G. Requests by Councilmember Felipe Cardenas

1. Discussion and possible concerning the City's utility cut-

off policy.

Cm. Cardenas wanted to know the procedures and the criteria used to cut the utilities.

Mr. Vargas stated that the criteria is that 45 days after the final notice utilities are cut. He explained that they get their first notice, then a second notice, then a delinquent notice and 45 days after that, that's when they put the order in for disconnection if the customer has not paid, which by then they are almost delinquent three months. This procedure is done for both commercial and residential.

Phyllis Colon, Tax Assessor/Collector, reported there a number of programs to increase collections, they do try to be very careful about residential properties. They have coded senior citizen accounts, they also code all the accounts where people are having help such as through catholic charities or the county helping them pay their bills. She added that in some areas they are being aggressive, for instance, with those people who hookup direct. They go in and disconnect immediately, these are people that are not paying at all because they have not signed up. They are disconnecting people who are tapping directly into the accounts or to the water lines and there is a substantial fine. They are running about 95% in total collections. She continued explaining the automatic deduction accounts, the re-connection fees, and the billing process. She explained that first you bill, 15 days later the bill is due, then you bill for the next month and then there is a cutoff notice 45 days, then its 15-20 days before the people to go out and it if it is close to 20 they have already gotten a third month bill and it does say in the bottom "delinquent".

Cm. Joe Guerra returned to the meeting at 8:00 p.m.

XII. PUBLIC HEARINGS

22. Public hearing on establishing Section 24.73 of the Laredo Land Development Code relating to oil & gas extraction and production requirements; amending provisions relating to permits for drilling, re-entry, or recompletion of oil and gas wells; amending provisions relating to notice to adjacent property owners; rescinding Chapter 22 of the Code of Ordinances of the City of Laredo; and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

An ordinance establishing Section 24.73 of the Laredo Land Development Code relating to oil and gas extraction and production requirements; amending provisions relating to permits for the drilling, re-entry, or recompletion of oil and gas wells; amending provisions relating to notice to

adjacent property owners; rescinding Chapter 22 of the code of ordinances of the City of Laredo; providing for publication and effective date.

Motion to the public hearing.

Moved : Cm. G. Perez
Second: Cm. Castaneda
For: 6

Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. G. Perez
Second: Cm. Cardenas
For: 7

Against: 0 Abstain: 0

Ordinance Introduction: City Council

XIII. MOTION TO RECESS AND CONVENE AS THE LAREDO MUNICIPAL HOUSING CORPORATION

Motion to recess as City Council and convene as The Laredo Municipal Housing Corporation.

Moved : Cm. G. Perez
Second: Cm. Cardenas
For: 7

Against: 0 Abstain: 0

23. Award of contract in the amount of \$25,200.00, to the Low Bidder, Integral Kitchens, Laredo, Texas, for the purchase of vinyl floor tile for the Laredo Municipal Housing Corporation.

Motion to award a contract in the amount of \$25,200.00, to the Low Bidder, Integral Kitchens, Laredo, Texas, for the purchase of vinyl floor tile for the Laredo Municipal Housing Corporation.

Moved : Cm. Guerra
Second: Cm. G. Perez
For: 7

Against: 0 Abstain: 0

Motion to adjourn as The Laredo Municipal Housing Corporation and convene as City Council.

Moved : Cm. G. Perez
Second: Cm. Cardenas
For: 7

Against: 0 Abstain: 0

XIV. MOTION TO RECESS AND CONVENE AS THE LAREDO CONVENTION AND VISITOR'S BUREAU

Motion to recess as City Council and convene as The Laredo Convention and Visitor's Bureau.

Moved : Cm. G. Perez
Second: Cm. Cardenas
For: 7

Against: 0 Abstain: 0

24. Presentation of the ongoing activities of the Laredo Convention and Visitor's Bureau.

Victoria Singer de Reyes gave a short report on activities. Further details of events are found in the agenda book.

Mrs. Reyes also addressed complaints by Mr. Harry Bonugli on specific complaints encountered during the Texas High School Athletic Directors Association Mid-Winter Conference.

