

CITY OF LAREDO
CITY COUNCIL MEETING

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

MINUTES

M-95-R-07

MARCH 20, 1995

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

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

III. ROLL CALL

IN ATTENDANCE:

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

IV. APPROVAL OF MINUTES

2. City Council Meeting of February 6, 1995

Motion to approve.

Moved : Cm. G. Perez

Second: Cm. Cardenas

For: 8

Against: 0

Abstain: 0

Corrections:

On page 5, second paragraph, the word automatically should be changed to adamantly.

V. INTRODUCTORY ORDINANCE

3. Ordinance delegating authority for the regulation of rates for basic cable service, equipment and installation to the Laredo Cable Commission, and ratifying certain acts of the Cable Commission and the City Manager.

Mr. Hilario Cavazos, Chairman of the Cable Commission, Dave Leyendecker, Cable Commission member, and Larry Dovalina, Civic Center Director spoke before the council on this matter. They explained to the council that they wanted authorization from the council on behalf of the Cable Commission to ratify the submission of FCC Form 328 and delegating the authority to regulate rates for basic cable service to the Laredo Cable Commission.

Ordinance Introduction: City Council

VI. FINAL READINGS

Motion to waive the final reading of ordinances #95-0-062, #95-0-063, #95-0-064, #95-0-065, #95-0-066, and #95-0-067.

Moved : Cm. Perez

Second: Cm. Cardenas

For: 8

Against: 0

Abstain: 0

4. 95-0-062 Street Improvements Project 56; declaring the necessity for and ordering the paving and improvements of certain streets in the City of Laredo, Texas; approving the street paving assessment roll and cost estimates as prepared by the City Engineer; and directing the City Secretary to file this ordinance with the County Clerk as a notice of its enactment and ordering and setting a public hearing on the 17th day of April 1995. (Unanimous City Council)

Motion to approve.

Moved : Cm. Cardenas

Second: Cm. Guerra

For: 8

Against: 0

Abstain: 0

5. 95-0-063 Closing as a public easement that section of Park Street between San Ignacio and Eagle Pass Avenues, also known as the 2200 Block of Park Street, situated in the Western Division, City of Laredo, Webb County, Texas; and providing for an effective date. (Unanimous City Council)

Motion to approve.

Moved : Cm. Cardenas

Second: Cm. Guerra

Second: Cm. G. Perez

For: 8

Against: 0

Abstain: 0

14. 95-R-051 Authorizing the City Manager to acquire a tract of land for the construction of the New Main Library more specifically identified as the "surface only" of a tract of land containing 9.1019 acres more or less located in the City of Laredo, Texas, Survey 1020 Certificate #39871, Rafael Vidaurri original grantee, and located on the northeast corner of the intersection of Calton and McPherson Roads.

Cm. Casso had a concern on the legality of the purchase of more than the required land for the library with bond monies because what is happening here is that we are buying property for investment purposes and it is not going to be used for the library. We only need five (5) acres and we are buying nine (9) acres, the other (4) acres we don't need and those four acres are going to cost approximately \$812,000.00. We are using monies that the voter approved and that are strictly to be used for the construction of a library and the acquisition of property associated with that construction. He thinks that we are in violation of the law and that we cannot do that. The other thing is that we still don't know with certainty how much it is going to cost us to construct that library and so we might end up going back to draw down the general fund even further. The other concern was that originally we were going to use five acres for the library and the other five acres were going to be used for a Federal Court House and of course, one acre now has been removed because the county is going to use it for something else. He does not want to see the City of Laredo get caught in a court house battle with different interest groups in this community. He stated that the city should go back and reassess the entire project and see if we can maybe put the library somewhere else. He stated he thinks that they are violating the law, he has not made legal research or contacted counsel on this, but thinks they are violating the law because they are spending \$812,000.00 out of bond money that was not approved by the voters and that they are going to have to take it out of the general fund.

Mayor Ramirez encouraged the council that on opinions of legality, that they get a legal opinion from our Legal Department before the council meeting because this item is not one that was sprung on us, we have been discussing this location for sometime. That before comments and opinions

are made that we are illegal or violating the law, that there is ample opportunity and it is their right as councilmembers to talk to our legal counsel and clear up those legal questions before bringing them up at this kinds of discussions.

