

**CITY OF LAREDO
CITY COUNCIL MEETING**

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

MINUTES

M96-R-32

SEPTEMBER 23, 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, COUNCILMEMBER, DISTRICT I
LOUIS H. BRUNI, " , DISTRICT II
ALFONSO I. "PONCHO" CASSO, " , DISTRICT III
CECILIA MAY MORENO, " , DISTRICT IV
ELISEO VALDEZ, JR., " , DISTRICT V
JOE A. GUERRA, " , DISTRICT VI
MARIO GEORGE ALVARADO, " , DISTRICT VII
GUSTAVO GUEVARA, JR., CITY SECRETARY
FLORENCIO PENA, III, INTERIM CITY MANAGER
FAUSTO SOSA, CITY ATTORNEY

Motion to excuse Cw. Montalvo who was out of town.

Moved : Cm. Guerra

Second: Cm. Perez

For: 6

Against: 0

Abstain: 0

(Cm. Casso was not present)

IV. APPROVAL OF MINUTES

None

V. INTRODUCTORY ORDINANCES

2. Authorizing the Interim City Manager to execute a lease with Jose Santos for approximately 4,612 square feet constituting Building #1112 located at 1603 E. Calton Road to be used for a grocery convenience store. Lease term is for one year

commencing October 1, 1996 and ending September 30, 1997, and may be terminated by either party upon giving a 90-day written notice. New monthly rent shall be \$971.46. Previous monthly rent was \$945.00.

Ordinance Introduction: City Council

VI. FINAL READINGS

Motion to waive final readings of ordinances #96-O-158, #96-O-159, #96-O-160, #96-O-161, #96-O-162, #96-O-163, #96-O-164, #96-O-165, and #96-O-166.

Moved : Cm. Perez

Second: Cm. Bruni

For: 6

Against: 0

Abstain: 0

3. 96-0-158 Authorizing the City Manager to execute a lease with Gateway Community Health Center, Inc., a nonprofit corporation, for approximately 115,204 square feet of land located on the southern, one-half portion of Block No. 22 at the Laredo International Airport for the purpose of constructing and operating a medical center;

1. Lease term is for forty (40) years commencing October 1, 1996 and ending September 30, 2036;

2. Monthly rent shall be \$2,784.09 and will be adjusted annually according to changes in the Consumer Price Index and further adjusted by Appraised Fair Market value on the 10th, 20th, and 30th anniversaries; providing for effective date.

Motion approving an ordinance authorizing the City Manager to execute a lease with Gateway Community Health Center, Inc., a nonprofit corporation, for approximately 115,204 square feet of land located on the southern, one-half portion of Block No. 22 at the Laredo International Airport for the purpose of constructing and operating a medical center.

Moved : Cm. Perez

Second: Cm. Bruni

For: 6

Against: 0

Abstain: 0

4. 96-0-159 An ordinance authorizing the Interim City Manager execute a lease with Alzarfar Shrine Temple for approximately 4.95 acre of land located on Block No. 1 at the Laredo International Airport. Lease term is for two days commencing September 27, 1996 and ending September 28, 1996. Daily rent shall be \$600.00.

Motion approving an ordinance authorizing the Interim City Manager execute a lease with Alzarfar Shrine

Temple for approximately 4.95 acre of land located on Block No. 1 at the Laredo International Airport. Lease term is for two days commencing September 27, 1996 and ending September 28, 1996. Daily rent shall be \$600.00.

Moved : Cm. Perez

Second: Cm. Bruni

For: 6

Against: 0

Abstain: 0

5. 96-0-160 An ordinance amending the contract with the Texas Department of Health and budget in the amount of \$2,034 in financial assistance and \$397,646 in direct assistance, for Immunization Program of the City of Laredo Health Department for the period beginning September 1, 1996 through August 1, 1997; and increasing revenue line item no. 226-0000-323-4040 from \$0 to \$2,034 and increasing expenditure line item no. 226-6050 from \$0 to \$2,034.

Motion approving an ordinance amending the contract with the Texas Department of Health and budget in the amount of \$2,034 in financial assistance and \$397,646 in direct assistance, for Immunization Program of the City of Laredo Health Department for the period beginning September 1, 1996 through August 1, 1997; and increasing revenue line item no. 226-0000-323-4040 from \$0 to \$2,034 and increasing expenditure line item no. 226-6050 from \$0 to \$2,034.

