

**CITY OF LAREDO
CITY COUNCIL MEETING**

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

MINUTES

M-96-R-39

NOVEMBER 4, 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
CONSUELO "CHELO" MONTALVO,	"	, DISTRICT VIII
GUSTAVO GUEVARA, JR.,	CITY SECRETARY	
FLORENCIO PENA, III,	INTERIM CITY MANAGER	
JACINTO JUAREZ, JR.,	ASST. CITY ATTORNEY	

Absences:

Jerry Cain, Assistant City Attorney.

IV. APPROVAL OF MINUTES

2. City Council Meeting of October 7, 1996
City Council Meeting of October 9, 1996
City Council Meeting of October 15, 1996

Motion to approve.

Moved : Cm. Perez
Second: Cw. Moreno
For: 8

Against: 0

Abstain: 0

Motion to waive the rules of order and move item X.A(1).

Moved : Cm. Perez
 Second: Cm. Valdez
 For: 8

Against: 0

Abstain: 0

V. INTRODUCTORY ORDINANCES

3. Designating as one way streets certain streets in the Azteca Neighborhood Area within the City of Laredo, in order to provide for improved traffic circulation; authorizing the erection of appropriate signs giving notice thereof. Authorizing the City Manager to take the necessary steps to enforce this ordinance; and for publication and effective date. The streets to be designated as one way are as follows:
- a) Victoria Street, one-way eastbound from San Francisco Avenue to San Leonardo Avenue.
 - b) San Leonardo Avenue, one-way southbound from Matamoros Street (U.S. 83) to Water Street.
 - c) Farragut Street, one-way westbound from San Pablo Avenue to San Enrique Avenue.
 - d) Hidalgo Street, one-way westbound from San Pablo Avenue to San Enrique Avenue.
 - e) Lincoln Street, one-way eastbound from San Enrique Avenue to San Pablo Avenue.
 - f) San Pablo Avenue, one-way northbound from Water Street to Farragut Avenue.
 - g) Grant Street, one-way eastbound from San Enrique Avenue to San Pablo Avenue.

Ordinance Introduction: Cw. Montalvo

Arturo Sanchez, a resident at the Azteca Neighborhood, appeared before the council to express his concern in changing two way streets into one way streets stating that it could cause a problem for the city and the residents in the future due to the increased traffic. He asked council to wait for a fair assessment after the residents have moved into the new housing project.

Roberto Murillo, Traffic Engineer, reported that the project was initiated a few months ago because they had several concerns about traffic circulation in that area, mainly because of the width of the streets. The streets are very narrow and making turns in major streets such as Matamoros sometimes creates a conflict which are reasons why they made these recommendations. The housing project has 50 apartments, with a total of 59 off street parking spaces provided. There are some inside and some adjacent to the property, but not on the street. He added that San Leonardo is going to be the only area that is going to affect the housing development by a one block section, being that is a

one-way street it can handle more traffic than a two-way. They looked at all those things before they started the project and they did take into consideration the housing project. He said that Water Street is being maintained as a two-way street because they want to have access around that area. The one way system right now stops at San Enrique, it's only a two block section that they are dealing with and there was much confusion in terms of traffic going north, east and west so that is the reason they want to propose the one-way project. They are looking at December or January to start the project. He concluded by saying that the residents of the area have approved the project, it was taken before the Transportation Advisory Committee for it's approval, and it was approved.

Mr. Pena stated that they can set a meeting before the next meeting with the Azteca Corporation and go over the traffic plan in more detail and see if there are any concerns.

4. Amending Ordinance No. 96-O-163, adopted September 23, 1996, thereby correcting a clerical error on the ordinance Exhibit A which by mistake failed to present all the water rights already on account with the water department which will be accepted in lieu of water availability fees; providing severability; and providing for an effective date.

Ordinance Introduction: City Council

5. Authorizing the Interim City Manager to execute a lease with Gerardo Javier Ramos for approximately 15,463.80 square feet of land located on Lot No. 1 of Block No. 15 at the Laredo International Airport;
 1. Lease term is for twenty (20) years commencing November 1, 1996 and ending October 31, 2016 and may extended for two (2) terms of ten (10) years each ending October 31, 2026 and October 31, 2036;
 2. Monthly rent shall be \$387.00 and will be adjusted during the primary and extension terms of this lease according to changes in the consumer price index and further adjusted by fair market value appraisal on the 10th, 20th, and 30th anniversaries; providing for effective date.

Ordinance Introduction: City Council

6. Establishing a 20 mph maximum speed limit zone on Washington Street from 100 feet east of Davis Street to 100 feet west of Santa Rita Street during the specified hours of operations, to provide for a safer crossing of students attending schools in the area, prescribing penalties for violations and providing for publication and effective dates.

Ordinance Introduction: Cw. Montalvo

7. Authorizing the severance of 25.499 acres from the service area originally assigned to Julia Ruhlman through a 16" water line extension reimbursement agreement authorized by Ordinance 90-0-84 and adding 25.499 acres to said service area at a location nearby in the Mines Road.

Motion to table the item.

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

Against: 0 Abstain: 0

VI. FINAL READINGS

Motion to waive the final reading of ordinances #96-0-185, #96-0-191, #96-0-192, #96-0-193, #96-0-194, #96-0-195, #96-0-196, and #96-0-197.

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

Against: 0 Abstain: 0

8. 96-0-185 Ordinance providing for the granting and administration of licenses to operate wire telecommunications systems, and setting forth the terms and conditions thereof. The major provisions of this ordinance are (1) ten yr. term with one five yr. option; (2) a one time \$5,000 acceptance fee; (3) a 5% fee on gross revenues and (4) liability insurance requirements. (City Council)

Motion to approve an ordinance providing for the granting and administration of licenses to operate wire telecommunications systems, and setting forth the terms and conditions thereof. The major provisions of this ordinance are (1) ten yr. term with one five yr. option; (2) a one time \$5,000 acceptance fee; (3) a 5% fee on gross revenues and (4) liability insurance requirements.

Moved : Cm. Perez
Second: Cw. Montalvo
For: 8

Against: 0 Abstain: 0

9. 96-0-191 Ordinance amending the City of Laredo FY 1995-1996 annual budget by appropriating the amount of \$20,000 to be compensated by the Webb County Law Enforcement Center for tuberculosis services which were provided by the City of Laredo Health Department, Tuberculosis Elimination Program, for the period beginning June 1, 1996, through September 30, 1996; and increasing revenue line

item no. 226-0000-325-000 from \$0 to \$20,000 and increasing expenditure line item no. 226-2923-543-5528 from \$0 to \$20,000. (City Council)

Motion to approve ordinance amending the City of Laredo FY 1995-1996 annual budget by appropriating the amount of \$20,000 to be compensated by the Webb County Law Enforcement Center for tuberculosis services which were provided by the City of Laredo Health Department, Tuberculosis Elimination Program, for the period beginning June 1, 1996, through September 30, 1996; and increasing revenue line item no. 226-0000-325-000 from \$0 to \$20,000 and increasing expenditure line item no. 226-2923-543-5528 from \$0 to \$20,000.

Moved : Cm. Perez

Second: Cw. Montalvo

For: 8

Against: 0

Abstain: 0

10. 96-0-192 Ordinance authorizing the issuance of a special use permit for gas extraction facility to Columbus Energy Corporation for a 3.0 acre tract out of Porcion 35, Abstract 546, as further described by metes and bounds, located west of Highway 83 and north Masterson Road, known as the Ervin No. 1 Well, of the City of Laredo, providing for publication and effective date. (Louis H. Bruni) (As Amended)

Motion to approve ordinance authorizing the issuance of a special use permit for gas extraction facility to Columbus Energy Corporation for a 3.0 acre tract out of Porcion 35, Abstract 546, as further described by metes and bounds, located west of Highway 83 and north Masterson Road, known as the Ervin No. 1 Well, of the City of Laredo, providing for publication and effective date.