Peter Vargas, City Manager, elaborated on the process and stated that the City Council through the Library Board approved a feasibility study that was conducted by a consultant hired by the City Council in September of 1993. Using that feasibility study basically, they identified or looked at approximately 8-12 different sites and made a recommendation that based on all the criteria they had used, which included accessibility, central location, availability, etc. concluded that this particular site was the best site. Again, because it is on McPherson Road which is going to be a major thoroughfare, it will be connected to the inner loop, through Highway 59 and then with Del Mar, so it was considered a very central location as far as the future growth of the community. If you plot out the growth over the next 15-20 years, that will be actually the center of the community. The City Council then made the decision that this was the most favorable site and asked us to initiate discussions about the possible acquisition of that site. They talked to the County of Webb, who is the owner of that site, and approached them first with the possibility of a donation, they felt that because of their fiduciary responsibility as an asset to the county that they could not donate the property, but would be interested in the possibility of a sale, or augmented in swapping of properties that they might be interested in, that the city owned. That they went through that process, provided them with a list of the properties that the city owns, they made the determination that in fact there was no piece of property that they had an interest in. So basically, were went back at the acquisition aspect. We then commissioned an appraisal of the property and the county commissioned an appraisal of the property. Our appraisal came back at \$4.50 a sq. ft., the county's appraisal at \$4.60 sq. ft. The initial discussion was that this was a ten (10) acre site, upon surveys we found that it was only a nine (9) acre site, and not a ten (10) acre site. While we were at discussions, the issue did come up through the GSA about that being a possible site for the new federal court house, there was considerable amount of public debate with regards to whether or not that was an appropriate location, not necessarily a feasible location, but an

appropriate location. At that point and time we got together with GSA and their architects to study the fact that since we were interested in that piece of property and they were interested in the property would there be a possibility of co-existence for the two facilities. Upon review by the architects it was determined that the nine (9) acre site would be suitable for both facilities if there was a joint ownership or joint use of the parking facilities and joint use of access drive-ways, so that in fact some of those uses would be shared by both users. Subsequently, then the GSA made the decision that because of the debate, not to locate there and we continued the discussions with the county, if they would like to withhold one acre out of that nine acre site for other uses. Subsequent to that, they informed to us on a written communication that they no longer wanted to retain any acreage and were interested in selling the whole parcel and not a portion of the parcel. The architects had indicated to us that we needed approximately six (6) acres for this project and possibly seven depending on the size that you would want to build and how much additional parking they would want to build. The actual acreage was settled at between six (6) to seven (7) acres if it was an independent stand alone facility. The issue then was, can we buy the six (6) or seven (7) acres with opposed to the nine (9) acres that are available there? In discussions we had with the City Council we outlined all those options and felt more comfortable that not knowing, because we have not had the final design yet of what the total amount of acreage would be, that we would recommend to the City Council to acquire the entire parcel since it is available and available at what our appraisal shows is valued. That is why they are recommending that we acquire the entire piece of property. In the event and in the future that there might be a joint use of the facility they would bring that before the City Council. In that event that funds would not be used, they would be returned to the library for use by the library. He said that the issue is one, which is more important, the size of the library or is it the location of the building?

Their opinion at staff's level is that it is more important to have the appropriate site for the facility and then build what you can build because knowing that you can always augment the building later. We are building the facility for the next 50 years and we cannot get started unless we have the appropriate site. So in regards to the

legality, Mr. Vargas added that he does not believe that it is illegal, they always contemplated that particular site, that is the site given the fact that the final design has not been completed and the fact that the county is interested in selling the entire parcel, not a portion of the parcel that they then recommend the acquisition of the entire parcel.

Cm. Guerra wanted to know what money would be left for the actual brick and mortar construction, and for the extra amenities that might have to be used and purchased.

Mr. Vargas stated that we have approximately \$7 million budgeted for this project, if you deduct then the \$1.8 that leaves you \$5.2 million for the actual brick and mortar for the facility. He would recommend that we invest that money in brick and mortar because the collection or the actual books that will go in the facility can always be augmented.

Mayor Ramirez asked if he is then recommending that it be put to brick and mortar and the necessary equipment to make the building a functional building.

Mr. Vargas stated that the actual construction is going to vary from 18 months to two (2) years, which gives us actually two funding cycles to set funding aside for the actual collection.

Mr. Aldo Tatangelo expressed that it was a bad deal since the land belongs to the county which is the same taxpayer and due to the fact that the county bought it for approximately \$100,000.00. He added it is a bad location because there is land available at Cherry Hill and Sandman that belongs to the city. He concluded by saying that top prices should not be paid during a recession.