Moved : Cm. Perez

Second: Cm. Bruni

For: 6

Against: 0

Abstain: 0

6. 96-0-161 An ordinance to approve a contract with the Texas Natural Resource and Conservation Commission (TNRCC) and budget in the amount of \$25,000 for operation of a continuous air monitoring station (CAMS) by the City of Laredo Health Department for the period beginning September 1, 1996, through August 31, 1997; and increasing revenue line item 226-0000-323-1103 from \$0 to \$25,000 and increasing expenditure line item No. 226-7211 from \$0 to \$25,000.

Motion to approve an ordinance to contract with the Texas Natural Resource and Conservation Commission (TNRCC) and budget in the amount of \$25,000 for operation of a continuous air monitoring station (CAMS) by the City of Laredo Health Department for the period beginning September 1, 1996, through August 31, 1997; and increasing revenue line item 226-0000-323-1103 from \$0 to \$25,000 and increasing

expenditure line item No. 226-7211 from \$0 to \$25,000.

Moved : Cm. Perez

Second: Cm. Bruni

For: 6

Against: 0

Abstain: 0

7. 96-0-162 An ordinance amending the contract with the Texas Department of Health and budget in the amount of \$1,262,150 to operate the Women, Infants, and Children (WIC) program and approximately \$8,400,000 in federal food vouchers to be distributed by the City of Laredo Health Department for the period beginning October 1, 1996, through September 30, 1997; and increasing revenue line item for the WIC program 226-0000-323-4037 from \$0 to \$1,262,150, and expenditure line item 226-6053 from \$0 to \$1,262,150.

Motion approving an ordinance amending the contract with the Texas Department of Health and budget in the amount of \$1,262,150 to operate the Women, Infants, and Children (WIC) program and approximately \$8,400,000 in federal food vouchers to be distributed by the City of Laredo Health Department for the period beginning October 1, 1996, through September 30, 1997; and increasing revenue line item for the WIC program 226-0000-323-4037 from \$0 to \$1,262,150, and expenditure line item 226-6053 from \$0 to \$1,262,150.

Moved : Cm. Perez

Second: Cm. Bruni

For: 6

Against: 0

Abstain: 0

8. 96-0-163 An ordinance recodifying and amending subsection (b), "water availability", of section 31-92, "inside city limits", of division 5, "rates and charges", of article II., "sewer and sewage disposal", of chapter 31, "utilities", of the code of ordinances of the City of Laredo thereby putting the water availability provisions in the correct article, deleting the provisions allowing a developer or subdivider to transfer water rights in lieu of paying the water availability charges, and adding provisions which allow 20% or less of the water availability fund balance per year to be used for studies and pilot programs intended to augment the water supply; providing for an effective date and publication.

Motion to approve ordinance recodifying and amending subsection (b), "water availability", of section 31-92, "inside city limits", of division 5, "rates and charges", of article II., "sewer and sewage disposal", of chapter 31, "utilities", of the code of

13. 96-R-129 Authorizing the Interim City Manager of the City of Laredo to submit a grant application to the Texas Council for the Humanities in the amount of \$5,000 and authorizing the Interim City Manager to execute the necessary documents.

This money will support a U.S. - Mexico border conference on historic preservation, community development and related social issues. The conference will be coordinated by the Historic Preservation Officer, City of Laredo Planning Department.

Motion authorizing the Interim City Manager of the City of Laredo to submit a grant application to the Texas Council for the Humanities in the amount of \$5,000 and authorizing the Interim City Manager to execute the necessary documents.

Moved : Cm. Perez
Second: Cm. Guerra
For: 6

Against: 0 Abstain: 0

VIII. MOTIONS

14. Award of contract to the approval LOW BIDDER, Payton Construction, Inc., Wimberley, Texas, in the amount of \$65,800.00 for the purchase and installation of a bar screen grinder. This equipment will be installed at the Zacate Wastewater Plant. Funding for this equipment is available in the Utilities Department capital outlay budget.

Motion to award contract to the low bidder, Payton Construction, Inc., Wimberley, Texas, in the amount of \$65,800.00 for the purchase and installation of a bar screen grinder.

Moved : Cm. Guerra
Second: Cw. Moreno
For: 6

Against: 0 Abstain: 0

15. Award of contract to Micron Electronics, Inc., Nampa, Idaho, a State of Texas Qualified Information System Vendor, in the amount of \$61,516.00, for the purchase of twenty-six personal computers. Staff has reviewed the five bids received for the purchase of these computers be purchased through the State of Texas- Catalogue Purchase Program procedures.

Motion to award contract to Micron Electronics, Inc., Nampa, Idaho, a State of Texas Qualified Information System Vendor, in the amount of \$61,516.00, for the purchase of twenty-six personal computers.