Moved : Cm. Perez

Second: Cw. Montalvo

For: 8

Against: 0

Abstain: 0

11. 96-0-193 Ordinance amending the zoning ordinance (Map) of the City of Laredo by rezoning 3.6768 acres out of Porcion 25, Abstract 50, as further described by metes and bounds, located at 7300 McPherson Road, from R-2 (Multi-family district) to B-3 (Community Business District); providing for publication and effective date. (Joe A. Guerra)

Motion to approve ordinance amending the zoning ordinance (Map) of the City of Laredo by rezoning 3.6768 acres out of Porcion 25, Abstract 50, as

further described by metes and bounds, located at 7300 McPherson Road, from R-2 to B-3; providing for publication and effective date.

Moved : Cm. Perez
 Second: Cw. Montalvo
 For: 8 Against: 0 Abstain: 0

12. 96-0-194 Ordinance amending the zoning ordinance (Map) of the City of Laredo by rezoning 1.0 acres out of Porcion 25, Abstract 50, as further described by metes and bounds, located at 7300 McPherson Road, from R-2 (Multi-family district) to R-0 (Residential/Office District), providing for publication and effective date. (Joe A. Guerra)

Motion to approve ordinance amending the zoning ordinance (Map) of the City of Laredo by rezoning 1.0 acres out of Porcion 25, Abstract 50, as further described by metes and bounds, located at 7300 McPherson Road, from R-2 to R-0, and providing for publication and effective date.

Moved : Cm. Perez
 Second: Cw. Montalvo
 For: 8 Against: 0 Abstain: 0

13. 96-0-195 Ordinance amending the zoning ordinance (Map) of the City of Laredo by rezoning 11.2897 acres out of Porcion 17, Abstract 52, as further described by metes and bounds, located on the A.F. Muller Sr. Memorial Boulevard, from M-1 (Light Manufacturing District) to R-2 (Multi-Family District), planned unit development, providing for publication and effective date. (Mario Alvarado)

Motion to approve ordinance amending the zoning ordinance (Map) of the City of Laredo by rezoning 11.2897 acres out of Porcion 17, Abstract 52, as further described by metes and bounds, located on the A.F. Muller Sr. Memorial Boulevard, from M-1 to R-2, planned unit development, providing for publication and effective date.

Moved : Cm. Perez
 Second: Cw. Montalvo
 For: 8 Against: 0 Abstain: 0

14. 96-0-196 Ordinance amending Section 24.62.5 of the Laredo Land Development Code of the City of Laredo relating to "Special Use Permits" to provide for bars, night clubs, cantinas, and saloons; amending Section 24.63.2 pertaining to Land Use Charts to provide for Special Use Permits for bars, night

clubs, cantinas, and saloons; and creating Section 24.93.8 of the Laredo Land Development Code relating to "Special Use Permits"; amending 24.65.12 of the Laredo Land Development Code relating to the Central Business District; providing for publication and effective date. (City Council)

Motion approve ordinance amending Section 24.62.5 of the Laredo Land Development Code of the City of Laredo relating to "Special Use Permits" to provide for bars, night clubs, cantinas, and saloons; amending Section 24.63.2 pertaining to Land Use Charts to provide for Special Use Permits for bars, night clubs, cantinas, and saloons; and creating Section 24.93.8 of the Laredo Land Development Code relating to "Special Use Permits"; amending 24.65.12 of the Laredo Land Development Code relating to the Central Business District; and providing for publication and effective date.

Moved : Cm. Perez

Second: Cw. Montalvo

For: 8 Against: 0 Abstain: 0

15. 96-0-197 Ordinance amending Section 24.62.5 of the Laredo Land Development Code of the City of Laredo to provide for Mini-Storage/Warehousing; amending Section 24.63.2 to provide for Special Use Permits for Mini-Storage/Warehousing; creating Section 24.93.7 relating to Special Use Permits for Mini-Storage/Warehousing facilities; providing for publication and effective date. (City Council)

Motion to approve ordinance amending Section 24.62.5 of the Laredo Land Development Code of the City of Laredo to provide for Mini-Storage/Warehousing; amending Section 24.63.2 providing for Special Use Permits for Mini-Storage/Warehousing; creating Section 24.93.7 relating to Special Use Permits for Mini-Storage/Warehousing facilities; providing for publication and effective date.

Moved : Cm. Perez

Second: Cw. Montalvo

For: 8 Against: 0 Abstain: 0

VII. RESOLUTIONS

16. 96-R-142 Appointing the nominees of the Mayor and City Councilmembers to an Ad Hoc Noise Committee. City Council directed staff to develop this resolution and the Interim Police Chief will be the lead staff

person assigned to this committee.

Mayor Ramirez suggested that this item be placed at the next council meeting and requested that council submit names at that time for nomination and appointment by the City Council.

Cm. Alvarado suggested that council make sure that they include people who will be affected by this resolution, people who are representing different sectors and different establishments.

17. 96-R-143 Authorizing the City of Laredo to file and application with the Texas Department of Transportation for financial assistance associated with the improvement of intercity bus services and the construction of the El Metro Intermodal Transit Facility. This is a general application that does not require a specific amount to be identified.

Motion to approve resolution authorizing the City of Laredo to file and application with the Texas Department of Transportation for financial assistance associated with the improvement of intercity bus services and the construction of the El Metro Intermodal Transit Facility.

Moved : Cm. Perez

Second: Cw. Moreno

For: 8

Against: 0

Abstain: 0

18. 96-R-144 Authorizing the issuance of a Drilling permit to drill and operate a natural gas well on 3.00 acres out of Porcion 35, Abstract 546 as further described by metes and bounds on attached Exhibit "A", located west of Highway 83 and north of Masterson Road, known as Ervin No. 1 Well.

Motion to approve resolution authorizing the issuance of a Drilling permit to drill and operate a natural gas well on 3.00 acres out of Porcion 35, Abstract 546 as further described by metes and bounds on attached Exhibit "A", located west of Highway 83 and north of Masterson Road, known as Ervin No. 1 Well.

Moved : Cm. Perez

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

19. 96-R-145 Declaring the N. 29' of the South 100' of Lot 1, Block 83, situated in the Western Division, City of Laredo, Webb County, Texas, being a narrow strip of land, as surplus property, and authorizing an

appraisal of the subject property and offer of sale of this property to the abutting landowners at the greater of its appraised value or amount of delinquent taxes owed.

Motion to approve resolution declaring the N. 29' of the South 100' of Lot 1, Block 83, situated in the Western Division, City of Laredo, Webb County, Texas, being a narrow strip of land, as surplus property, and authorizing an appraisal of the subject property and offer of sale of this property to the abutting landowners at the greater of its appraised value or amount of delinquent taxes owed.

Moved : Cm. Perez
Second: Cm. Guerra
For: 8 Against: 0 Abstain: 0

- 20. 96-R-146 Adopting guidelines regarding the reconfiguration of water and wastewater reimbursement agreement service areas. The guidelines are intended to insure that the integrity of the reimbursement agreement is preserved; that all parties to the agreement are notified of intended changes; and that the City has a mechanism for equal evaluation of future proposals.

Motion to table subject for final consideration by the Water Ad Hoc Committee and upon review and recommendation to City Council to take action.

Moved : Cm. Guerra
Second: Cm. Bruni
For: 8 Against: 0 Abstain: 0

- 21. 96-R-147 Authorizing the submission of an application to the Economic Development Administration (EDA) in the amount of approximately \$2,000,000 for Improvement Project; and authorizing the acting City Manager to submit any and all necessary documents to the Economic Development Administration and acknowledging EDA's letter authorizing the commencement of a portion of the proposed project prior to completion of the processing of the City's application for grant assistance at the City's own risk, to allow Mercy Regional Medical Center, a beneficiary and contributor of the required match to meet their construction completion deadline of December 1997.

Motion to approve resolution authorizing the submission of an application to EDA in the amount of approximately \$2,000,000 for the Airport Medical Improvement Project; authorizing the acting City Manager to submit any and all necessary documents

to the EDA and acknowledging EDA's letter authorizing the commencement of a portion of the proposed project prior to completion of the processing of the City's application for grant assistance at the City's own risk; to allow Mercy Regional Medical Center, a beneficiary and contributor of the required match to meet their construction completion deadline of December 1997.