Mr. Jesus Ponce expressed that the library should be downtown. He added that the Federal Court House will be moving out sometime in the future and that it could be an ideal location for the library. Another location is the city owned property where the old library was. It was limited to about a fifth of the building now we have the whole block. He expressed that he has nothing against the arts, but that the block would be ideal for the library.

He concluded by saying that another ideal location would be the Hamilton Hotel.

Intersections	37,500
River Oaks Park	109,796
Texas Loop	148,278
Pappas (Cherry/Daughtery)	119,700
San Pedro (Meadow/Bartlett)	74,999
Curb & Gutter	169,950
Shilo Drive	200,000
Regency Drainage	150,000
City Hall Annex	615,000
Justo Penn	10,000
Calton Road	305,311
Sta. Maria (Chicago/Markley)	61,390
Sta. Isabel (Sanchez/Jefferson)	128,600
Sanders (Guadalupe/Corpus Chr.)	30,700
Scott (St. Isabel/San Bernardo)	8,848
Bartlett (Saunders/N Sandman)	50,000
Sanders (Market/Guadalupe)	38,121
Bustamante to Bartlett	11,157
Taylor	61,243
Las Cruces	188,500

Mr. Aldo Tatangelo asked from what account are they going to get the monies for the library land.

Mr. Vargas stated that they will come from the bond proceeds.

Motion to approve to defer Capital Improvements Projects totaling \$3,919,093.00, until the fourth quarter of Fiscal Year 1994-1995 or Fiscal Year 1995-1996, as part of the City's Contingency Plan to offset the impact of the peso devaluation.

Moved : Cm. G. Perez

Second: Cm. Perez

For: 8

Against: 0

Abstain: 0

VIII. MOTIONS

16. Award of a contract to the Low Bidder, Ross Swisher Motors, Inc., Laredo, Texas, in the amount of \$95,321.10, for the purchase of two tractors with wing mowers for the Airport Ground Maintenance Division.

Motion to award contract to the low bidder, Ross Swisher Motors, Inc. in the amount of \$95,321.10 for the purchase of two tractors with wing mowers for the Airport Ground Maintenance Division.

Moved : Cm. Castañeda

Second: Cm. Cardenas

For: 8

Against: 0

Abstain: 0

17. Award of a contract to the Low Bidder, Try Auto Paints, Laredo, Texas, in the amount of \$17,926.00, for the purchase and installation of a vehicle chassis frame liner for the Fleet Maintenance Division.

Motion to award contract to the low bidder, Try Auto Paints, in the amount of \$17,926.00, for the purchase and installation of a vehicle chassis frame liner for the Fleet Maintenance Division.

Moved : Cm. Castañeda

Second: Cm. Cardenas

For: 8

Against:

Abstain: 0

18. Award of a contract to the Sole Bidder, Dr. Ike's Home Center, Laredo, Texas, in the amount of \$15,165.00, for the purchase of twenty-one interior metal doors, frames, and hardware as needed for the Health Department Building/Complex - Interior Furnishing Project.

Motion to award contract to the sole bidder, Dr. Ike's Home Center, in the amount of \$15,165.00, for the purchase of twenty-one interior metal doors, frames, and hardware as needed for the Health Department Building/Complex - Interior Furnishing Project.

Moved : Cm. Castañeda

Second: Cm. Cardenas

For: 8

Against: 0

Abstain: 0

19. Award of an annual service contract in an amount not to exceed \$100,000.00, to the Sole Bidder, Cantu Electric, Inc., Laredo, Texas, for providing electrical services for new and/or upgraded traffic signals and for maintenance of street lights.

Motion to award an annual service contract in an amount not to exceed \$100,000.00, to the sole bidder, Cantu Electric, Inc., for providing electrical services for new and/or upgraded traffic signals and for maintenance of street lights.

Moved : Cm. Castañeda

Second: Cm. Cardenas

For: 8

Against: 0

Abstain: 0

20. Approval of change order no. 1, an increase of \$45,946.60, to add an additional 27.5 blocks to the construction contract with Cutler Repaving, Inc., Lawrence, Kansas, for the City of Laredo Street Recycling Project 1994-1995. New total number of blocks is 177.5 blocks.