Moved : Cm. Guerra
Second: Cw. Moreno

for a 12 month period for a small amount of \$400,000.00 and it does not appear to him that it is good business sense. Another concern is the legality of such a contract. He has many concerns about putting our firefighters at an extra risk going out to industrial parks in the county and going out to other places of danger. If it is a state/federal highway situation he feels that we should be getting federal or state monies to be providing this assistance. He feels were are not getting a fair shake on the agreement.

Cw. Moreno stated that we should look at the overhead expense when figuring the costs and she believes that new residential development was never intended to be included in this agreement.

Motion to extend the present contract for 60 days.

Moved : Cm. Bruni

Second: Cm. Casso

For: 6

Against: 0

Abstain: 0

Mayor Ramirez named Cm. Bruni, Cm. Valdez, and Cm. Guerra to meet with County Commissioners Rick Reyes and Roque Vela to review this matter and come back to council with a recommendation.

IX. CITY MANAGER'S REPORT

None

X. COMMUNICATIONS

Mayor Ramirez presented an Outstanding Citizens Award to Jorge Arturo Landin, a firefighter, who rescued a drowning victim at Lake Casa Blanca on Sunday - September 22nd while off duty.

Cw. Moreno stated that they received the unaudited financial statement for August the 31st and asked why is it that our prior year property taxes are lower yet the penalty for the tax attorney is higher.

Florencio Peña, Interim City Manager, stated that we pay the tax attorney 15% of what is collected. He said they will look at the ratio and estimates and will provide a report.

Cw. Moreno stated we show less money than what we had anticipated having received and yet we are paying them more money than what we had anticipated that we would pay them.

Ms. Colon stated this happens every year because we estimate what we are going to pay them, if we get in more than that then we owe them more.

Cw. Moreno's questioned what if you got less why are we paying them more?

Mr. Peña stated that it appears that the estimate was wrong in the budget, but they will get a report on the ratios and estimates.

Cw. Moreno stated we projected our ending balance to be lower than what was originally projected, yet on the opening balance it does not reflect that projection, we still maintain the old ending balance, why is that?

Mr. Peña responded that he will look at this item and report back to council.

XI. CITY COUNCIL DISCUSSION AND PRESENTATION

19. Requests by Mayor and City Councilmembers for discussion and presentation.

A. Requests by City Councilmember Eliseo Valdez, Jr.

1. Presentation regarding the City of Laredo entering into a contract for professional services related to state legislative matters. (Co-sponsored by Cm. Louis H. Bruni).

Cm. Valdez stated that since the City of Laredo has done a good job at the federal level, he feels that we need to start concentrating at the State level.

Mr. Gerry Schwebel, Laredo Development Foundation President, made a presentation to the council on the topic of legislative representation for the City of Laredo on critical issues affecting our community and county. He stated that the concerns should be handled through independent lobby assistance. These concerns should address the issues on: water treatment, resource development, and storage; transportation and infrastructure; environmental policy and impact on Webb County; land and property development; and economic development issues.

Cm. Guerra asked if this administration is satisfied with the services provided by the lobbyist in Washington, because he had received a letter from a person in Washington that expressed an interest in providing that same service to the city and wanted the letter that he sent him to be part of the record so that council considers this application.

Fausto Sosa, City Attorney, stated for the record that municipalities cannot hire lobbyists.

Mayor Ramirez stated it is not lobbying, they manage our legislative affairs at our capital, we do not hire lobbyist.

Cm. Casso stated that one of the goals he wants this representative to address is the consolidation with the county and look at the constitutional amendment issues.

Cm. Valdez stated that he feels that one of the goals should be economic development tackling the unemployment rate.

Motion to place on a fast track to start seeking proposals for legislative services and bring back with a recommendation by the second week of October.

Moved : Cm. Guerra

Second: Cm. Bruni

For: 7

Against: 0

Abstain: 0

2. Discussion and possible action pertaining to Chapter 14 (Garbage, trash and refuse) of the Code of Ordinances, specifically the method for charging the monthly garbage rate for residential units.

Mr. Erasmo Guzman of 3207 San Dario stated that the garbage monthly fees at his address has been doubled since August of 1995 from \$7.00 a month to \$14.00 per month. He believes that this increase is a mistake.

Florencio Peña, Interim City Manager, stated that in Mr. Guzman's case there was a determination made that there were two units, one apartment and one residential on the property so they charged him \$14.00 and that the ordinance is not clear in regards to that and since it is just one meter it could be an extended family situation.

Motion that until we get a form put together that in Mr. Guzman's case and in any other case that comes before us that we consider going back to the \$7.00 rate.