Moved : Cm. Perez
Second: Cm. Guerra
For: 8 Against: 0 Abstain: 0

VIII. MOTIONS

22. Appointing three (3) members of the City Council to serve on the Ad Hoc Nominating Committee to review and consider nominees to the Laredo Convention & Visitors Bureau Advisory Board.

Motion appointing three (3) members of the City Council to serve on the Ad Hoc Nominating Committee to review and consider nominees to the Laredo Convention & Visitors Bureau Advisory Board as follows:

1. Mayor Saul N. Ramirez, Jr.
2. Cm. Jose Perez
3. Cm. Joe Guerra

Moved : Cm. Bruni
Second: Cw. Montalvo
For: 8 Against: 0 Abstain: 0

23. Award of a professional service contract to JBS, Association, Inc. in the estimated amount of \$77,000 to conduct a study of the utilities distribution system and develop a strategy to minimize the amount of unaccounted for water, thereby increasing revenues received in both the water and wastewater fees.

Motion to award a professional service contract to JBS, Association, Inc. in the estimated amount of \$77,000 to conduct a study of the utilities distribution system and develop a strategy to minimize the amount of unaccounted for water, thereby increasing revenues received in both the water and wastewater fees.

Moved : Cm. Bruni
Second: Cm. Perez
For: 8 Against: 0 Abstain: 0

24. Authorizing the Interim City Manager to enter into a contract in the amount of \$17,766 with the Texas Department of Human

Services for 50% of the cost of a full time Eligibility Specialist II to screen patients for Medicaid eligibility for women and children services at the City of Laredo Health Department for the period beginning October 17, 1996, through October 16, 1997.

Motion authorizing the Interim City Manager to enter into a contract in the amount of \$17,766 with the Texas Department of Human Services for 50% of the cost of a full time Eligibility Specialist II to screen patients for Medicaid eligibility for women and children services at the City of Laredo Health Department for the period beginning October 17, 1996, through October 16, 1997.

Moved : Cm. Bruni

Second: Cm. Perez

For: 8

Against: 0

Abstain: 0

25. Approval of bid specifications and authorization to advertise for bid for an annual contract for the furnishing of all necessary materials, machinery, equipment, labor, and all other services necessary for the maintenance of street lights (not maintained by CP&L and traffic signal lights throughout the city. The total contract amount shall not exceed \$150,000.00. Bids will be received on November 22, 1996 with a tentative bid award for December 2, 1996.

Motion to approve bid specifications and authorization to advertise for bid for an annual contract for the furnishing of all necessary materials, machinery, equipment, labor, and all other services necessary for the maintenance of street lights not maintained by CP&L and traffic signal lights throughout the city.

Moved : Cm. Bruni

Second: Cm. Perez

For: 8

Against: 0

Abstain: 0

26. Authorizing the Interim City Manager to execute a professional services contract with Vesta Rea & Associates in an amount not to exceed \$60,000.00 to assist the City of Laredo in the development of jet air service to our community. The city received a total of 5 proposals. The Airport Advisory Board recommends approval.

Cm. Bruni stated that he had written a letter to the previous City Manager in reference the quality of air service that the city is receiving. He also asked him to look into the possibility of getting jet service for Laredo which would enhance our tourism and growth. Finally, the City Council and the Airport Committee has taken this first step. He requested that staff instruct the Airport Committee to start looking into the fees that some of these commuter airlines are charging people that go from Houston to Laredo and Dallas

to Laredo, because for a one way ticket to cost \$500.00 to get from Laredo to Houston is also inhibiting the development and the growth of Laredo.

Ms. Vesta Rea, from Vesta Rea & Associates in association with Apogee Research, Inc., stated that the plan initially calls for the drafting of a survey document; review and distribute the survey after Christmas with a maximum of 8 weeks for this survey; and include Laredo, Nuevo Laredo, travel agencies, chambers with penetration in all the region. She expects about a 10% return by the end of February, in March go over the results, and in April they will be out in the market calling on the airlines that fit the profile of the survey results.

Motion authorizing the Interim City Manager to execute a professional services contract with Vesta Rea & Associates in an amount not to exceed \$60,000.00 to assist the City of Laredo in the development of jet air service to our community.

Moved : Cm. Bruni

Second: Cm. Perez

For: 8

Against: 0

Abstain: 0

27. Award of annual supply contract to the **LOW BIDDER**, Thomas Petroleum, Laredo, Texas, in the estimated amount of \$750,000.00, for the purchase of transport loads of unleaded fuel and low sulfur diesel fuel, and tank wagon loads of low sulfur diesel and unleaded fuel, for the City of Laredo's fleet. The bid price for the different fuel types is approximately .02 cents/gallon more than the last contract pricing.

Motion to award annual supply contract to Thomas Petroleum, in the estimated amount of \$750,000.00, for the purchase of transport loads of unleaded fuel and low sulfur diesel fuel, and tank wagon loads of low sulfur diesel and unleaded fuel, for the City of Laredo's fleet.

Moved : Cm. Bruni

Second: Cm. Perez

For: 8

Against: 0

Abstain: 0

28. Award of two year service contract to the **SOLE BIDDER**, Synthonic Technology, Inc., Harrisburg, PA., in the amount of \$79,200.00 per year, for providing toll equipment maintenance at the three International Bridges. Synthonic personnel will provide labor support services to perform preventative maintenance, corrective action, install replacement equipment, manage city owned spare parts, assist in software upgrades, and assist city staff with our toll system equipment.

Motion to award a two year service contract to Synthonic Technology, Inc., in the amount of \$79,200.00 per year, for providing toll equipment maintenance at the three International Bridges.

Moved : Cm. Bruni

Second: Cm. Perez

For: 8

Against: 0

Abstain: 0

29. Award of a twelve month janitorial supply contracts to the **LOW BIDDERS**, Nogalito Janitorial Supplies, Laredo, Texas in the base amount of \$24,524.04, and Gulf Coast Paper Co., Inc., Corpus Christi, Texas, in the base amount of \$7,428.80, for providing general janitorial supplies to all city departments. Base bid price is approximately 5% less than last year's price.

Motion to award a twelve month janitorial supply contracts to Nogalito Janitorial Supplies, in the base amount of \$24,524.04, and Gulf Coast Paper Co., Inc., Corpus Christi, Texas, in the base amount of \$7,428.80, to provide general janitorial supplies to all city departments.

Moved : Cm. Bruni

Second: Cm. Perez

For: 8

Against: 0

Abstain: 0

30. Award of contract to the **SOLE BIDDER**, Laboratory Corporation of America, San Antonio, Texas, in the amount not to exceed \$55,000.00, for providing laboratory contract services for the Health Department. A reference laboratory is contracted on an annual basis to provide laboratory clinical services which are not provided in-house or by the Laboratory Division at the Texas Department of Health. State grant funds are utilized for the reimbursement of most of these services.

Motion to award a contract to Laboratory Corporation of America, in the amount not to exceed \$55,000.00, for providing laboratory contract services for the Health Department.

Moved : Cm. Bruni

Second: Cm. Perez

For: 8

Against: 0

Abstain: 0

31. Award of a contract for Architectural Services with John Hickey and Associates in an amount not to exceed \$36,000.00. The Telecommunications Commission recommends approval. The firm will develop plans and specifications for the construction of the new Telecommunications Center.

Motion to award a contract for Architectural Services with John Hickey and Associates in an amount not to exceed \$36,000.00 to develop plans and specifications for the

construction of the new Telecommunications Center.

Moved : Cm. Bruni

Second: Cm. Perez

For: 8

Against: 0

Abstain: 0

32. Approval of amendment no. 8, an increase of \$29,971.85 to add the construction phase of the design contract with Hellmuth, Obata & Kassabaum, Dallas, Texas, for Observation/Administration Graphic Design Services for the Exterior and Interior Sign Program for the New Laredo International Airport Passenger Terminal and Related Airside/Landside Improvements. A/E Contract amount to date is \$2,414,671.85. Funding is available in the New Airport Terminal.