Cm. Perez stated that he had requested during the budget hearings that San Salvador Street be considered for the

Cutler Repaving Projects and that Mr. Vargas was going to look into it.

Mayor Ramirez asked Mr. Vargas to see if this was an item that was not already included in any project and that we make sure that we put it within our capital improvements discussion for this coming budget.

Motion to approve change order no. 1, an increase of \$45,946.60 to add an additional 27.5 blocks to the construction contract with Cutler Repaving, Inc. for the City of Laredo Street Recycling Project 1994-1995. New total number of blocks is 177.5 blocks.

Moved : Cm. Castañeda

Second: Cm. Cardenas

For: 8

Against: 0

Abstain: 0

21. Approval of change order no. 6, an increase of \$46,087.50, to the Bond Street Paving Assessment Project 47 (36 Blocks) construction contract with Ramex Construction, Inc., Houston, Texas, for storm drainage improvements.

Motion to approve change order no. 6, an increase of \$46,087.50, to the Bond Street Paving Assessment Project 47 (36 Blocks) construction contract with Ramex Construction, Inc. for storm drainage improvements.

Moved : Cm. Castañeda

Second: Cm. Cardenas

For: 8

Against: 0

Abstain: 0

22. Award of construction contract to the **Lowest Bidder**, Reddy Engineers and Contractors, Inc., Houston, Texas, in the amount of \$466,450.00 for the Wastewater Line Repairs at Zacate Creek.

Motion to award construction contract to the low bidder, Reddy Engineers and Contractors, Inc., in the amount of \$466,450.00 for the Wastewater Line Repairs at Zacate Creek.

Moved : Cm. Castañeda

Second: Cm. Cardenas

For: 8

Against: 0

Abstain: 0

23. Award of construction contract to the **Sole Bidder**, Carlos Castillo Construction Company, Laredo, Texas, in the amount of \$46,772.00, for the City of Laredo Health Department Middle Building Canopy.

Motion to award construction contract to the sole bidder, Carlos Castillo Construction Company, in the amount of \$46,772.00 for the City of Laredo Health Department Middle

Building Canopy, contingent to resolving any pending matters before the Municipal Court.

Moved : Cm. Castañeda

Second: Cm. Cardenas

For: 8

Against: 0

Abstain: 0

24. Award of an engineering contract to Naismith Engineering, Inc., Corpus Christi, Texas, for an amount not to exceed \$32,100.00, to evaluate, design and the preparation of plans and specifications for a Clay Liner for two (2) Effluent Storage Lagoons at the North Laredo Wastewater Treatment Plant.

Motion to award an engineering contract to Naismith Engineering, Inc., for an amount not to exceed \$32,100.00, to evaluate, design and the preparation of plans and specifications for a Clay Liner for two (2) Effluent Storage Lagoons at the North Laredo Wastewater Treatment Plant.

Moved : Cm. Castañeda

Second: Cm. Cardenas

For: 8

Against: 0

Abstain: 0

IX. CITY MANAGER'S REPORT

25. Presentation by Municipal Court Judge Alvino "Ben" Morales concerning the possibility of appointing a second associate municipal court judge with possible Executive Session pursuant to V.T.C.A., Government Code, Section 551.074, to discuss and take possible action regarding the possibility of appointing a second associate municipal court judge.

Motion to table for the first meeting in April.

Moved : Cm. Perez

Second: Cm. Cardenas

For: 8

Against: 0

Abstain: 0

X. COMMUNICATIONS

- a. Presentation by Norman R. Stewart of the Laredo Air Conditioning Contractors Association concerning their opposition to the proposed ordinance to require licensing and examination fees for Class B air conditioning contractors.

Mr. Norman Stewart stated that it came to their attention that there was an ordinance that is going before the City Council to license Class B contractors and questioned the reason why the city wants to take up the licensing process. He stated that the problem with a city starting up a licensing program on its own and not falling under the state

licenses is because you have to take care of it, give the test and supervise it, which is an added cost to the city. There is a very good possibility that this program can be misused and abused to get people licensed and thinks that people here in Laredo do not deserve that. If they can't go to Austin and pass that test, why would the city want to give them a test down here that they could pass?

Mayor Ramirez stated that the penalty process that we have is very limited, that if we are able to put it in under the Southern Standard Building Code requirements with a testing procedures to legalize these individuals that are here to raise the level of professionalism in our community. That the reason why they did this is because we felt they could not get many of these pirates, we know generally who they are but the regulatory process that currently exists is cumbersome and ineffective to bringing them to a swift justice and they are still doing business out there. How can we help the industry to be able to raise the professionalism within the industry so that they can also meet the criteria that is currently required by the state.