Cm. Guerra wants a response in writing on the letter sent from Henry Bonugli on specific complaints. He also wants a report on the retreat that the committee had.

Motion to adjourn and reconvene as the City Council.

Moved : Cm. G. Perez
Second: Cm. Bruni
For: 7

Against: 0 Abstain: 0

XV. ADJOURNMENT


Motion to adjourn.

Moved : Cm. G. Perez
Second: Cm. Cardenas
For: 7

Against: 0 Abstain: 0

Adjournment time: 8:10 p.m.

I HEREBY CERTIFY THAT THE ABOVE MINUTES CONTAINED IN PAGES 01 TO 20 ARE TRUE, COMPLETE AND CORRECT PROCEEDINGS OF THE REGULAR CITY COUNCIL MEETING HELD ON THE 6TH DAY OF MARCH, 1996. A CERTIFIED COPY IS ON FILE AT THE CITY SECRETARY'S OFFICE.


GUSTAVO GUEVARA, JR.
CITY SECRETARY

V E R B A T I M

REGULAR CITY COUNCIL MEETING

MARCH 18, 1996

ITEM XI. C.(1)

1. Discussion and possible action on Supervisory Control and Data Acquisition (SCAD) and Variable Frequency Drive (VFD) booster station improvements to the following industrial parks.

a. UNITEC Stations H (Hurd) and T (UNITEC PARK)

b. Pinto Valle 1 (Dolores) & 2 (Pinto Valle)

as specified in the plans of Turner, Collie and Braden. These improvements will be made by the owner or developer at the time of platting any new subdivisions in the above mentioned parks.

Cm Bruni - "This item for the record, is also being co-sponsored by my colleague Councilmember Jose R. Perez, Jr. who's sits at the Ad Hoc Water Committee and also by Mayor Saul Ramirez, who sits in the same committee."

"This is a staff generated engineering report that's telling the City of Laredo... that's tell the City of Laredo that there is certain things that we need do to our water infrastructure and to our booster stations. And with that, we had an Ad Hoc Water Committee meeting on Thursday, March 14th and ...uh....we are requesting that the City Council endorse our recommendations that were presented there at the Ad Hoc Committee Meeting. So with that, Mr. Mayor...I's like to hear a motion that we endorse the recommendations of the Ad Hoc..."

Mayor Ramirez - "Is that your motion Cm...Cm. Perez is that your motion"

Cm. Casso - "So move."

Mayor Ramirez - "Oh, Cm. Casso, is there a second...is there a second...is there a second."

Cm. Guerra - "Second...I'll second the motion."

Mayor Ramirez - "Motion has been made and second"

Cm. Bruni - "Mr. Mayor...also any other parks in the county that are not in this report that would come to be in this report...I guess would be in order in that motion."

V E R B A T I M

- Mayor Ramirez - "Motion has been made"
- Cm. G. Perez - "We are not asking anybody to do anything right now right?"
- Cm. Bruni - "No, this report has already been generated by staff."
- Cm. G. Perez - "I've seen that, but we are not asking anybody to do anything at this moment right?"
- Mayor Ramirez - "Mr. Vargas...I know our....who's taken over the-----."
- Mr. Vargas - "Our -----is here this evening, representing Utilities."
- Mayor Ramirez - "I know, but the Water Committee meeting...or the water committee had a meeting and discussed this item and what was the result of the result of that."
- Cm. Bruni - "It's on the Mr. Mayor...this was a recommendation by staff and our members that were present."
- Mayor Ramirez - "Is that the recommendation, Mr. Vargas?"
- Mr. Vargas - "I think that on this issue, the City Attorney has some comments that he would like to make..."
- Mayor Ramirez - "Mr. Sosa..."
- City Attorney - "Yes...well, I was present at the staff...and yes it was the recommendation that was made of the staff and a vote and was second. The concern that has generated is just how do we implement what needs to be done, and I believe...uh...I was out of town Friday in the afternoon and I didn't know this was going to end up....it was my impression that it was going to be left for....for a future meeting. Uh...I need to look at the contract to see how it is that we can force the developers to make this improvements...that's the only thing. The improvement needs to be made, they need to be made and there's question they need to be made. It is how are they going to..."
- Cm. Bruni - "We are not forcing anybody to do anything...it would be like what we

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did...the...when UNITEC agreed to sit down with the council and negotiate with us. We're not...this is no force feed ram rod deal. We're just starting the same process as we did last night...or last time with our NRS report."