Motion to approve amendment no. 8, an increase of \$29,971.85 to add the construction phase of the design contract with Hellmuth, Obata & Kassabaum, for Observation/Administration Graphic Design Services for the Exterior and Interior Sign Program for the New Laredo International Airport Passenger Terminal and Related Airside/Landside Improvements.

Moved : Cm. Bruni

Second: Cm. Perez

For: 8

Against: 0

Abstain: 0

33. Acceptance of the International Bridge No. 1 Modifications to Toll Plaza and Related Improvements Project and approval of final payment in the amount of \$29,806.50 to Cantu Electric, Inc., Laredo, Texas. Final construction contract amount is \$235,033.50. Funding is available in the Bridge System Toll Plaza Improvements. The construction contract allowed for 180 calendar days and the project was completed in 180 days.

Motion to approve International Bridge No. 1 modifications to Toll Plaza and Related Improvements Project and approval of final payment in the amount of \$29,806.50 to Cantu Electric, Inc., Laredo, Texas.

Moved : Cm. Bruni

Second: Cm. Perez

For: 8

Against: 0

Abstain: 0

34. Award of supply contract to the LOW BIDDERS, 4G Asphalt dba Big Buck Asphalt, Inc., Laredo, Texas in the approximate amount of \$1,466,466.75 (this is an average of 3% less than the previous unit price), Javalina Ready Mix, Laredo, Texas in the approximate amount of \$778,520.00 (this is the same price for ready mix as the previous year), Libcon Inc. dba Leyendecker Materials, Laredo, Texas in the approximate amount of \$757,819.44 (this is an average of 1% less than the previous contract period), Gator Recycler, La Marque, Texas in the approximate amount of \$40,652.06 (this is an average of 18% less than the previous unit price), and Texas Fuel &

Asphalt, Corpus Christi, Texas in the approximate amount of \$23,275.36 (this is an average of 11% less than the previous unit price), for the purchase of asphalt, black base, ready mix cement, asphalt oils and emulsions, flexible base, and sand, as required for all city paving and construction projects. In addition, the City Council will choose lots to determine the contract vendor for sand delivered to the job site. There was a tie bid for this commodity between Leyendecker Materials and City Ready Mix.

Cw. Moreno wanted an explanation on unit prices.

Mr. Francisco Meza, Purchasing Agent, explained the bid pricing process and the basis they used to determine the low bidders.

Motion to amend to accept the sand bid to the lowest bidder, 4G Asphalt.

Moved : Cw. Montalvo
Second: Cm. Perez
For: 8

Against: 0 Abstain: 0

Motion to award supply contract to the low bidders, 4G Asphalt dba Big Buck Asphalt, Inc., Laredo, Texas in the approximate amount of \$1,466,466.75, Javalina Ready Mix, Laredo, Texas in the approximate amount of \$778,520.00, Libcon Inc. dba Leyendecker Materials, Laredo, Texas in the approximate amount of \$757,819.44, Gator Recycler, La Marque, Texas in the approximate amount of \$40,652.06, and Texas Fuel & Asphalt, Corpus Christi, Texas in the approximate amount of \$23,275.36, for the purchase of asphalt, black base, ready mix cement, asphalt oils and emulsions, flexible base, and sand, as required for all city paving and construction projects as amended.

Moved : Cm. Perez
Second: Cm. Valdez
For: 8

Against: 0 Abstain: 0

35. Award of contract to the LOW BIDDER, MHMS Corp., of Lutz, Florida, in the amount of \$24,800.00, for the purchase of 500,000 plastic bags for use in the City's Recycling Program. The contract price is approximately .01 cent less per bag than the previous year contract price.

Motion to award contract to the MHMS Corp., in the amount of \$24,800.00, for the purchase of 500,000 plastic bags for use in the City's Recycling Program.

Moved : Cm. Perez
Second: Cm. Valdez
For: 8

Against: 0 Abstain: 0

36. Approval of a contract between the City of Laredo and Mercy Hospital of Laredo, a Texas non-profit corporation regarding the Economic Development Administration (EDA) - Airport/Medical Park Infrastructure Improvement Project for those improvements to be contributed by Mercy Hospital as part of the matching requirements for an EDA grant. These improvements include an 18" sanitary sewer line from Meadow Avenue to East San Francisco Avenue and connecting to the existing Zacate Creek Sewer Interceptor, onsite/offsite storm drainage and onsite/offsite water lines and partial reconstruction of Meadow Avenue from Saunders to Bustamante and partial reconstruction of Bustamante Street from Meadow to Foster Avenue.

Motion to approve a contract between the City of Laredo and Mercy Hospital of Laredo, a Texas non-profit corporation regarding the Economic Development Administration (EDA) - Airport/Medical Park Infrastructure Improvement Project for those improvements to be contributed by Mercy Hospital as part of the matching requirements for an EDA grant.

Moved : Cm. Perez
 Second: Cm. Valdez
 For: 8

Against: 0 Abstain: 0

37. Award of an engineering contract to Mejia Engineering Company, Laredo, Texas, for an amount not to exceed \$74,767.00 for the design and the plans and specifications for the construction of 7000 L.F. of an 18 inch diameter Sanitary Sewer Main along Bustamante Street from Meadow Avenue to East San Francisco Avenue at Zacate Creek. Funding is available in the Sewer System Fund Account.

Motion to award an engineering contract to Mejia Engineering Company, Laredo, Texas, for an amount not to exceed \$74,767.00 for the design and the plans and specifications for the construction of 7000 L.F. of an 18 inch diameter Sanitary Sewer Main along Bustamante Street from Meadow Avenue to East San Francisco Avenue at Zacate Creek.

Moved : Cm. Perez
 Second: Cm. Valdez
 For: 8

Against: 0 Abstain: 0

38. Award of professional consulting services for an amount not to exceed \$18,880.00 to Sherfey Engineering in association with Naismith Engineering., Inc., Laredo, Texas to conduct an environmental assessment for the Manadas Creek Wastewater Interceptor Project on a fast track basis in compliance with ASTM E 1527-94 Practice of Environmental Site Assessment, subjected to EDA approval.

Motion to award a professional consulting services for an amount not to exceed \$18,880.00 to Sherfey Engineering in

association with Naismith Engineering., Inc., to conduct an environmental assessment for the Manadas Creek Wastewater Interceptor Project on a fast track basis in compliance with ASTM E 1527-94 Practice of Environmental Site Assessment, subjected to EDA approval.

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

Against: 0 Abstain: 0

39. Approval of the final payment in the amount \$11,600.00 to Kinnetic Laboratories Inc., Santa Cruz, CA, for conducting a training on Stormwater Discharge Monitoring Requirements to comply with NPDES Stormwater Permit. The training was conducted from September 10, 1996 to September 13, 1996.

Motion to approve final payment in the amount \$11,600.00 to Kinnetic Laboratories Inc., for conducting a training on Stormwater Discharge Monitoring Requirements to comply with NPDES Stormwater Permit.

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

Against: 0 Abstain: 0

40. Acceptance of the rehabilitation of El Azteca Police Sub-Station and approval of final payment in the total amount of \$8,330.00 to the lowest bidder Dominguez Development & Construction for a total construction cost of \$53,380.00.

Motion to accept the rehabilitation of El Azteca Police Sub-Station and approval of final payment in the total amount of \$8,330.00 to the lowest bidder Dominguez Development & Construction for a total construction cost of \$53,380.00.

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

Against: 0 Abstain: 0

41. Approval of Hotel/Motel Fund contract with San Agustin Historical Preservation and Restoration Society for the fiscal year beginning October 1, 1996 through September 30, 1997, in the amount of \$20,000. City Council is advised that funding for said contract is not available but rather approval of same will involve exceeding the approved appropriation in the Hotel/Motel Budget by the contract amount which is expected to be covered in one or a combination of the following:
- (1) actual revenues that exceed the budget;
 - (2) savings realized from actual expenditures being less than budget to include reduction of transfer to Laredo Convention and Visitor's Bureau; and/or
 - (3) a transfer from the General Fund.