Mr. Stewart stated that what they will do is lower the standard and that individuals will probably still will not buy permits from the city and probably will not pay sales tax. If they are operating without the law now, basically it will take some of the heat off the city to enforce these rules and some of the heat off the state to enforce it.

Mayor Ramirez stated that the test will not be directly administered by the City of Laredo, the test will be done like the other tests taking place for other licensing, through the Southern Standard Building Code requirements. He asked if he thinks that if they gave it a 12 month period to develop the program and to see if it does helps the industry instead of hurting it, that we could revisit it as the City Council and put it in the calendar to revisit it at that time. Mayor Ramirez added that they need to find a solution to this situation.

Mr. Stewart stated that he does not think that giving them a 12 month period is going to work, it will be a way of opening a door that will be hard to close and added that he would rather see it stay as it is.

Mayor Ramirez stated that it has changed, that the Planning and Zoning Commission had several meetings on this and then it came to City Council and it was adopted last month.

Cm. Castaneda stated that he was the one that questioned some of the comments that were made by staff in this regard and wanted to make sure that staff has been working with the industry as much as the education institutions to make sure

that the ordinances were not only a code enforcement, but also to make sure that the industry had an opportunity to have some say so on this. He stated that the comments that Mr. Stewart is stating are very important to us because construction industrial development is a key to Laredo. He wants to make sure that we work with the industries that provide alot of well being benefits for the people that we represent. His point of direction was that we work something where we can get them together with staff and that whatever we put in place is something that is going to be conducive for the well being of what we are trying to do. He concluded by saying that if there is something that council does not want to do is restrict or prohibit anything that might be beneficial to the industry.

Mr. Vargas stated that the issue here is to bring some order to the Class B license. The Class A is governed by the state in essence, what he is stating is that if you do not have a Class A basically the state doesn't deal with Class B, so there is really no regulation for Class B, that is why we have a pilferation of individuals that do not have Class A, but they still are doing the work. The city would license certain individuals in this industry based on the fact that they would take the examination and pass it, so in fact they could demonstrate that in fact they do know what they are doing as opposed to right now that there is no requirement out there at all.

Mr. Stewart stated there is a Class A exam with 100 questions and a Class B examination with 50 questions that you have to answer and are restricted as to what kinds of work they can to do.

Cm. Guerra suggested that Mr. Stewart get together with staff before council considers any ordinance towards licensing and examination fees for Class B air conditioning.

- b. Mayor Protem Moreno was recognized at this time. She stated that her comments relate to an item that was on the newspaper on Saturday that relates to something that Cm. Casso sent in. She said that it mentions that the City Council is willing to blindly spend the taxpayers money with acknowledge of the city's cash position and it also mentions that there is suspicion about why we have a \$12 million fund balance every month.

She quoted, "if you can read your budget statements you would not expect your fund balance to change, it will be the same thing every month if it is correctly set in. We did have a 1994-95 approved budget document that projected our fund balance to be \$8,342,000.00 and after the year end balance the audit report came in that the fund balance was increased to \$12,439,000.00 and we do have a document here to show it." So she wanted to make a statement to the fact that we know

our cash position and it is not something that they are doing blindly.

XI. CITY COUNCIL DISCUSSION AND PRESENTATION

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

A. Request by Councilmember Jose R. Perez, Jr.

1. Discussion and possible action concerning the naming of the \$1 million State of Texas/City of Laredo/Laredo I.S.D. recreational complex commonly referred to as Cigarroa Park.

Motion to name the park as Freddie Benavides Educational and Recreational Center.

Moved : Cm. Perez

Second: Cm. G. Perez

For: 8

Against: 0

Abstain: 0

Cm. Perez stepped out for a brief period. (Time: 7:40)

B. Request by Councilmember Alfonso I. "Poncho" Casso

1. Discussion and possible action concerning travel expenses.

Cm. Casso wanted to know how much money each councilman has available for travel expenses. He stated that the budget shows that they have \$2,000.00 for professional development, is that what that is for?

Mr. Vargas stated that there is a certain assignment made for each individual councilmember, there is one for training and one basically to attend the professional associations.