Moved : Cm. Guerra

Second: Cm. Bruni

For: 7

Against: 0

Abstain: 0

B. Requests by City Councilmember Mario G. Alvarado

1. Discussion and possible action on a request from the Laredo - Webb County Community Action Agency.

Mr. Jose Valdez, Executive Director of CAA, stated that he needed \$25,000 for the Elderly Nutrition Program in order to continue this program until August of 1997.

Motion to instruct staff to bring back a contract and a budget amendment for the funding of \$25,000 for the Elderly Nutrition Program at the next meeting for council action.

Moved : Cm. Alvarado
Second: Cm. Valdez
For: 7

Against: 0 Abstain: 0

XII. PUBLIC HEARINGS

- 20. Public hearing authorizing the issuance of a Conditional Use Permit for a pawn shop on Lots 7 and 8, Block 1278, Eastern Division, located at 2202 Guadalupe St.

INTRODUCTION OF AN ORDINANCE

Authorizing the issuance of Conditional Use Permit for a pawn shop, on lots 7 and 8, Block 1278, Eastern Division located at 2202 Guadalupe St., providing for publication and effective date.

Motion to open the public hearing.

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

Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Alvarado
Second: Cm. Valdez
For: 7

Against: 0 Abstain: 0

Ordinance Introduction: Cm. Alvarado

- 21. Public hearing amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 7.114 acres out of Porcion 25, Killam Industrial Corp., as further described by metes and bounds on attached exhibit "A", located on the northeast and northwest corners of Winfield Parkway at Del Mar Blvd., from R-1 (Single Family Residential District) to B-1 (Limited Business District).

INTRODUCTION OF AN ORDINANCE

Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 7.114 acres out of Porcion 25, Killam Industrial Corp., as further described by metes and bounds on attached exhibit "A", located on the northeast and northwest corners of Winfield Parkway at Del Mar Blvd., from R-1 (Single Family

Residential District) to B-1 (Limited Business District); providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Guerra
Second: Cm. Alvarado
For: 7 Against: 0 Abstain: 0

Mr. Tom Ramirez, of Mejia Engineering, stated that he was present to answer any questions.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Guerra
Second: Cm. Alvarado
For: 7 Against: 0 Abstain: 0

Ordinance Introduction: Cm. Guerra

- 22. Public hearing amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 6, Block 1456, Eastern Division, located 2518 Norton St., from R-2 (Multi-Family Residential District) to R-3 (Mixed Residential District).

INTRODUCTION OF AN ORDINANCE

Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 6, Block 1456, Eastern Division, located 2518 Norton St., from R-2 (Multi-Family Residential District) to R-3 (Mixed Residential District); providing for publication and effective date.

Motion to open the public hearing.

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

There was no public input.

Motion to close the public hearing and introduce the ordinance.

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

Ordinance Introduction: Cm. Perez

- 23. Public hearing amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 18.775 acres out of Porcion 22, San Isidro Ranch, as further described by metes and bounds on

attached exhibit "A", located on McPherson Rd., from AG (Agricultural District) to B-1 (Limited Business District).

INTRODUCTION OF AN ORDINANCE

Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 18.775 acres out of Porcion 22, San Isidro Ranch, as further described by metes and bounds on attached exhibit "A", located on McPherson Rd., from AG (Agricultural District) to B-1 (Limited Business District); providing for publication and effective date.

Motion to open the public hearing.

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

Against: 0 Abstain: 0

Mr. Harry H. Jewett III, P.E. of Rust Lichliter/Jameson and representing the Dillworth family, was present to answer any questions.

Motion to close the public hearing and introduce the ordinance.

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

Against: 0 Abstain: 0

Ordinance Introduction: Cm. Guerra

- 24. Public hearing amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 12.83 acres out of Porcion 17, Abstract 52, as further described by metes and bounds on attached exhibit "A", located on Muller Memorial Blvd. from M-1 (Light Manufacturing District) to R-1 (Single Family Residential District) P.U.D.

INTRODUCTION OF AN ORDINANCE

Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 12.83 acres out of Porcion 17, Abstract 52, as further described by metes and bounds on attached exhibit "A", located at 405 Muller Memorial Blvd. from M-1 (Light Manufacturing District) to R-1 (Single Family Residential District) Planned Unit Development, providing for publication and effective date.

Motion to open the public hearing.

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

Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Alvarado

Second: Cm. Bruni

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Alvarado

- 25. Public hearing amending Ordinance No. 94-0-032 authorizing the issuance of a Special Use Permit for a Mobile Home/Recreational Vehicle Park on 25.9490 acres as further described by metes and bounds on attached exhibit "A", located west of FM 1472 and north of Pan American Blvd. by changing the acreage to 26.0450 and updating the site plan.

INTRODUCTION OF AN ORDINANCE

Public hearing amending Ordinance No. 94-0-032 authorizing the issuance of a Special Use Permit for a Mobile Home/Recreational Vehicle Park on 25.9490 acres as further described by metes and bounds on attached exhibit "A", located west of FM 1472 and north of Pan American Blvd. by changing the acreage to 26.0450 and updating the site plan.

Motion to open the public hearing.

Moved : Cm. Perez

Second: Cm. Bruni

For: 7

Against: 0

Abstain: 0

Mr. Tom Ramirez, from Mejia Engineering and representing petitioner, stated that he was present to answer any questions that the council might have.

Cm. Guerra stated this item came before the Water Ad Hoc Committee and asked if the the water issue at that time been has been satisfied and resolved to us.

Cm. Bruni stated that the water issue was not resolved, it was his understanding that there was a concern about changing the service area and the committee was supposed to come back and reschedule a meeting with council to settle that dispute which that meeting never took place and therefore it is his understanding that the issue was never settled.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Perez

Second: Cm. Valdez

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: City Council

- 26. Public hearing amending the Zoning Ordinance (Map) of the City of Laredo by rezoning all of Block 2018, Eastern Division, and an excess strip of Block 2018, as further described on attached exhibit "A", located on S.H. 359 at N. Ejido Ave., from B-3 (Community Business District) to B-4 (Highway Commercial District), and a Special Use Permit for sand and gravel sales.

INTRODUCTION OF AN ORDINANCE

Public hearing amending the Zoning Ordinance (Map) of the City of Laredo by rezoning all of Block 2018, Eastern Division, and an excess strip of Block 2018, as further described on attached exhibit "A", located on S.H. 359 at N. Ejido Ave., from B-3 (Community Business District) to B-4 (Highway Commercial District), and a Special Use Permit for sand and gravel sales.

Motion to open the public hearing.

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

There was no public input.

Motion to close the public hearing and introduce the ordinance.

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

Against: 0 Abstain: 0

Ordinance Introduction: Cm. Perez

- 27. Public hearing amending the City of Laredo's 1995-1996 Annual Budget in the amount of \$140,727.00 for additional salary and fringe benefit costs for eighteen task force investigators in Narcotics Task Force grant awarded by the Criminal Justice Division for period beginning June 1, 1996 and ending May 31, 1997.

INTRODUCTION OF AN ORDINANCE

Amend the City of Laredo's 1995-1996 Annual Budget in the amount of \$140,727.00 for additional salary and fringe benefit costs for eighteen task force investigators in Narcotics Task Force grant awarded by the Criminal Justice Division for period beginning June 1, 1996 and ending May 31, 1997.

Motion to open the public hearing.

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

Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance.

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

Against: 0 Abstain: 0

Ordinance Introduction: City Council

- 28. Public hearing amending the City of Laredo's FY 1996-1997 budget authorizing the reclassification of three (3) investigator positions at the Laredo Police Department to three (3) sergeant positions at the Laredo Police Department and authorizing the City Manager to implement said budget.

INTRODUCTION OF AN ORDINANCE

Public hearing amending the City of Laredo's 1997-1997 budget authorizing the reclassification of three (3) investigator positions at the Laredo Police Department to three (3) sergeant positions at the Laredo Police Department and authorizing the City Manager to implement said budget.

Motion to open the public hearing.

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

Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance.

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

Against: 0 Abstain: 0

Ordinance Introduction: City Council

XIII. ADJOURNMENT

Motion to adjourn.

Moved : Cm. Perez

Second: Cm. Bruni

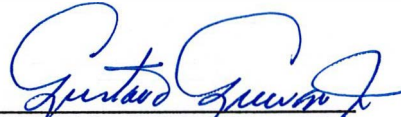
For: 7

Against: 0

Abstain: 0

Adjournment time: 7:23 p.m.

I HEREBY CERTIFY THAT THE ABOVE MINUTES CONTAINED IN PAGES 01 TO 18 ARE TRUE, COMPLETE AND CORRECT PROCEEDINGS OF THE REGULAR CITY COUNCIL MEETING HELD ON THE 23RD DAY OF SEPTEMBER, 1996. A CERTIFIED COPY IS FILE AT THE CITY SECRETARY'S OFFICE.



GUSTAVO GUEVARA, JR.
CITY SECRETARY

MINUTES APPROVED ON: October 7, 1996