Motion to approval of Hotel/Motel Fund contract with San Agustin Historical Preservation and Restoration Society for the fiscal year beginning October 1, 1996 through September 30, 1997, in the amount of \$20,000.

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

Against: 1
 Cw. Moreno
 Abstain: 0

42. Award of an engineering contract to Foster Engineering Company, Laredo, Texas, for an amount not to exceed \$59,835.22 for surveying, preparation of metes and bounds descriptions and survey maps for the right-of-way parcels, and for the design and the preparation of plans and specifications for the construction of the road to extend International Boulevard approximately 1500 L.F. from the west end of Meadowlands Subdivision to connect the existing roadway at Salinas Key Subdivision. A 95 feet wide right-of-way will be required. Funding is available in the Capital Improvement Fund.

Motion to award an engineering contract to Foster Engineering Company, for an amount not to exceed \$59,835.22 for surveying, preparation of metes and bounds descriptions and survey maps for the right-of-way parcels, and for the design and the preparation of plans and specifications for the construction of the road to extend International Boulevard approximately 1500 L.F. from the west end of Meadowlands Subdivision to connect the existing roadway at Salinas Key Subdivision.

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

Against: 0
 Abstain: 1
 Cm. Guerra

43. Award of an engineering contract to Raba-Kistner Consultants, Inc., San Antonio, Texas, for an amount not to exceed \$160,211.75 for the design and the preparation of plans and specifications of a Composite Liner for Cells No. 7 and No. 8 of the Laredo Landfill located at Highway 359 and to include Construction Quality Assurance Services, Leachate Collections and Construction Control Surveying as required per Subtitle D Requirements of the Texas Natural Resource Conservation Commission (TNRCC). Funding is available in the Landfill Fund - Improvements other than Buildings.

Motion to award an engineering contract to Raba-Kistner Consultants, Inc., for an amount not to exceed \$160,211.75 for the design and the preparation of plans and specs of of a Composite Liner for Cells No. 7 and No. 8 of the Laredo Landfill located at Highway 359 and to include Construction Quality Assurance Services, Leachate Collections and

Construction Control Surveying as required per Subtitle D Requirements of the Texas Natural Resource Conservation Commission (TNRCC).

Moved : Cm. Valdez

Second: Cm. Casso

For: 8

Against: 0

Abstain: 0

44. Award of an engineering contract to Rust Lichliter Jameson, Houston, Texas, in the amount of \$350,000.00, for the design and preparation of the permit amendment application to be submitted to the Texas Natural Resources Conservation Commission (TNRCC) for Vertical Expansion of the City of Laredo Landfill located on Highway 359 to TNRCC requirements. Funding is available in Landfill Fund Trust Fund.

Motion to award an engineering contract to Rust Lichliter Jameson, in the amount of \$350,000.00, for the design and preparation of the permit amendment application to be submitted to the Texas Natural Resources Conservation Commission (TNRCC) for Vertical Expansion of the City of Laredo Landfill located on Highway 359 to TNRCC requirements.

Moved : Cm. Valdez

Second: Cm. Casso

For: 8

Against: 0

Abstain: 0

45. Approval of change order no. 1, an increase of \$2,606.35, to add one (1) block on San Salvador between Texas and Milmo. This work is requested because it adjoins the project and because of heavy asphalt deterioration. Acceptance of the 1995-1996 Street Recycling Project Phase II (63 Blocks which includes this change order) and approval of final payment in the amount of \$106,442.65 to Cutler Repaving, Inc., Lawrence, Kansas. Final construction contract amount is \$106,442.65. Funding is available in the Capital Improvement Fund Street Material.

Motion to approve change order no. 1, an increase of \$2,606.35, to add one (1) block on San Salvador between Texas and Milmo. Acceptance of the 1995-1996 Street Recycling Project Phase II (63 Blocks which includes this change order) and approval of final payment in the amount of \$106,442.65 to Cutler Repaving, Inc., Lawrence, Kansas.

Moved : Cm. Valdez

Second: Cm. Casso

For: 8

Against: 0

Abstain: 0

IX. CITY MANAGER'S REPORT

46. Presenting a status report on the progress of the Colonias Project and requesting the Council establish a date for a

workshop to present and discuss policy issues related to this project.

Mr. Pena asked that Council considers setting a workshop date because the issue is beginning to take shape and there are some policy land development issues that need to be discussed.

Mr. Edward Garza, representing Paul Garza Engineering & Assoc., presented demographic data and reported that in prior studies done they have found that along the Hwg. 59 area there is an estimated population of 2,668 residing in 560 households. These include travel trailers, buses, homes under construction that occupied, multiple houses on one lot, which were included in the population count. They feel confident that the population figures will be acceptable to the Water Development Board which is a driving force in how our funding will be secured.

He stated that in projecting growth for the 359 area they have taken a conservative approach of 2 - 2 1/2% over a 20 year period. The 20 year period is basically the study period that they are allowed to use in projecting growth. He pointed out that at a 20-year build out, assuming no re-subdividing of lots of tracts which is a big assumption, they should estimate about 4,400 people that will be residing in these colonias. The reason they have to make this assumption of no subdividing is because the Water Development Board does not recognize the ability for people to replat or change the configuration of their lots in the whole scheme of things. As they prepare to design or show design parameters for these colonias it will be based on total build out, but they cannot say there will not be additional lots introduced during this phase. He pointed out that while the report is being reviewed by the board and while the designs are taking place and if there is additional people coming in at that time, the Water Development Board will allow them to revise those figures to estimated existing connections that are used to fund this project. He explained that the number he presented in the report will be subject to an increase if in fact that is something that will take place, because since they are in ETJ area and this colonias are platted there is no building restrictions and people are allowed to build at their free will, so they expect some growth to occur. One of the items that controls here is if the tract of land is large enough to accommodate an on site septic system or if it will allow for a conventional gravity system. They are looking at the possibility of a sewer plant located north of Los Altos at Tex-Mex right-of-way or the possibility of extending a sewer line along the railroad right-of-way to Chacon Creek. The bottom line is the amount of money it is going to take by the board to invest into this project to accommodate this need. They will identify the different options that will work and that will be acceptable to the city because if they produce a

new plant at this location and this being a city run project the city utilities department will be required to maintain that plant. One issue here is where the colonias that have large tract sizes that do not qualify for conventional sewer system which include Pueblo Nuevo, Laredo Ranchettes and Tanquesitos which range from 3 acres to 10 acres in size the minimum requirement is an acre for an on site septic system. They can have drain field in those areas, the EDAP will fund septic systems, but if they do that the city will be responsible for the septic tanks, but there are other programs that Webb county can handle to assist people who live in those colonias to acquire financial assistance so they can install their own septic tanks according to state criteria and they would be responsible for the maintenance.

The end result is that they can extend water all the way to Pueblo Nuevo and tie into an existing line along Larga Vista in the highway and provide water to all the colonias and also will look into the two options of a sewer plant and the gravity collector line to the Chacon Creek. He explained that they have estimated 560 households which is possibly 560 connections, and the Water Development Board uses \$10,000.00 per connection as a bench mark of value, in water it means \$5.6 million, in sewer \$3.8 million and in this figure they reduced the amount of lots that will be served by potential septic tanks. Which is the amount that would qualify for the EDAP Program for conventional sewer tap, so the total funding for Hwy. 359 is approximately \$9.4 million. They will establish a cutoff date where they will shoot aerial photos of the colonias and make that an EDAP eligible expense. This date will be the point where they will recognize those homes on these lots of the colonias as being in existence, anything after that would be another issue.

Florencio Peña, Interim City Manager, stated that there are two options in regards to Hwy. 359, they could try and possibly consider building a sewer treatment plant and the other option is tying into the Chacon interceptor, but the problem with the Chacon Interceptor is that it may not be completed in time that this project may be on line.

Cm. Bruni stated that he does not want to reward the developers that created these problem by extending water to them and then the sell their properties at a higher value. He wants this agreement to be insulated from the abuse that the developers have already caused.

Mr. Pena suggested that this issues be presented at the workshop and scheduled it for Thursday - November 21st in the Council Chambers at 5:30 p.m.

Mr. Garza also explained water extension for the Mines Road, there are 184 households items for possible water funding, at \$10,000.00 per connection they are just under \$2 million.

47. Presentation of the City Employee Leadership Development Program. As part of the 1996-1997 Annual Budget, City Council authorized the establishment of a program that offers leadership training to city employees.

Dan Migura, Administrative Services Personnel Officer, reported to council that this program would start on January of 1997. He said they are in the process of implementing a City Employee Leadership Development Program and the purpose is to identify, educate, and motivate 15 city employees by developing their potential leadership skills through exposure to the diverse realities, personalities and challenges of the City organization/government. The objectives of the program are to foster quality leadership, encourage continuous improvement on an ongoing basis, develop and enhance visionary leadership skills through in-depth training, encourage participants to get involved with current and future activities which contribute to the growth and betterment of the City, introduce the participants to, and establish dialogue with, each other and current management leaders within the City organization, and inform the participants about the City's organizational structure. He explained the benefits of the program to City Employees which will be involved in special projects, City Organization, and added that the community concerns will be identified and possible solutions will be explored and presented. He concluded by explaining the calendar of events from January through December.

48. Requesting authorization to amend the 1996 Consolidated One Year Action Plan previously submitted to the U.S. Department of Housing and Urban Development (HUD) in order to reflect the motions made by City Council at the FY'97 Budget Workshops regarding the use of Community Development Block Grant (CDBG) funds and noted as follows:

Defer the Southgate Blvd. Drainage Project in the amount of \$1,595,000 and provide funding for the:

San Salvador/Pine/Chestnut Drainage (acquisition and relocation)	\$1,195,000
Ochoa Elementary Park	75,000
Santa Fe Park Development	30,000
Tomas Sanchez Sidewalk (LISD)	15,000
Paving Project 60 - Engineering	85,000
Azteca Paving Project	60,000
Traffic Lights at Chihuahua/McPherson, Monterrey/Lyon and Guadalupe/Monterrey.	135,000

Motion to amend the 1996 Consolidated One Year Action Plan previously submitted to the U.S. Department of Housing and Urban Development (HUD) in order to reflect the motions made by City Council at the FY97 Budget Workshops regarding the use of Community Development Block Grant (CDBG) funds and noted as follows:

Defer the Southgate Blvd. Drainage Project in the amount of \$1,595,000 and provide funding for the:
 San Salvador/Pine/Chestnut Drainage
 (acquisition and relocation \$1,195,000
 Ochoa Elementary Park 75,000
 Santa Fe Park Development 30,000
 Tomas Sanchez Sidewalk (LISD) 15,000
 Paving Project 60 - Engineering 85,000
 Azteca Paving Project 60,000
 Traffic Lights at Chihuahua/McPherson,
 Monterrey/Lyon and Guadalupe/Monterrey. 135,000

Moved : Cm. Perez
 Second: Cm. Guerra
 For: 8

Against: 0 Abstain: 0

- 49. Request for Executive Session pursuant to Section 551.074 of the Texas Government Code to discuss the qualifications and duties of the City Attorney.

Florencio Peña, Interim City Manager, handed out a questionnaire that would provide input from the Council to consider the desirable characteristics for the next City Attorney by rating the questions from 1 to 10. He asked that they add any other qualities that they feel are important and that are not included in the questionnaire and that they return the form to the City Manager when completed.

X. CITY COUNCIL DISCUSSION AND PRESENTATION

- 50. Requests by Mayor and City Councilmembers for discussion and presentation.

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

- 1. Presentation of an award to Mr. Joe J. Espinoza, Coordinator for the South Laredo Youth Alliance, in recognition of his commitment and work towards improving the lives of our youth. (Co-sponsored by Councilmember Jose R. Perez, Jr., and Councilmember Eliseo Valdez, Jr.)

The Mayor and Council made the presentation of the award to Mr. Joe J. Espinoza in recognition of his commitment to the program.

Students enrolled in the program spoke on the benefits of the program and explained how it has helped them.

B. Requests by Councilmember Jose R. Perez Jr.

- 1. Discussion and possible action concerning the inclusion of the 2900 Block of Bayard to Paving Project 60.

Rogelio Rivera, City Engineer, reported that the street is not open and stated that it leads to a creek. He stated that there are plans to sell it and recommends that the street be closed.

Motion to include Block 2900 of Bayard to paving project 60.

Moved : Cm. Perez

Second: Cw. Moreno

For: 8

Against: 0

Abstain: 0

2. Discussion and possible action concerning the constant presence of water at the intersection of Loop 20 and Blaine, and directing staff to schedule the construction of a valley gutter at this intersection to help alleviate this problem.

Fernando Roman, Acting Utilities Director, stated they have been looking at the water problem for a while, they originally thought they had a problem at the site of the former El Rancherito Gas Station when the remediation took place about two years ago. There was a lot of ground water pumped from there and they thought it would be infiltrating to the storm sewer therefore flowing downhill. They are now 20 blocks away and still find traces of water in the storm sewer and are trying to locate that.

Motion to schedule the construction of a valley gutter at the intersection of Loop 20 and Blaine and to have it done by the Public Works Department.

Moved : Cm. Perez

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

C. Requests by Councilmember Louis H. Bruni

1. Discussion and possible action concerning a City Ordinance passed by the City Council on June 7, 1977, which concerns garbage and refuse, and to have staff re-evaluate the ordinance in relation to the pick-up of tree limbs.

Motion to include in the ordinance wording that instructs the proper city department to pick up tree limbs and debris.

Moved : Cm. Bruni

Second: Cm. Casso

For: 8

Against: 0

Abstain: 0

2. Discussion and possible action concerning what appears to be abandoned homes located at 2202 and 2204 Locust to address securing them to prevent access and high weeds.

Motion to instruct staff to address securing the abandoned homes located at 2202 and 2204 Locust to prevent access and high weeds.

Moved : Cm. Bruni

Second: Cw. Montalvo

For: 8

Against: 0

Abstain: 0

3. Status report on the creek cleaning projects in District II with possible action.

Cm. Bruni requested that staff contact the private owners of the drainage easements and inform them to clean them or that the city will clean them and send them a bill.

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

1. Discussion and possible action regarding Robert's Rules of Order.

There was no discussion on this item.

2. Discussion and possible action regarding the County Judge holding the City Council in contempt of court during the city council meeting of October 30, 1996.

Cm. Casso stated he had a legal opinion from the City Attorney of the event that occurred at the meeting of October 30, 1996. He quoted the legal opinion sent by the City Attorney saying, "as events unfolded, it became clear enough to me what Judge Martinez was threatening to do. At first, when Judge Martinez made these remarks, my first impression was that he was merely making an attempt, although a misguided one, to end the exchange of words between Mayor Ramirez and Councilman Casso. However, when the deputy sheriff arrived, I then realized that Judge Martinez was seriously considering holding Mayor Ramirez and Councilman Casso in contempt and having them arrested. I was appalled that Judge Martinez and the County Commissioners would come to the City Council chambers for a meeting of the City Council, at the request and invitation of the City Council, and would then attempt to hold one or more City Councilmembers while they were sitting as a legislative body, in contempt for the words spoken between the Councilmembers during discussion and debate upon the issue of a fire protection contract. Even though a Commissioners Court is basically only a local legislative body, just as a City Council is, the courts of Texas have held that, in relation to a county, a city government is supreme within its own territorial jurisdiction. Adams vs. Rockwall County 280 S.W. 759 (Texas Comm. of Appeals 1926); Myers vs. Martinez 320 S.W. 2d 862 (Tex. Civ. App. - San Antonio 1959, writ ref. n.r.e. 326 S.W. 2nd 171 (Texas 1959))." He stated that it is ridiculous that these debates

occur and added that he put this item on the agenda because of the relations between the city and the county that he feels are becoming rather strained and if something is not done about it we are completely going to drift apart. Part of the problem is that the county hired one of our Assistant City Managers and it sours the relations. He concluded by stating that the Carlos Villarreal needs to contact the City Manager from now on and should not contact any of our department heads. If he wants to talk to them after hours we cannot control that, but he thinks everything should be directed through our City Manager because he does not have any authority, even though he is the Administrative Assistant to the County Judge, he has no authority should be dealing with one of the commissioners or with the judge.

Cm. Bruni commented on the issue and added that the County Judge did not realize what court he was in when he was stating that he was in some court where he had jurisdiction over this council. He has no jurisdiction over this building, his jurisdiction is in the building across the street. For him to call a deputy into the City Council Chambers with a threat of arresting the Mayor or any Councilmember is an insult and a slap in the face to every member of this Council, the staff and the citizens of Laredo.

3. Discussion and possible action concerning the appointment of Robert Gutierrez, Eloy Cantu, Jerry Schwebel and Elmo Lopez, to a committee to assist the City Manager in restructuring the Economic Development Council that will replace the Economic Advisory Council.

Cm. Casso stated that he does not have any problem with transferring some of the responsibilities to the Planning and Development Department, but what he wants is to have these four people assist the City Manager as to how we are going to restructure it. Then they can bring it back to council and then they can appoint two members each, get two members from Nuevo Laredo to make it bi-national and make it a 20 member body.

Mayor Ramirez suggested that we also give them all the incorporated documentation and everything that has been established and let them work with it. He said we need to move ahead in redoing this and supports the move.

Motion to confirm the appointments of Robert Gutierrez, Eloy Cantu, Jerry Schwebel, and Elmo Lopez to assist the City Manager in looking at our current structure for the Economic Development Council and to see if there are any things that they would want to replace to create the Economic Advisory Council.

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

Against: 0

Abstain: 0

E. Requests by Councilmember Eliseo Valdez, Jr.

1. Discussion and possible action concerning the re-evaluation of current flood plain boundaries as a way to provide insurance relief to local citizens.

Cm. Alvarado stated that improvements have been done to the area and that staff should take another look at the flood plan.

Benny Salinas, Building Code Director, stated that the study was done in 1981 and the maps were adopted in 1983. FEMA (Flood Emergency Management Agency) hired a Denton firm to do the studies. He has been writing to FEMA and had a representative here in Laredo, showed her all the improvements that have been done within the city. At that time she said that our maps were outdated and that she was going to have them updated. Since then it seems that every year they had funding limitations or have had emergencies in other states and they never have funds to do our studies. At the present time the Army Corp of Engineers did the upper Zacate Creek, it goes from McPherson Road Channel to Canal Street and he is still trying to get the maps updated.

Motion to pursue with FEMA to see what kind of insurance relief they can bring to people that currently live in flood plain areas city wide, and along the Chaparral area that have experienced flooding as well as getting our maps revised through FEMA to make sure that the proper flooding zones are classified accordingly.

Moved : Cm. Valdez
 Second: Cm. Perez
 For: 8

Against: 0

Abstain: 0

2. Discussion and possible action concerning the construction of a retaining wall or the planting of landscaping (hedges) at the Northeast Hillside Park.

Motion to consider the hedges as a buffer between the park and the residential area.

Moved : Cm. Valdez
 Second: Cm. Guerra
 For: 8

Against: 0

Abstain: 0

3. Discussion and possible action concerning the development of heavier penalties for mailbox vandalism, and to have staff develop a mechanism to encourage traffic to slow down on Kentucky Avenue.

Mr. Peña, Interim City Manager, stated that they will explore different things such as putting signs that say "children playing" or "children crossing" to try and slow traffic down, because that road doesn't have any breaks, it goes all the way from Colorado to Springfield and it is highly used. He said that they will try to look at ways to try and slow traffic in that area primarily by using signage.

Cm. Valdez stated he would like to see stiffer fines for vandalism.

Motion to instruct staff to proceed a mechanism to encourage traffic slow down in the area of Colorado to Springfield and wants to see stiffer fines for vandalism.

Moved : Cm. Valdez
Second: Cm. Guerra
For: 8

Against: 0

Abstain: 0

F. Requests by Councilmember Joe A. Guerra

1. Presentation and discussion by Aldo Tatangelo on affordable housing and the central business district.

Mr. Aldo Tatangelo stated that he wants to see the contractors building at \$30 per square feet with homes costing at the range from \$34,000 to \$35,000 for the \$10,000 to \$15,000 income range. He wants the city to build affordable homes on city owned property in order to make the homes affordable to low income persons.

Cm. Valdez stated that residents along Alma Pierce area do not want more homes along that strip. There are over 940 children in the Alma Pierce School so the area cannot handle more kids.

Cindy Collazo, CD Director, reported that they are close to 242 affordable homes presently being built, planned with a cost of \$38,000 to \$45,000.

Cm. Casso requested a report from staff a list of all the projects they have pending, under what program they fall, what they did the previous year, and where we are going in the future so that council can be informed as to the objectives of affordable housing. He also requested the annual performance report that is required.

Mr. Tatangelo stated that the downtown business district needs to have the Christmas lights up now and that the restrooms at El Mercado are still closed and concluded by saying that downtown needs the interest and initiative of the city.

Mayor Ramirez informed Mr. Tatangelo that we will do it and we will work a schedule with the City Manager.

Cw. Montalvo requested that Joe Garza look at the bathrooms situation at the Mercado.

Cm. Bruni requested that the restrooms be kept open during operating hours.

Mr. Pena stated that keeping the restrooms opened will require manpower. His was concerned with the manning of it periodically because they are not attached to the building, they are out of site and it can be a liable situation. He concluded by saying that they will explore the situation and will bring it back to City Council.

Mr. Fidel Ramirez emphasized that affordable housing for the people in Laredo is still within the \$20,000-\$25,000 range in order to be able to sustain their families and attain the other needs that they have.

2. Discussion and possible action pertaining to fire and hazardous materials containment and protection services at the Laredo Columbia-Solidarity Bridge.

Cm. Guerra stated that he had taken a trip to the Columbia Bridge and found that there was increased truck traffic, but did not find a Fire Department person present or a vehicle or a pumper. He then proceeded inside the building hoping to find a firefighter to give him a tour of the facility and much to his surprise did not find anybody. He then went to the bridge structure and after further inspection of the containment area at Customs, he saw that the drains were plugged with debris and that he also saw standing water which may have negative reactions to certain chemicals.

Mike Garza, Acting Fire Chief, responded to Cm. Guerra's observations. He said that sometimes the firefighters come into town for whatever reason, they have continued education and probably was the reason why the firefighters were not there at the time, or might have been responding to a call because they do not only respond to the bridge, but also respond to the area. As far as the bridge is concerned, the bridge does have drainage for water or rain water to drain straight from the bridge as safety for the traffic. Customs does have a hazardous material containment facility at the site which is at a distance from the bridge and is designed to accommodate one 18-wheeler there that might be spilling some of its cargo into those containment areas. They do have a few inches of standing water and since it is U.S. Government property it is their responsibility to get the water out, however there are such chemicals that might react with water so there would be a concern with that.

Mayor Ramirez requested that a letter be sent to the District Director advising them about the standing water and that it could be a hazard as a result of chemicals that may be reactive to water and that we would request that the water be drained from the containment area.

Cm. Guerra stated that one of his biggest concerns is that on the containment features at the bridge itself, what can we do as a city to resolve that condition. He added that on November 11th most of the haz-mat movement will be moved to that bridge and if we are not properly prepared to accommodate them we might have a catastrophe on our hands.

Mayor Ramirez requested that the drains be cleaned out by staff and that once that is done, that staff advise Council that it has been done and also wants the Engineering Department go back and detail what are the safety gaps that we have in case an actual chemical spill on the bridge itself and what kind of containment features our bridge has to alleviate some of the concerns.

G. Requests by Councilmember Consuelo Montalvo

1. Presentation recognizing the Second Annual El Azteca Neighborhood Association Clean-up, scheduled for Saturday, November 9, 1996, from 8:00 a.m. to 12:00 noon, and thanking the event sponsors: Southern Sanitation, HEB Grocery Store, Martin High School students, Azteca Economic Development and Preservation Corporation, Azteca Police Substation, and the City of Laredo.

Cw. Montalvo publicly thanked all the persons and organizations involved in this project.

Jesus Nava and Rafael Torres both explained the project and the activity involved.

XI. PUBLIC HEARINGS

51. Public hearing concerning an ordinance amending the City of Laredo's 1996-97 Annual Budget in the amount of \$5,592.00 for an Auto Theft Task Force Grant for funding of Equipment and personnel, travel, and direct operating expenses for the period of September 1, 1996 to August 31, 1997.

INTRODUCTION OF AN ORDINANCE

Amending the City of Laredo's 1996-97 budget in the amount of \$5,592.00 for an auto theft task force grant for funding of personnel travel, and direct operating expenses for the period of September 1, 1996 through August 31, 1997.


Motion to open the public hearing.

Moved : Cm. Casso
 Second: Cm. Alvarado
 For: 8

Against: 0

Abstain: 0

I HEREBY CERTIFY THAT THE ABOVE MINUTES CONTAINED IN PAGES 01 TO 35 ARE TRUE, COMPLETE, AND CORRECT PROCEEDINGS OF THE CITY COUNCIL MEETING HELD ON NOVEMBER 4, 1996. A CERTIFIED COPY IS ON FILE AT THE CITY SECRETARY'S OFFICE.


 GUSTAVO GUEVARA, JR.
 CITY SECRETARY

M96-R-39(S)

SUPPLEMENTAL AGENDA

NOVEMBER 4, 1996

V. INTRODUCTORY ORDINANCES

- a. Authorizing the Interim City Manager to execute a lease with the Laredo Center for the Arts, Inc., a Texas Non-profit Corporation, for approximately 13,693.20 square feet of an area in the buildings known as "El Mercado" being Block 41-A, City of Laredo, Webb County, Texas;
1. Lease term is for twenty-five (25) years beginning on the xx day of November, 1996;
 2. Monthly rent shall be \$6,900.00. Notwithstanding the foregoing, if at anytime during the term, the City of Laredo, (acting not in its capacity as Landlord hereunder but rather in its capacity as a funding source for Tenant) terminates its funding of Tenant, the annual rent thereafter shall not exceed six percent (6%) of Tenant's annual operating budget or tenant can choose to terminate lease with 30 days notice.

Ordinance Introduction: City Council

M96-R-39(S)

SUPPLEMENTAL AGENDA

NOVEMBER 4, 1996

IX. CITY MANAGER'S REPORT

- a. Presentation by Structural Engineers Associates, San Antonio, Texas, concerning the West Laredo Overpass on the design and safety aspects of the project.

Cindy Collazo, CD Director, reported that a meeting was held

last Wednesday with the residents to provide answers to the issues the residents had. She stated that the following were the questions, issues and concerns that they had for the City Council:

- 1 - Lafayette is too narrow and requested better curb cuts to enter their driveways.
- 2- They need more parking area to and from the overpass because some of them have large families.
- 3 - The egress and ingress problems for those families located in middle of the railroad tracks that were having problems with that.
- 4 - Sidewalk height causes problems to exit driveways.
- 5 - The overpass is very low in areas and needs to be secured with fence to discourage hangouts.
- 6 - One resident is requesting reimbursement for fixing sidewalk he constructed in February of 1992 it was a 12' sidewalk because he has physical impairment and he needed that sidewalk, the city came in and constructed a 4' sidewalk, so he is seeking reimbursement.
- 7 - Residents are asking that conversion of surplus properties be converted into parking lots, with lights, and some type of security or maybe a police substation in the area to patrol.
- 8 - Damage was done to plants to an area resident.
- 9 - They are also asking closure of Main Street and Sta. Cleotilde on each side of the underpass for safety purposes.
- 10 - A resident wants reimbursement for expense of pipe that was needed to fix a fence gate.
- 11 - A Lafayette and Eagle Pass traffic light for pedestrian crossing.
- 12 - Speed limit signs on Lafayette, and that they also include some sort of signage on the overpass.
- 13 - Will tractor trailers be using the overpass and will the floor plan permit 18-wheelers on the overpass.
- 14 - They were requesting fencing on overpass due to concerns with safety regarding objects and possible accidents falling on homes under the overpass.
- 15 - Requested Police Department assistance for paint sniffers at the low areas under the bridge and extra vandal proof lights.
- 16 - They were also requesting that the Police Department help them with parked cars at night that are blocking traffic in the 1900 block of Lafayette.
- 17 - Residents were requesting that the Police Department continue patrolling Lafayette and Sta. Cleotilde.
- 18 - They asked that the City research the possibility of property tax reduction due to the damage that they feel has been done to their property values because of the overpass.
- 19 - They asked that in case of an accident, who would be liable.
- 20 - There was a concern that the trash was not being picked up in certain areas because the Public Works trucks could not

drive through the area.

21 - There was also a concern that EMS and fire truck could not go in the area.

Mr. Peña stated that they have met as a staff, the Engineering Department and himself and gone over all these items and feel that the majority of these items can be addressed. The ones that have a cost item will be brought to City Council. On the parking lot issue, there is surplus property there and they might have to bring it back to Council for consideration.

Mike Garza, Acting Fire Chief, reported that he has checked the area and found the street to be too narrow at the 1700 to the 2200 of Lafayette. A fire truck or an ambulance would be able to make it through the area if there were no vehicles parked on the street. He added that they are used to dealing with this situation due to the narrow streets in certain areas of town. They would have to stretch their hoses to a location, but it is possible. Their apparatus carries plenty of hoses that they can connect and can pull and charge with water in an instant and access these areas. As for EMS since the streets are so narrow, they will have some difficulty to getting the unit in there, but if they cannot get in there they will go by foot and proceed to the residences as they have in other parts of town.

Mr. Juan Chavez of 1717 Lafayette stated that he does not have access to go out in case of an emergency. He said he was forced to sign a paper surrendering 15 ft. strip of land for construction of the overpass.

Mr. Aldo Tatangelo spoke in reference of the project and said that he was against that overpass being built in neighborhoods and that they should be built in highways. He said that the neighborhood is ruined, they have created a monster and there is no solution.

Cm. Alvarado stated that the persons that are responsible are no longer working with the City. There are many concerns from the residents, an injustice has been made, the City Council is looking for a solution on the issues and concerns, but one way or the other this has to be resolved and everything possible will be done to remediate this problem. He said that residents stated that they have been intimidated and forced to sign requirements by the city. He said that this Council did not cause this problem, it was the previous Councilmember because he did not have the time to investigate what was happening. The engineers cannot be blamed either, they just told them to build an overpass with the space they were given. The responsible party for this is the previous administration and the previous Councilmember for this district, they tried saving monies and now this administration has this problem. He guaranteed the residents that they will look for a solution to resolve all the issues and concerns.

Mrs. Beatriz Escamilla stated that one thing Council can do is not designate the overpass as a truck route. She spoke in favor of a police substation in the area.

Manuel Leyva of 1903 Lafayette spoke in reference to the broken curb and sidewalk and wanted reimbursement for the cement plus the permit totaling \$600.00.

Mayor Ramirez stated that it can be done and concluded by saying the City will contact him.

Cw. Montalvo stated that several residents have been calling her. She asked that when the City Manager meet with the residents of the area, that they first call the Councilmember of the district. She wants staff to look at relocating residents who are in danger due to the overpass.

Mrs. Maria Cristina Leal of 1704 Lafayette spoke of the narrowness of the street, the seriousness of the problem for EMS and fire trucks to access the area.

Mayor Ramirez stated that Cm. Alvarado has taken an aggressive positive step to better the conditions in the area and that they will not take steps that the residents are not in agreement to. He added that the ideas, concerns, and solutions brought before them will be resolved internally as soon as possible, maybe within 15 days. He wants those problems that are more difficult that a report on solutions and cost estimate be brought forth on a fast track with the possibility to relocate some residents.

Cm. Casso wants staff to work on this issue in the fast track and as a priority item.

Cm. Guerra suggested that staff looks into the relocation options which may be the ultimate solution.

Minutes approved on: December 2, 1996