Cm. Casso stated that he noticed that the Mayor has \$1,133.00 for professional development, whereas they have \$2,000.00. He asked, where is the money coming out of for the travel budget? Is it coming out of the city promotions, the \$40,000.00 allocation?

Mr. Vargas stated that there is a line item in the budget for \$40,000.00 which is for promotional activities basically under the Mayor's purview, there are funds budgeted every year exclusively for travel and professional development in addition to those \$40,000.00.

Cm. Casso asked how much monies are there available for the fiscal year?

Jesus Nava, Asst. City Manager, stated that approximately \$2,000.00, the council's practice has been to tell them how

much they want to spend on their travel and we in turn the put that in their budgets at their discretion.

Mr. Vargas stated what they have basically done is that they have set aside \$2,000.00 for each individual, there are certain individuals from the council that never travel, basically they have agreed to use that or let other councilmembers use those funds upon talking among each other.

Jesus Amezcua, Revenue Manager, stated there are two general line items for travel, one for the Mayor and one for the council by district, which is where they generally budget \$2,000.00 per council district. There is also the city promotions which is the general promotion of the city so it depends on the activity that it could fall under that category.

Cm. Casso asked how much is budgeted for the city staff, for example the City Manager's Department?

Jesus Amezcua answered that \$2,500.00 is budgeted.

Carlos Villarreal, Asst. City Manager, stated that it depends on what project we are looking at that particularly time, if it is an airport project, normally there are some funds allocated or through the revenues from bridge or through the bonds from the construction of the bridge and they are allocated on an as needed basis.

Mayor Ramirez stated that there are two specific annual meetings that they encourage for councilmembers to attend, the National League of Cities in Washington and the Texas Municipal League in June. These are the two principal times that councilmembers normally travel. He stated that as Mayor he does more travel than those two times because as the official spokesman on public policy, through the City of Laredo and as requested to speak and particularly testify before congressional subcommittees or committees on different matters or to different departments on different projects, he does more travel than councilmembers. They try to schedule all their travel expenses well in advance to take maximum advantage of their savings for airline tickets, for conference registrations, hotel reservations, and what they discourage on the part of councilmembers is to sign up early on to go to these meetings, and have the city make the expense, specially for airline tickets because when you buy the cheaper rate, they are non transferable, non refundable by getting them in advance, they encourage councilmembers not to commit to go and then cancel out at the last minute, because the expenses are done anyway because of those commitments.

As far as staff is concern, most of the travel that is done out of the City Manager's Office is done primarily by Mr. Villarreal who they send from the City Manager's Office to Washington most often to keep a closer contact on the projects that we are working through the different departments, and the different legislation that needs to be pushed through to help Laredo. He added that he as the Mayor does alot of travel to Washington for different projects.

Cm. Casso wants a report from the City Manager when he leaves to trips that state where he is going; the purpose of the trip; and after they come back to provide a report of what has been accomplished or what has occurred in Washington because they are not told anything. He added it is embarrassing when people call them and ask them why they went to Washington.

Mr. Vargas stated that he provides that information in the newsletter and information that is of relevance. He stated that in the newsletter he announces when he will be out-of-town, and for what purpose.

Mayor Ramirez stated that every time they travel to Washington they prepare a briefing book which deals with different items and different departments that they visit and deal with. The briefing book is principally for the trip that they are taking.

Cm. Casso stated that he hears complaints in reference to these trips and in reference to whose going to this trips.

Mayor Ramirez stated that the relationships between Councilmembers, the Mayor and the relationship that develop with staff need to be opened up through communications.

At this time there was lengthy discussion on trips to Washington on efforts to secure monies, on the official vote by our Congressman, Henry Bonilla, and the action taken that will affect Laredoans.

Cm. Casso wants report of all travel expenses for fiscal year 1994 and the first half of the year of fiscal year 1995. A list of all the travel agencies that have done business with the City of Laredo for the last year and a half.

(Cm. Perez returned at this time: 7:55 p.m.)

2. Discussion and possible action concerning the institution of litigation by the City of Laredo against the railroad companies to enforce the five minute rule.

Cm. Casso wanted to instruct staff and the City Attorney to file a lawsuit against the two railroad companies to enforce the five minute rule and start collecting money out of these people.