City Attorney -"And I whole heartily...who heartily agree with you Mr. Bruni and I think that...that's fine...if they agree with us, that's fine..."

Mayor Ramirez -"Counselor, are you asking then that you would like to review the contract, contact the other party and bring a recommendation to us at the next meeting?"

City Attorney -"I do believe that they're here."

Mayor Ramirez -"o.k. sir, alright."

Charles Borchers -"Good evening members of the council, my name is Charles Borchers and I am here on behalf of Dolores Pinto Valle Joint Venture who is uh...who has a contract...which has a contract with the City of Laredo that dates back to May 8, 1991 dealing with the service and the water...and the city service to their area. And I'm also here on behalf of Julio Garcia who represents Royal Joint Venture which developed UNITEC and which has a contract with the city dated May 8th of 1991 and we've delivered letters to...Mr. Garcia's letter and my letter to Mr. Vargas and Mr. Sosa this afternoon. I believe there's also a letter from a Mr. Javier Mijares that was delivered to Mr. Vargas and he is one of the people that has a warehouse and some property in the Pinto Valle Subdivision. It's my understanding that everybody's position here is not..is one that's not...necessarily one that's oppose to the....uh...I lost my place here...to the uh...the SCADA and the VFD booster station improvements. The problem is that the City or Mr. Bruni and the people who are sponsoring this motion are tempting to alter a contract that's already in existence and by forcing this obligations on the Royal Joint Venture and the Pinto Valle Joint Venture. And I know there was another item that was brought up, we sat down, we negotiated, we worked something out, but you just can't...just because you are the city or a governing body and your one side of the contract, it doesn't mean that you can

unilaterally change it...and that's our position.

Mayor Ramirez - "Let me say that..uh...that any sponsorship of the motion to approve this item...I think needs to check legal first and make sure that we clear those hurdles and take it from there and then have the council consider it. But are we forcing anybody to do anything this evening, Mr. Attorney?"

Cm. Bruni - "No we are not"

Mayor Ramirez - "I don't want to be a part of anything that's going to force somebody... that's not suppose to force somebody unless their breaking the law and if they're breaking the law we'll go after them."

Cm. Jose Perez - "Mr. Mayor...on that meeting I asked you several times whether we were going into breaching of any contract and you were supposed to check it out...before we moved into that."

City Attorney - "The way it was presented was...Mr. Bruni... the way it was presented was and what we heard there at the meeting was whether this improvements were made and what this improvements were and who this improvements were going to benefit and obviously, these improvements only benefit those people in the service area of the contract, and that's what we discussed. Now, the way its written on the agenda it says...These improvements will be made at the owner or developer...by the owner or developer at the time the platting of the new subdivisions is made. The confusion that creates is the owner...I believe of the improvements is the City of Laredo."

Cm Bruni - "Well... we'll delete the owner and put the developer. We discussed it Mr. Sosa...we discussed it for an hour and a half at that meeting...we all came to an agreement...and to a conclusion, my colleagues and you...what we're talking about. If this does get taken care of, you all are going to pass the burden to the ratepayer, and if you all want to answer to the ratepayer than so be it. These \$60,000.00 engineering study is telling the city that there is certain inadequacies in those four stations and that we need to

V E R B A T I M

address them and that further development should pay for. What we can use is a bargaining tool to make the industrial people in the county put their fair share because I'm not going to be a part of having the City of Laredo, the taxpayers and the rate payers foot the bill for industrial parks in the county. It's very simple, its very elementary. And the problem here is that every time I try do something here for the rate payer and for the taxpayer, Mr. Borchers stands here and tries to intimidate this council with a treat of a lawsuit."

Mr. Borchers - "Well..I haven't mentioned treat of a lawsuit...you're the one that mentioned it. I would like to....I'm willing to show and sit down..."

Mayor Ramirez - "o.k. Mr. Borchers"

Mr. Borchers - "I want to sit down and show anybody, in fact I could do it even tonight, if you all want to and can show you a little bit of how the Royal Joint Venture alone has subsidize the city in excess of \$200,000.00. I can also show you or...I don't have a sketch to show you but I can tell you that its unfortunate that one of the rate payers, Mr. Bruni and one of his companies buys water from the city and then turns around and sells it at a profit, we don't do that and that maybe one of the reasons why he's trying to protect the rate payers so much as to keep his profits at a rather large scale. What we are saying is that there's a contract in place, we don't want the city to breach a contract because you know what happens when one side breaches a contract. We are saying lets sit down like we did before, and see if we can work something out... that's all."

Mayor Ramirez - "Cm. Casso you made the motion, how do you feel about it?"

Cm. Casso - "Well, first of all what's gotten the tempers really flared here is that the people you represent sued my colleague individually and I think that just makes it more difficult that's part of the problem there to."

Mayor Ramirez - "That's part of the game too, I've been sued"

Cm Casso - "Let me finish cause I've got the floor"

Mayor Ramirez - "Sure."

Cm. Casso - "That's part of the problem....the other thing is that one time you were here you had a huge map and diagram showed how you had spent...how you all had paid about \$2 million in infrastructure..."

Mr. Borchers - "That's right..."

Cm. Casso - "If your company can show us the checks... cancelled checks where you all actually made the \$2 million improvement because there's some people out there in the community that don't believe that, so I'd like to see that you all did put \$2 million worth of infrastructure, that's number 2...uh...and it seems like we've been at this for almost two years and we don't seem to be going anywhere...we're just going in a circle and a circle and I think it looks like we're going to be at this for another two years...so I don't know...I don't know what uh....every time..I haven't attend the last couple of Ad Hoc Committees the water had...the Water Ad Hoc Committees but every time we go there something is agreed and every time we come here everybody just....it seems our city attorney just does a complete flipflop and he changes...I don't know what's going on...its just that..but if you really want to work in good faith you ought to drop that law suit against my colleague...I think you should... and I think maybe something might be...I think uh...things could be worked out because right now there is alot of amonosity between your group and my colleague here and...uh... I just don't think its healthy when you all sue my colleague, it just uh....I think if you all want to work in good faith you ought to drop that lawsuit."

Mr. Borchers - "I'm not here to talk about colleague's health or any lawsuit, I'm just here...I'm just here... Mr. Casso to talk about the agenda item C(1) and that's it."

Cm. Casso - "Well...you were just taking some really...Mr. Borchers you know...with due respect...you were just taking some shot at him about him making some profits illegally which I think its totally out of order. You shouldn't even be bringing that out in this

chamber. You should not be accusing my colleagues of making profits illegally or that he has a hidden agenda or motive, you shouldn't be doing that. So right there you come out and try and work in good faith and you take a shot at him and nothing gets done because your are doing that and so you can sit here and tell this council that you come in here to try and work things out because you're not....I mean you just took a shot at him and...and it is just uncalled for..what your saying....I mean we can take shots at you too and I mean that's not the way we're going to get anything resolved, so I don't know what this council wants to do and...uh.. but it seem like we've been at this for almost two years and I think we are going to be at this for another two."

Mayor Ramiez - "there's a motion and a second...is the second still in concurrence on the motion? Who made the motion? Who made the second?"

City Secretary _ "Cm. Guerra"

Cm. Bruni - "Mr. Mayor"

Mayor Ramirez - "Yes...Cm. Bruni.."

Cm. Bruni - "Just one little clarification from our legal advisor Mr. Sosa. He knows what we discussed but I understand from that meeting it was perfectly legal, all we are trying to do is go by the recommendations of Turner, Collie and Braden there seem that there's a problem there and we just want to address it. And all we are trying to do by passing this...this uh...this motion here is just bringing you all to the table when...when further developments and further phases come on line, we're not going to stop your water, we're not going out there and do something adversary, we're just trying to do what's best for the community and that's where sometimes you all loose site of the fact why I'm here. I'm just here to work for the rate payer...."

Cm. G. Perez - "I feel that's what the rest of us want, but how can we do this without breaching the contract..."

City Attorney - "I think I discussed this with Mr. Bruni...and I think he shots at anyone

especially people that weren't there at the meeting. Basically, what we came to an agreement is (1) its undisputed that those improvement have to be made...those enhancements have to be made."

Mayor Ramirez - "I...I.."

City Attorney - "Wait...wait...wait Mayor...please wait... if...if our position here, Mr. Bruni is to bring them to the table...then so be it...lets pass this resolution...lets bring them to the table and lets see how we can negotiate. Its exactly what we did with that UNITEC Amendment No. 5, where you pass something and you bring them to the table and then we move along in an orderly fashion. If that is...if that is..."

Mayor Ramirez - "All we are saying is that...that there's a report that was made to the Water Ad Hoc Committee that made recommendations, the committee is recommending concurrence with this recommendations since the developers and the property owners are the ones that will benefit from these improvements because they are already getting services anyway they would be the ones that would want to come up to the table when they want a benefit from these improvements to make them happy, because their the only ones that will get the benefit anyway from making them happen. So what we want to do is negotiate with them to make them happen."

City Attorney - "The problem is that we leave them up...in..in..in the air, your honor or Mayor...we leave them up in the air the terms and the conditions and what happens is two years from now, like Mr. Casso says, we haven't done anything..."

Mayor Ramirez - "Well that's the experience with your office, cause we've negotiated others...and brought them into a completion have we not?"

City Attorney - "What we need to do..."

Mayor Ramirez - "The peace meal improvements that they needed to do to the other...."

Cm. Bruni - "They haven't even done that Mr. Mayor...they said that they were going to do it...they haven't done one percent of that whole NRS

Amendment No. 5, they have done one percent and then you stand there Mr. Borchers and accuse me of stuff."

Mayor Ramirez - "o.k. just one second...."

City Attorney - "So if our purpose is to get them to the table then I will agree with that...and that is probably..."

Cm. Guerra - "Mayor...if I may...I was in attendance in that meeting also and it was my clear and distinct understanding from Mr. Perez's question to our attorney that we would not be breaching any contracts and/or incurring any additional liability in part of the City of Laredo."

City Attorney - "And you're not...and you are not incurring...the only thing is..."

Mayor Ramirez - "We are here tonight... we are telling you to change the contract..."

City Attorney - "exactly, we are not changing the contract.."

Mayor - "We are approving any money...."

Attorney - "exactly...it was clear..."

Mr. Borchers - "I don't know what is it you were doing?"

Mayor Ramirez - "All we are doing is saying this is the improvements that have to get done, and we want to sit down with the developers to make them a reality, because without...."

Mr. Borchers - "The way this is written, of course the owner of the water system out there is..."

Mayor Ramirez - "Is the city.."

Mr. Vargas - "That's the basis of the misunderstanding, its just the way it was worded, not the intent. I think that basically what...the...resolution...the motion that the council wants is that we want to implement the study, the engineering study that was done and we will do so at the time of platting. So that everybody understands... everybody has a copy of the report of the improvements that need to be made and we go through platting and those are the issues that are going to come out."

- Mr. Borchers - "All we are doing is postponing the confrontation... that's all we are doing..."
- Mayor Ramirez - "I think that the best thing to do is look at the study and see how we proceed in improving the system for everybody out there, cause its ours but its your to benefit from."
- City Attorney - "Mr. Borchers as of now, your are doing some redundant here making some improvements, and we've agreed both the developers and the city agreed to the improvements."
- Mr. Borchers - "That's right."
- City Attorney - "We want to follow the exact same route"
- Mr. Borchers - "Its a bilateral..."
- City Attorney - "exactly..."
- Mr. Borchers - "See this year its unilateral...."
- City Attorney - "No..No...its not...and its very clear from what Mr. Bruni is saying....Mr. Bruni is saying we want to attract and have people come to the table and negotiate the terms and conditions."
- Mayor - "Counselor....just to end the discussion in this item and take some action...by the way its put this evening we would be forcing?"
- Cm. Bruni - "No sir..."
- Mayor - "I want it from our attorney...would we be forcing? Are we assuming additional liabilities by including ourselves in there and...and saying that owners will also participate, we are the owner of the system..."
- Cm. Bruni - "Mr. Mayor we're just going to delete the owners from that..."
- Mayor - "Is that what the second wants to do?"
- Second - "unable to hear....if he said yes.."
- Mayor - "o.k. the second concurs to delete the owner..."
- Cm Casso - "Mayor can I have staff give me a copy of this engineering report, I don't know why I wasn't"

- given a copy of this...I know its kind of thick....but I would like to have a copy.
- Cm. Bruni -"Everybody was furnished the data...they summarized it..."
- Mayor -"Mr. Borchers...I still want to clear it up with you.."
- Mr. Borchers -"The position of our clients...of the various people of that I've mentioned to you before is what the city's doing is imposing new condition for before we can plat or sell a condition that wasn't there before and that's not in compliance with the provisions of paragraph 13 of the Pinto Valle Joint Venture agreement that's dated May 8th....paragraph 14 of the Royal Joint Venture contract dated June...."
- Mr. Sosa -"If we delete...if we delete just the whole last sentence...."
- Mr. Borchers -"The last sentence?"
- Mr. Sosa -"Just delete the last whole sentence...would you be happy?"
- Mr. Borchers -"If you delete that...I have no problem."
- Mayor -"Happy is not a parliamentary concept."
- Mr. Borchers -"We would withdraw our objection."
- Mayor -"o.k....alright."
- City Attorney -"That's what we are accomplishing, Mr. Bruni."
- Cm. Bruni -"Always seems to me that everybody wants to see what makes happy the developers and the county, what about the rate payers and the taxpayers here in Laredo..."
- Mayor -"I want to see....this is what I want to see...I don't want us to put any money into that plan period as a city, because that plan is going to be something that we are going to have to negotiate with the developers as they develop because without those improvements I don't know how much we'll be able to develop down the road and be able to rely to the new...uh...the new people being provided water outside the city limits to guarantee them proper water, that's the only thing. Now,

when that happens, that's I think the gray area...that now correct Counselor? The request then from you counselor is that we delete items A and B and just leave the first sentence....is that what your saying?

Mayor -"I want to know what you're saying?"

City Attorney -"Just delete from these improvements will be made by the owner or developer at the time of platting any new subdivisions in the above mentioned parks"

Mayor -"o.k....does the second concur with deleting that? o.k...alright..o.k."

City Attorney -"in other words that...that...is sent to the table...."

Mayor -"o.k...."

Mr. Sosa -"which is what the Water Ad Hoc Committee..."

Mayor -"So it end at Turner, Collie and Braden..."

Cm. Bruni -"As long as we can get the developers to the table because when this \$60,000.00 report is telling us that if we don't implement this city rate payers is going to be out \$276,000.00 is not fair to the rate payer."

Mayor -"but we're not going to spend those \$275,000.00?"

Cm. Bruni -"that's what the developers should spend to upgrade the system according to this.... according to this..."

Mayor -"as you know we have to walk a real tight balancing act on a tight rope, we have to try to find that middle ground to be able to protect our citizens and also to be able to be enough of a -----within what we are limited to develop as a city. We don't have abatement programs, we don't have other things, and so we look at developers to come to the table, we don't want to push developers to the table and regrettably I have seen a great project like UNITEC that has created a lot of jobs and is a source of pride for our county, our area, our region because alot of good things have happened to them and mostly Laredoans have been affected that they are the casualties of this going back and forths. And

Pinto Valle hasn't developed this quickly maybe down the road it will, but we always want to work with developers and make them pay their fair share because they also will profit from this...let's not fool ourselves...this is America and we are built in a capitalist system, and we are not going to be a government that will be discourage development. So we're looking to bringing them to the table but not forcibly. So if the second concurs, and we now can proceed to try to work this to make it happen and everybody's o.k....Mr. Borchers?

Mr. Borchers -"o.k."

Mayor -"All those in favor....say "I"

Councilmembers-"I"

Mayor -"All those oppose say "Nay"....

- No answer.

Mayor -"Motion carries."

Trinidad Silva - spoke on the item.