Peter Vargas, City Manager, stated that the City Attorney's office did in fact review the issue of what it would take to bring that action and under what federal law it would fall in. At that point and time the determination was made that there is federal law that supersedes any local law with regards to the operation of the railroads and the issue is one of safety because the federal law requires that there are procedures that the railroad must comply with such as when they couple the cars and decouple them again. The issue then becomes one, do we compromise the safety of the train and the people around because of the five minute rule or do we follow the federal law.

Mr. Vargas stated that staff has developed a corridor study, they have worked in conjunction with the railroad companies mostly with the Union Pacific and with some participation from the Tex-Mex that basically identifies the major problems that both the railroad companies have and that we also have. Part of the problem is that there are a tremendous number of railroad crossings and what the study attempts to do is to identify areas where we can cooperate with them and they can cooperate with us in order to alleviate some of the concerns that we have. He said that to file lawsuit now would be counter productive.

Cm. Casso stated that the ones causing the problem in his district is Tex-Mex and that he would like a lawsuit filed against them so that they can start obeying the ordinances and collecting monies out of them.

Mr. Vargas stated that they do ticket them with regards to the five minute rule and they do pay the fines. He added that we are further along in negotiations than we have every been and when we resolve the Union Pacific issue, then we can turn our attention to the Tex-Mex issue and then we can find ways to expedite their movement out to the east. It will be to their benefit especially as the inner loop is constructed that before the inner loop is done they will be basically out there.

Jerry Cain, Asst. City Attorney, stated that he is not familiar with any study that has been done on this issue because he did not appear before the council at that time and would like to take a look at that whatever it was to see what the conclusion was.

Mr. Richard Gonzalez stated that he lives and works on the wrong side of the tracks. He stated that he will wait and give the City Attorney a chance to brief this council on

what the legal issues are. He said that Mr. Vargas is not qualified and licensed by the State of Texas to render legal advise. He is aware that there is no federal law that says that cities cannot enforce a five minute rule. He spoke on a state law and asked that the City Council before voting on the issue hear from the Fire Department, EMS, and the Police Department.

Mayor Ramirez suggested that Cm. Casso instruct the City Attorney to prepare the necessary documentation that deals specifically with possibly instituting any litigation against the railroad companies and to follow that information up with the number of actual citations that we have had to this issue to both railroad companies and that we be briefed under the V.T.C.A. statutes to go into executive session, that it be properly posted for consideration at the second regular meeting in April.

Cm. Casso made the motion to proceed as suggested by the Mayor.

Moved : Cm. Casso

Second: Cm. Guerra

For: 8

Against: 0

Abstain: 0

C. Request by Councilmember Cecilia May Moreno.

1. Report concerning the costs associated with operating the City's solid waste operations and how they relate to the actual revenues collected by the City to provide the service.

Mayor Protem Moreno stated that if we were to be looking at this department as an enterprise fund how do our revenues compare with our cost, are we making some profits, are we subsidizing the activity or is this just a break even? She would like to see a report on cost to include everything plus all the areas associated with landfill, solid waste operations, and recycling etc.

D. Request by Councilmember Joe A. Guerra

1. Status report concerning the City's Affordable Housing Program.

Mrs. Cindy Collazo, Community Development Director, reported on the Affordable Housing Projects that they have undertaken and several that are under construction now as follows:

28 Units on Anna Street (Poncho De La Garza Development)
 33 Units constructed in East Laredo (under construction)
 68 Units in South Laredo (George Washington Subdivision)
 (17 are under construction now)

They are doing 17 units in phases because of money constraints.

Seven (7) foreclosed properties of which five (5) have been turned over and two (2) are being completed, making it a total of 136.

In addition, they have provided down payment assistance to for 23 families that have purchased units out in the private sector.

They are proposing 32 more units in South Laredo at Green Street in city owned property that will be coming for consideration by the City Council which will give us about 198 units.

Also, through council's efforts they also have the 109 for families that were assisted through the Bond Program at an average cost of \$63,000.00 which was a very successful program.

Mayor Ramirez stated that this was \$12 million that was provided from the State of Texas through our Municipal Corporation for financing the loans that then were funded to the private sector. Mortgage assistance that we provided that was not there for an additional 194 families that are now living in those homes.

They are right now working on a proposal to request proposals for land, they are considering over 100 lots which will submitted for April 7th.

Mrs. Collazo stated that they do recognize that they need to do more in affordable housing, but they are doing the limits that they have as far as their financial condition is. They are hoping that congress doesn't touch any of the HOME Program, that they have been scheduled for a 25% reduction but apparently they have been left alone.

Cm. Castaneda stated he had requested previously through the City Manager's office that staff look at the possibility of how we could help or work out a program where we can help the middle income families. He stated that he has received calls and requests that as they get into the job market, they cannot afford to get into a home.

Carlos Villarreal, Asst. City Manager, stated that they are in the process of talking with HUD about potential units for affordable housing, the are looking at 300-350 units.

Mr. Aldo Tatangelo stated it has been proven that affordable housing can be done, but in the period of five years we do not have much to show. There are good reports but as far as finished houses, they are not there. He asked what will

be done in the 4500 of Maryland, 4500 Springfield and 4500 of Marcella, and if they will be used for affordable housing. He added that the utilities and infrastructure are there already. He stated that we need to take steps to look at areas that are city owned and start building affordable homes there, the intentions are well but the production is not.

Cm. Guerra stated that he pledged his support and help to the Mayor and to the staff for any assistance in the affordable housing program.

XII. PUBLIC HEARINGS

27. Public hearing and introduction of an ordinance closing the hearing on the Paving Assessment Street Improvements Project 55 and fixing a lien and charge.

INTRODUCTION OF AN ORDINANCE

Closing the hearing on the Paving Assessment Street Improvements Project 55 and fixing a lien and charge.

Motion to open the public hearing.

Moved : Cm. G. Perez

Second: Cm. Cardenas

For: 8

Against: 0

Abstain: 0

Mr. Rogelio Rivera, City Engineer, gave a summary on project 55 which consists of 44 blocks.

Mrs. Francis Villarreal, State Certified Real Estate Appraiser, stated that she determined that the properties were enhanced by the street improvements by the assessed values with no exceptions.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Perez

Second: Cm. Cardenas

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

- 27a. Motion to award a construction contract to the Low Bidder, Ramex Construction Company, Houston, Texas, in the amount of \$1,151,862.60, for the Bond Issue Street Paving Assessment Project 55 (44 blocks).

Motion to award a construction contract to the low bidder, Ramex Construction Company, in the amount of \$1,151,862.60 for the Bond Issue Street Paving Assessment Project 55 (44 blocks).

through January 31, 1996; and increasing Revenue Line item No. 226-0000-323-4059 from \$0 to \$166,479.00, and increasing Expenditure Line item No. 226-6017 from \$0 to \$166,479.00.

Motion to open the public hearing.

Moved : Cm. Castaneda

Second: Cm. Cardenas

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved : Cm. Cardenas

Second: Cm. Guerra

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

30. Public hearing concerning the approval of a contract amendment for Fiscal Year 1995-1996 with the Texas Department of Health and a budget in the amount of \$45,882.00, for the Tuberculosis Jail Outreach Project of the City of Laredo Health Department for the period beginning February 1, 1995, through January 31, 1996; and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Approval of a contract amendment for Fiscal Year 1995-1996 with the Texas Department of Health and a budget in the amount of \$45,882.00, for the Tuberculosis Jail Outreach Project of the City of Laredo Health Department for the period beginning February 1, 1995, through January 31, 1996; and increasing Revenue Line item No. 226-0000-323-4062 from \$0 to \$45,882.00, and increasing Expenditure Line item No. 226-6016 from \$0 to \$45,882.00.

Motion to open the public hearing.

Moved : Cm. G. Perez

Second: Cm. Cardenas

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved : Cm. Perez

Second: Cm. Cardenas

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

Moved : Cm. Cardenas
Second: Cm. G. Perez
For: 8

Against: 0

Abstain: 0

XV. ADJOURNMENT

Motion to adjourn.

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

Against: 0

Abstain: 0

Adjournment time: 9:00 P.M.

I HEREBY CERTIFY THAT THE ABOVE MINUTES CONTAINED IN PAGES 01 TO 27 ARE TRUE, COMPLETE AND CORRECT PROCEEDINGS OF THE REGULAR CITY COUNCIL MEETING HELD ON THE 20TH DAY OF MARCH, 1995. A CERTIFIED COPY IS ON FILE AT THE CITY SECRETARY'S OFFICE.


GUSTAVO GUEVARA, JR.
CITY SECRETARY

MINUTES PREPARED BY: Delia Rodriguez, Deputy City Secretary II

MINUTES APPROVED ON: April 17, 1995

CORRECTIONS: