

**CITY OF LAREDO
CITY COUNCIL MEETING**

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

MINUTES

M-95-R-24

SEPTEMBER 5, 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,	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		
JESUS NAVA,	ASST. CITY MANAGER		
FAUSTO SOSA,	CITY ATTORNEY		

ABSENCES:

Carlos R. Villarreal, Asst. City Manager

IV. APPROVAL OF MINUTES

- Aid to Other Agencies Workshop of August 2, 1995
- Regular City Council Meeting of August 7, 1995
- Regular City Council Meeting of August 21, 1995

Motion to approve.

Moved : Cm. G. Perez

Second: Cm. Cardenas

For: 7

Against: 0

Abstain: 0

(Cm. Jose Perez was not present)

V. INTRODUCTORY ORDINANCE

3. Authorizing the City Manager to execute a release of Leasehold Agreement with the Estate of Paul W. Reynolds effective July 31, 1995, for approximately 37,975 square feet of land located at the Laredo International Airport; providing for publication and effective date.

Ordinance Introduction: City Council

4. Establishing the fair market value of the "surface only" of a certain City property described as being a tract of land containing 0.0450 of an acre (1,958.49 square feet) more or less, comprised of a portion of Lot No. 1D, Block No. 99, Eastern Division, City of Laredo, Webb County, Texas, and authorizing the City Manager to execute all necessary documents to effectively convey title to Ms. Paula Ruiz for the sale of the herein described property and providing for effective date.

Ordinance Introduction: City Council

5. Establishing the fair market value of the "surface only" of a certain City property formerly known as that section of Mercer Street between Texas Avenue and Highway 83, also formerly known as the 2600 block of Mercer Street, situated in the Eastern Division, City of Laredo, Webb County, Texas, and authorizing the City Manager to execute all necessary documents to effectively convey title to Ms. Cristina Gloria and Ms. Cecilia Mendoza de Vela for the sale of the herein described property and providing for effective date.

Ordinance Introduction: City Council

Cw. Moreno asked if this fair market value is tied into the appraisal valuations.

Peter Vargas, City Manager, stated that it is based on recent comparable sales and that they should be consistent with the assessed valuation. He stated that these two items on fair market value will be checked and reported back to City Council during the final reading of these ordinances.

Cm. Perez joined the meeting at 5:40 p.m.

6. Authorizing the City Manager to execute a contractual agreement with Border Beverage, Inc., a Texas Corporation, whereby Border Beverage, Inc., will construct, dedicate and donate a Recreational Pavilion at the Thomas Pool located at 4410 Thomas Avenue in return for naming the Pavilion the "Lite Up Laredo" Pavilion, and granting Border Beverage, Inc., exclusive rights to furnish its beverage products for a five-year period at all City sponsored events held at the

Thomas Pool which involve the use of the Pavilion; providing for an effective date.

Ordinance Introduction: City Council

7. Rescinding Ordinance No. 95-O-162 closing as a public easement that section of Orilla Avenue between Island Street and the north property line of Lot 1, Block 1006 of the Modern Industrial Park, Section II, also known as the 5300 Block of Orilla Avenue, situated in the Western Division, City of Laredo, Webb County, Texas, due to incorrect property description and pending acquisition negotiations, and providing for an effective date.

Ordinance Introduction: City Council

Cw. Guerra requested a progress report from staff on the Anna Truck Route.

VI. FINAL READINGS

Motion to waive the final reading of ordinances #95-O-184 and #95-O-185.

Moved : Cm. Castañeda

Second: Cm. Cardenas

For: 8

Against: 0

Abstain: 0

8. 95-O-184 Amending the City of Laredo's 1994-95 Annual Budget in the amount of \$35,634.00 for an Auto Theft Task Force Grant for funding of equipment and personnel for the period of September 1, 1995 through August 31, 1996. (Unanimous City Council)

Motion amending the City of Laredo's 1994-1995 Annual Budget in the amount of \$35,634.00 for an Auto Theft Task Force Grant for funding of equipment and personnel for the period of September 1, 1995 through August 31, 1996.

Moved : Cm. Castañeda

Second: Cm. G. Perez

For: 8

Against: 0

Abstain: 0

9. 95-O-185 Approval of a contract with the Texas Natural Resource and Conservation Commission (TNRCC) and budget in the amount of \$28,489.00 for a continuous air monitoring station (CAMS) to be installed and operated by the City of Laredo Health Department for the period beginning August 7, 1995, through August 31, 1996. (Unanimous City Council)

Jerry Robinson, Health Department, made the presentation and briefed the council on ongoing

conversations with TNRCC in reference to air monitoring capability in Laredo related to air quality. He pointed out that LCC is the chosen location because of the prevailing winds patterns. As soon as the first readings on the monitoring reports are available they will be brought before City Council.

Motion to approve a contract with the Texas Natural Resource and Conservation Commission (TNRCC) and budget in the amount of \$28,489.00 for a continuous air monitoring station (CAMS) to be installed and operated by the City of Laredo Health Department for the period beginning August 7, 1995, through August 31, 1996. (Unanimous City Council)

Moved : Cm. Castañeda

Second: Cm. G. Perez

For: 8 Against: 0 Abstain: 0

VII. RESOLUTIONS

- 10. 95-R-123 Authorizing the City Manager to accept a grant from the Texas Department of Health in the amount of \$333,348.00, consisting of \$249,324.00 in funds and \$84,024.00 in State direct assistance, for the Comprehensive Public Health Services Programming of the City of Laredo Health Department for the period beginning September 1, 1995, through August 31, 1996.

Motion authorizing the City Manager to accept a grant from the Texas Department of Health in the amount of \$333,348.00, consisting of \$249,324.00 in funds and \$84,024.00 in State direct assistance, for the Comprehensive Public Health Services Programming of the City of Laredo Health Department for the period beginning September 1, 1995, through August 31, 1996.

Moved : Cw. Moreno

Second: Cm. Castañeda

For: 8 Against: 0 Abstain: 0

- 11. 95-R-124 Authorizing the City Manager to accept a grant from the Texas Department of Health in the amount of \$2,034.00, for the Immunization Program of the City of Laredo Health Department for the period beginning September 1, 1995, through August 31, 1996.

Motion authorizing the City Manager to accept a grant from the Texas Department of Health in the

amount of \$2,034.00, for the Immunization Program of the City of Laredo Health Department for the period beginning September 1, 1995, through August 31, 1996.

Moved : Cm. G. Perez
 Second: Cm. Cardenas
 For: 8 Against: 0 Abstain: 0

12. 95-R-125 Authorizing the City Manager to accept a grant from the Texas Department of Health in the amount of \$444,420.00, for the Woman & Children Health Program of the City of Laredo Health Department for the period beginning September 1, 1995, through August 31, 1996.

Motion authorizing the City Manager to accept a grant from the Texas Department of Health in the amount of \$444,420.00, for the Woman & Children Health Program of the City of Laredo Health Department for the period beginning September 1, 1995, through August 31, 1996.

Moved : Cm. G. Perez
 Second: Cm. Cardenas
 For: 8 Against: 0 Abstain: 0

13. 95-R-126 Authorizing the City Manager to accept a grant from the Texas Department of Health in the amount of \$127,240.00, for the Diabetic and Hypertension Education and Assistance Program of the City of Laredo Health Department for the period beginning September 1, 1995, through August 31, 1996.

Motion authorizing the City Manager to accept a grant from the Texas Department of Health in the amount of \$127,240.00, for the Diabetic and Hypertension Education and Assistance Program of the City of Laredo Health Department for the period beginning September 1, 1995, through August 31, 1996.

Moved : Cm. Castañeda
 Second: Cm. G. Perez
 For: 8 Against: 0 Abstain: 0

14. 95-R-127 Authorizing the City Manager to submit a grant application to the Donald W. Reynolds Foundation in the amount of \$8,000,000.00, for the construction of a multi-use recreation center under the Foundation's Capital Assistance Funding Program.

Motion authorizing the City Manager to submit a grant application to the Donald W. Reynolds Foundation in the amount of \$8,000,000.00 for the construction of a multi-use recreation center under the Foundation's Capital Assistance Funding Program.

Moved : Cm. Castañeda

Second: Cm. Guerra

For: 8

Against: 0

Abstain: 0

15. 95-R-129 Creating an Ad-Hoc Committee to study Drilling Permit requests and appointing its members.

Mr. Frank Saldaña, a local attorney, posed a question to council and asked that it be taken into consideration. The question was concerning the designation of who the members are, creating at the least the appearance of impropriety to have Cm. Bruni sit on the committee where he is a trustee of the Bruni Mineral Trust which is one of the biggest mineral owners in Webb County. In addition to that, he stated that Mr. Bruni having a construction company seems to him that certainly a question could be raised as to whether it appears improper. It seems to him where someone who has a direct financial interest in the industry in minerals in Webb County, being one of the persons that the oil company has to come to clear the requirements, it is going to make them feel very awkward.

Mayor Ramirez explained the charge of this committee, which is reviewing the drilling permits for drilling within the City of Laredo city limits and on property of the City of Laredo. The only reviews that this committee would be looking at would be whether they meet the boundaries of the ordinances that already exist and adopted by the City Council.

Fausto Sosa, City Attorney, remarked that with respect to the creation of the Ad Hoc Committee, he said it is more of an advisory for City Council as a whole. He said that Mr. Saldana's point is well taken and that any time any councilmember has a conflict of interest or has a substantial interest in a business that can be impacted by whatever decision is made, a disclosure must be made according to the law and abstained from voting. That is not only at the Ad Hoc Committee level, but when you are going to the ultimate and final matter that you are going to vote on.

Mr. Saldaña stated that he is not saying that Cm. Bruni is going to have a direct conflict of interest which is unlikely, but it is just more the appearance of it and the light that it casts the city.

Mayor Ramirez announced that Mr. Saldana's suggestion will be taken into advisement and will have the legal department prepare an opinion.

Cm. Bruni stated for the record, "the Bruni Mineral Trust of which I am a trustee, one of two, does not do any business with the oil and gas companies that have done business with the City of Laredo. So I have nothing to gain and the city can gain a little bit through my daily dealings with oil companies, some of which are very ethical and some of which are very unethical, just like some attorneys are ethical and some are not very ethical. My sole reason in trying to create this committee is to protect the interests of the City of Laredo."

Motion creating a Standing Committee of the Council to study Drilling Permit requests and appointing its members as follows:

Mayor Ramirez named Cm. Joe Guerra, Cm. Bruni, Cm. Jose Perez, and himself to the committee as an ex-officio.

Moved : Cm. Guerra

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

VIII. MOTIONS

16. Acceptance of the Signal Timing Optimization Work on the Traffic Light Synchronization Program III (TLS III) Project for the City of Laredo constructed by the City Traffic Department.

Motion accepting the Signal Timing Optimization Work on the Traffic Light Synchronization Program III (TLS III) Project for the City of Laredo constructed by the City Traffic Department.

Moved : Cm. Castañeda

Second: Cm. Cardenas

For: 8

Against: 0

Abstain: 0

17. Approval of change order no. 3, a decrease of \$15,196.34, acceptance of the project and approval of final payment in the amount of \$159,681.74, to Ramex Construction Company,

Inc., Houston, Texas, for the Bond Street Paving Assessment Project 49 (44 Blocks).

Motion to approve change order no. 3, a decrease of \$15,196.34, acceptance of the project and approval of final payment in the amount of \$159,681.74, to Ramex Construction Company, Inc. Houston, Texas, for the Bond Street Paving Assessment Project 49 (44 Blocks).

Moved : Cm. Castañeda
Second: Cm. Cardenas
For: 8

Against: 0 Abstain: 0

- 18. Approval of change order no. 2, an increase of \$11,899.50, to the construction contract with Pete Gallegos Paving, Inc., Laredo, Texas, for additional storm drainage and paving improvements on the Bond Street Paving Assessment Project 54 (40.5).

Motion to approve change order no. 2, an increase of \$11,899.50, to the construction contract with Pete Gallegos Paving, Inc., Laredo, Texas, for additional storm drainage and paving improvements on the Bond Street Paving Assessment Project 54. (40.5)

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

Against: 0 Abstain: 0

- 19. Approval of a contract with RM Personnel, Inc., Laredo, Texas, lowest qualified bidder, to provide temporary employment services to the City of Laredo.

Cm. Guerra wanted to know who is liable for the payroll taxes, unemployment taxes, and workers compensation.

Florencio Pena, Administrative Services Director, stated that they will enter into a contract with RM Personnel and they will be responsible for workers' compensation, payroll taxes, etc. He added that the contract does provide for them to provide us people that are qualified within 24 hours and if they are not able to, there is a 30 day termination provision in the contract for failure to perform.

Mrs. Cindy Ramirez, President of BPR, stated that she was willing to re-negotiate her rate and for council consideration due to the fact that she has been providing good service to the city departments.

Fausto Sosa, City Attorney, stated that the proposed contract is still being reviewed, there is still some issues that need to be resolved and one of them is the payment of the taxes and the withholdings which is something that the contract does not address, other than to state that all of the laws

will be complied with by independent contractors, there is no safeguard but it is a matter of drafting.

Ms. Monica Palacios of RM Personnel was present to answer any questions in reference to their corporation. She said they do abide with all federal and local regulations, they provide the clients with any type of reports that are needed to prove earnings that are reported to IRS, if necessary. They do comply and offer all their employees whether temporary or leased with medical insurance, safety training, health benefits and assured the council that the 24-hour placement is basically their maximum.

Cm. Castaneda suggested that the City Attorney and the Administrative Services Director work out proper documents that safeguards what has been discussed.

Motion to table and hold the bidding until such time that the City Manager and City Attorney work out all the particulars, and until all the items mentioned are incorporated into the agreement.

Moved : Cm. Guerra

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

Mr. Pena stated that provisions of the payroll payment of taxes and workers comp can be included in the contract, that this is not a problem, that this is standard.

20. Authorizing the City Manager to execute an agreement with the Texas Department of Transportation in the amount \$97,862.20, for the participation of the City of Laredo in the constriction of Spur 400 (Clark Boulevard).

Cw. Moreno stated that her concern was that the sidewalks construction were deleted and wants them back.

Mr. Vargas responded that the monies were not allocated.

Cw. Moreno asked that the sidewalks be assessed at the same rate as they assessed McPherson, east of Arkansas.

Mayor Ramirez stated that Cw. Moreno made a good point, that along the loop and the spurs that leads up to it, that we should go like we did with McPherson, set up the same mechanism of assessment, going through public hearings and everything else.

Motion to proceed to instruct staff to bring back under the new budget the four blocks (Arkansas to Ejido) on Spur 400 (Clark Blvd.) that are already developed along the corridor to include sidewalks and continue with the policy we've adopted, which is that as we extend our water and sewer lines

out there, that the property owners as they develop, put in their sidewalks.

Moved : Cm. Castañeda
Second: Cm. Cardenas
For: 8

Against: 0 Abstain: 0

Motion authorizing the City Manager to execute an agreement with the Texas Department of Transportation in the amount of \$97,862.20, for the participation of the City of Laredo in the construction of Spur 400 (Clark Boulevard).

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

Against: 0 Abstain: 0

21. Approval of the Hotel/Motel contract with San Augustin Church Historical Preservation and Restoration Society for the Fiscal Year beginning October 1, 1994 through September 30, 1995, in the amount of \$20,000.00.

Motion to approve the Hotel/Motel contract with San Augustin Church Historical Preservation and Restoration Society for the Fiscal Year beginning October 1, 1994 through September 30, 1995, in the amount of \$20,000.00.

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

Against: 0 Abstain: 0

IX. CITY MANAGER'S REPORT

22. Discussion requesting City Council direction concerning the City Charter Revision Amendments for the November 7, 1995 Special Election.

City Secretary Gustavo Guevara, Jr. asked that council review the proposed amendments and at the next meeting select the amendments that would go before the voters in November.

23. Authorizing the City Manager to execute a one year contractual agreement with the Laredo Jaycees to adopt Soccer Fields No. 1 and 2 at the Laredo International Airport, located on the 400 and 500 Blocks of Sandman under the City's "Adopt-A-Park Program".

Ms. Vishru Mirpuri of the Laredo Jaycees spoke before the council.

Motion authorizing the City Manager to execute a one year contractual agreement with the Laredo Jaycees to adopt Soccer Fields No. 1 and 2 at the Laredo International

Airport, located on the 400 and 500 Blocks of Sandman under the City's "Adopt-A-Park Program".

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

Against: 0 Abstain: 0

24. Authorizing the City Manager to execute a one year contractual agreement with the Seven Flags Over Laredo Rotary Club to adopt the Northeast Hillside Park, located at 5300 McPherson Road under the City's "Adopt-A-Park Program".

Mr. Evan J. Quiroz appeared before council on this item.

Motion authorizing the City Manager to execute a one year contractual agreement with the Seven Flags Over Laredo Rotary Club to adopt the Northeast Hillside Park, located at 5300 McPherson Road under the City's "Adopt-A-Park Program".

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

Against: 0 Abstain: 0

25. Authorizing the City Manager to sell two surplus vehicles to our Sister City, Cienega de Flores, N.L., Mexico,

Motion authorizing the City Manager to sell two surplus vehicles to our Sister City, Cienega de Flores, N.L., Mexico.

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

Against: 0 Abstain: 0

X. COMMUNICATIONS

Cm. Guerra expressed his concern on a fax communication which was sent by Mr. Vargas. The item concerned the letters from the Mr. Robert Fuller where he expressed concerned about the 1983 Waterworks Revenue Bonds Series of \$600,000.00 and about the \$3.1 million City Sewer System Revenue Bonds Series 1978. The concern stands from the fact that the rating outlook for the longer term is negative and he would like to know what this means.

Mayor Ramirez stated that there are hearings scheduled for later in the agenda that deal specifically with water and sewer and asked that this discussion be held until the public hearings.

Cm. Casso stated that on December 19th he requested from staff a blueprint of his district, but that he has not received it yet.

Mr. Vargas answered that they had already provided the blueprints to council, but that they will give Cm. Casso another copy.

XI. CITY COUNCIL DISCUSSION AND PRESENTATION

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

A. Request By Councilmember Louis H. Bruni

1. Report on the 14" water main break at the corner of Bartlett and Stewart.

Tomas Rodriguez, Utilities Director, reported that the break occurred on August 30, 1995 at the 2500th block of North Bartlett. The 14" water transmission main is a cast iron pipe approximately 40 to 50 years old. It delivers water from Gustavus to Lyon (2200 to 2900 blocks of N. Bartlett) from a 16" to a series of 6", 8", 10", and 12" water distribution mains. According to their records, this was the first time that the 14" line had ruptured. The report stated that it did inconvenience the least amount of people, but it provided water even though it was at lower pressure.

Cm. Bruni wanted to know who's responsibility is it to check to make sure that when there is an emergency, the manholes or valves that have to be accessed have no asphalt and can be readily and easily found. He suggested that Mr. Rodriguez and Public Works staff make a study on how many valves have asphalt on top of them and that this valved be located because the Heights Area is prone to this type of problem.

Mr. Rodriguez stated that the study has already started and that it should be completed within the next nine months.

B. Request By Councilmember Cecilia May Moreno

1. Status report on the construction of the Buenos Aires Center.

Mr. Rogelio Rivera, City Engineer, stated that bids will be received by September 14, 1995 and will be approved by council by September 18, 1995.

2. Request for the cleaning of the channelized creek at the corner of San Dario and Lyon.

Cw. Moreno pointed out that it is not San Dario and Lyon, but San Dario and Jefferson, the area has a lot of debris.

Joe Guerra, Public Works Director, answered that they will take care of it as soon as they get there, that they have a

schedule that they have to follow, it might be in a month or two. He will provide a schedule by the next council meeting of which creeks were cleaned and when the creek is scheduled to be cleaned.

3. Request to discuss timeline for the implementation of the additional equipment, manpower etc. for the cleaning of additional creek areas throughout the City.

Cw. Moreno said that they are looking to increase the amount of manpower and equipment, but that those funds won't be in for a while, she asked if this means that they have to wait for months before these areas are cleaned.

Mr. Vargas reported that they will have the increase in tolls effective in November, at that same time they can start the process to hire the personnel. They are in the process now of identifying the availability of equipment so they may be able to purchase the equipment before that, as soon as they get the revenues in, they can put the crews to work probably within six weeks of November. He was talking about two additional crews for creek cleaning.

Mr. Vargas explained that equipment needs to be purchased for this activity and additional personnel needs to be hired. That in the budget hearings council had proposed they include equipment for these crews and obviously, they will not buy the equipment until the budget is approved.

Cm. Casso suggested that they take funds out of the general fund and then reimburse the general fund later.

Joe Guerra, Public Works Director, stated that there are 27 creeks to be cleaned and not enough equipment or manpower to clean them.

Cm. Casso questioned in reference to privately owned creeks.

Mr. Vargas stated they will receive an updated map of privately owned creeks. They will provide council with a schedule for the two work crews of when they will hire them and when they will start, and a schedule of their work.

C. Request By Councilmember Joe A. Guerra

1. Discussion and possible action concerning the refunding of water deposits to citizens which are in good standing with the City.

Mr. Vargas felt that it this request is appropriate and that staff would bring to council an ordinance to accomplish what Cm. Guerra is proposing which is that after a year, which is the term that CPL uses, that once there is an established

one year credit history you get refunded the majority of your deposit.

Mayor Ramirez stated that we should set up parameters to deal with, for example, if one has to refund them their delinquent or what we are going to do if it is reapplied at another location that they are moving to but they are in charge of water, and is it only for personal accounts or commercial as well. Those parameters are set that deal specifically to what Cm. Guerra wants to accomplish and not go over board in trying to accomplish them, we want to reward the customers that are of good standing.

Mrs. Phyllis Colon, Tax Assessor/Collector, explained that the way the ordinance was set-up when it went from \$30 to \$100. They did request that people pay the difference and this is what brought the problem. Say you had 20 years of good experience at your location transferred to a new place, Mr. Vargas had requested that we look very carefully at this and he took it on himself to say, I authorize you in this case to transfer the deposit from one location to another. So they have done that, people that had \$30.00 down and went to a new location and had an excellent paying record were using those \$30.00 rate at the same place. Their projection is that they would refund \$70.00 if they have a good payment account for a year.

XII. PUBLIC HEARINGS

27. Public hearing on amending the zoning ordinance (map) of the City of Laredo by rezoning 0.4139 acres out of Lot 3, Block 1, further described by metes and bounds, on Exhibit "A", located at 7200 McPherson Road, from B-3 (Community Business District) to R-0 (Residential Office District) providing for publication and effective date.

INTRODUCTION OF AN ORDINANCE

Amending the zoning ordinance (map) of the City of Laredo by rezoning 0.4139 acres out of Lot 3, Block 1, further described by metes and bounds, on Exhibit "A", located at 7200 McPherson Road, from B-3 (Community Business District) to R-0 (Residential Office District) providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Cardenas
Second: Cm. Castañeda

For: 7

Against: 0

Abstain: 0

(Cm. Jerry Perez not present)

Marina Sukup, City Planner, made the presentation.

There was no public input.

Motion to close the public hearing and concur with P&Z and introduce the ordinance.

Moved : Cm. Guerra

Second: Cm. Castañeda

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: City Council

28. Public hearing on amending the zoning ordinance (map) of the City of Laredo by rezoning 11.50 acres, out of Porcion 20, Abstract 277, further described by metes and bounds on Exhibit "A", located at I.H. 35 North, 3/4 miles south of Milo, from AG (Agricultural District) to B-4 (Highway Commercial District) providing for publication and effective date.

INTRODUCTION OF AN ORDINANCE

Amending the zoning ordinance (map) of the City of Laredo by rezoning 11.50 acres, out of Porcion 20, Abstract 277, further described by metes and bounds on Exhibit "A", located at I.H. 35 North, 3/4 miles south of Milo, from AG (Agricultural District) to B-4 (Highway Commercial District) providing for publication and effective date.

Motion to open the public hearing.

Moved : Cw. Moreno

Second: Cm. Perez

For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing, concur with P&Z, and introduce the ordinance.

Moved : Cm. Guerra

Second: Cm. Cardenas

For: 6

Against: 0

Abstain: 0

(Cm. Jerry Perez and Cm. Castañeda not present)

Ordinance Introduction: City Council

29. Public hearing on amending the zoning ordinance (map) of the City of Laredo by rezoning E 53' of Lot 5, and E 53' of Lot 7, Block 987, Western Division, located at 3916 Convent, from R-3 (Mixed Residential District) to B-1 (Limited Business District), providing for publication and effective date.

INTRODUCTION OF AN ORDINANCE

Amending the zoning ordinance (map) of the City of Laredo by rezoning E 53' of Lot 5, and E 53' of Lot 7, Block 987,

Western Division, located at 3916 Convent, from R-3 (Mixed Residential District) to B-1 (Limited Business District), providing for publication and effective date.

Motion to open the public hearing.

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

Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing, concur with P&Z, and introduce the ordinance.

Moved : Cm. Guerra
Second: Cm. Cardenas
For: 7
(Cm. Jerry Perez was not present)

Against: 0 Abstain: 0

Ordinance Introduction: City Council

- 30. Public hearing on amending the City of Laredo's 1994-95 Annual Budget by increasing the Police Trust Fund revenues and expenditures by \$27,925, and authorizing the City Manager to implement said budget.

INTRODUCTION OF AN ORDINANCE

Amending the City of Laredo's 1994-95 Annual Budget by increasing the Police Trust Fund revenues and expenditures by \$27,925, and authorizing the City Manager to implement said budget.

Motion to open the public hearing.

Moved : Cw. Moreno
Second: Cm. G. Perez
For: 7
(Cm. Castañeda was not present)

Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing, concur with P&Z and staff, and introduce the ordinance.

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

Against: 0 Abstain: 0

Ordinance Introduction: City Council

- 30a. Motion authorizing the purchase of radio equipment in the amount of \$27,920.30, through the Houston Galveston Area

Council of Governments - Cooperative Purchasing Program, for the Police Department.

Motion authorizing the purchase of radio equipment in the amount of \$27,920.30, through the Houston Galveston Area Council of Governments - Cooperative Purchasing Program, for the Police Department.

Moved : Cm. G. Perez

Second: Cm. Cardenas

For: 7

Against: 0

Abstain: 0

(Cm. Castañeda was not present)

31. Public hearing on the proposed 1995 Ad Valorem tax rate of \$.551601, and setting the date of September 11, 1995, at 5:30 P.M. in the City Council Chambers as the date to take a formal vote.

Motion to open the public hearing.

Moved : Cm. G. Perez

Second: Cm. Cardenas

For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and approve the dates.

Moved : Cm. G. Perez

Second: Cm. Cardenas

For: 7

Against: 0

Abstain: 0

32. Public hearing on approval of an amendment to the contract with the Texas Department of Health and a budget revision in the amount of \$24,260.00, 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 an amendment to the contract with the Texas Department of Health and a budget revision in the amount of \$24,260.00, 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 \$45,882.00 to \$70,142.00, and increasing Expenditure Line Item No. 226-6016 from \$45,882.00 to \$70,142.00.

Motion to open the public hearing.

Moved : Cm. G. Perez

Second: Cm. Cardenas

For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance.

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

Against: 0 Abstain: 0

Ordinance Introduction: City Council

- 33. Public hearing on approval of an amendment to the contract with the Texas Department of Health and a budget in the amount of \$333,348.00, consisting of \$249,324.00 in funds and \$84,024.00, in State direct assistance, for the Comprehensive Public Health Services Programming of the City of Laredo Health Department for the period beginning September 1, 1995, through August 31, 1996; and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Approval of an amendment to the contract with the Texas Department of Health and a budget in the amount of \$333,348.00, consisting of \$249,324.00 in funds and \$84,024.00, in State direct assistance, for the Comprehensive Public Health Services Regional Programming of the City of Laredo Health Department for the period beginning September 1, 1995, through August 31, 1996; and increasing Revenue Line Item No. 226-0000-323-4033 from \$0 to \$249,324.00, and increasing Expenditure Line Item No. 226-6021 from \$0 to \$249,324.00.

Motion to open the public hearing.

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

Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance.

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

Against: 0 Abstain: 0
(Cm. Jerry Perez and Cm. Castañeda were not present)

Ordinance Introduction: City Council

- 34. Public hearing on approval of an amendment to the contract with the Texas Department of Health and a budget in the amount of \$2,034.00, for the Immunization Program of the City of Laredo Health Department for the period beginning

September 1, 1995, through August 31, 1996; and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Approval of an amendment to the contract with the Texas Department of Health and a budget in the amount of \$2,034.00, for the Immunization Program of the City of Laredo Health Department for the period beginning September 1, 1995, through August 31, 1996; and increasing Revenue Line Item No. 226-0000-323-4040 from \$0 to \$2,034.00, and increasing Expenditure Line Item No. 226-6025 from \$0 to \$2,034.00.

Motion to open the public hearing.

Moved : Cw. Moreno

Second: Cm. Guerra

For: 6

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Guerra

Second: Cm. Cardenas

For: 6

Against: 0

Abstain: 0

Ordinance Introduction: City Council

- 35. Public hearing on approval of an amendment to the contract with the Texas Department of Health and a budget in the amount of \$444,420.00, for the Women & Children Health Program of the City of Laredo Health Department for the period beginning September 1, 1995, through August 31, 1996; and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Approval of an amendment to the contract with the Texas Department of Health and a budget in the amount of \$444,420.00, for the Women & Children Health Program of the City of Laredo Health Department for the period beginning September 1, 1995, through August 31, 1996; and increasing Revenue Line Item No. 226-0000-323-4034 from \$0 to \$444,420.00, and increasing Expenditure Line Item No. 226-6026 from \$0 to \$444,420.00.

Motion to open the public hearing.

Moved : Cm. Cardenas

Second: Cm. Perez

For: 6

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Guerra

Second: Cm. Castañeda

For: 7

Against: 0

Abstain: 0

(Cm. Jerry Perez was not present)

Ordinance Introduction: City Council

36. Public hearing on approval of an amendment to the contract with the Texas Department of Health and a budget in the amount of \$127,240.00, for the Diabetic and Hypertension Education and Assistance Program of the City of Laredo Health Department for the period beginning September 1, 1995, through August 31, 1996; and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Approval of an amendment to the contract with the Texas Department of Health and a budget in the amount of \$127,240.00, for the Diabetic and Hypertension Education and Assistance Program of the City of Laredo Health Department for the period beginning September 1, 1995, through August 31, 1996; and increasing Revenue Line Item No. 226-0000-323-3036 from \$0 to \$127,240.00, and increasing Expenditure Line Item No. 226-6027 from \$0 to \$127,240.00.

Motion to open the public hearing.

Moved : Cm. Castañeda

Second: Cm. Cardenas

For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Guerra

Second: Cm. Bruni

For: 6

Against: 0

Abstain: 0

Ordinance Introduction: City Council

37. Public hearing on amending Section 31-92(b)(4) and adding Section 31-92(B)(5) of the Code of Ordinances of the City of Laredo to require conveyance of the equivalent of one acre foot of Municipal Use Water Rights for every lot in any development or subdivision of more than two lots and specifying a lot charge of \$500.00, for each or any lot in a subdivision which creates less than three lots or which creates additional lot; and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Amending Section 31-92(b)(4) and adding Section 31-92(B)(5) of the Code of Ordinances of the City of Laredo to require conveyance of the equivalent of one acre foot of Municipal Use Water Rights for every lot in any development or subdivision of more than two lots and specifying a lot charge of \$500.00 for each or any lot in a subdivision which creates less than three lots or which creates additional lots.

Motion to open the public hearing.

Moved : Cm. Castañeda

Second: Cm. G. Perez

For: 7

Against: 0

Abstain: 0

(Cm. Cardenas not present)

There was no public input.

Tomas Rodriguez, Utilities Director, stated that the amendments for consideration were:

1. Prohibit the use of water rights to pay Capital Improvement Contribution Fees; and
2. The owner/developer deeding water rights to the City pay the legal and Texas Natural Conservation Commission's filing fees for the conversion of ownership, diversion, conversion from irrigation to municipal and amendment of the City's Certificate of Adjudication No. 23-3997.

Mr. Rodriguez stated that he was against recommendation number 1.

Mr. Evan J. Quiroz of Vaquillas Ranch Company stated he has been involved in trying to buy water rights and that he thinks that the city should not pamper itself in any way to tie itself not to get water rights in anyway it can. He thinks that any changing that is done of the water rights deals is going to hurt the city in the long run.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Bruni

Second: Cm. Casso

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

38. Public hearing on amending the City of Laredo's 1994-1995 annual budget in the amount of \$18,002.00 for a grant awarded by the United States Environmental Protection Agency's Environmental Justice Small Grants Program to be used for enhancing and continuing the Environmental Education Program for the period from September 1, 1995 through May 31, 1996.

INTRODUCTION OF AN ORDINANCE

Amending the City of Laredo 1994-1995 annual budget in the amount of \$18,002.00 for a grant awarded by the United States Environmental Protection Agency's Environmental Justice Small Grants Program to be used for enhancing and continuing the Environmental Education Program for the period from September 1, 1995 through May 31, 1996.

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 the ordinance.

Moved : Cm. G. Perez
Second: Cm. Cardenas
For: 8 Against: 0 Abstain: 0

Ordinance Introduction: City Council

- 39. Public hearing on amending the City of Laredo 1994-1995 Annual Budget in the amount of \$26,576.00 for a grant awarded by the Texas Natural Resource Conservation Commission, used oil grants section, to be used for enhancing and continuing the used oil collection and recycling program for the period from August 1, 1995 through August 31, 1996.

INTRODUCTION OF AN ORDINANCE

Amending the City of Laredo 1994-1995 Annual Budget in the amount of \$26,576.00 for a grant awarded by the Texas Natural Resource Conservation Commission, used oil grants section, to be used for enhancing and continuing the used oil collection and recycling program for the period from August 1, 1995 through August 31, 1996.

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 the ordinance.

Moved : Cm. G. Perez
Second: Cm. Cardenas
For: 8 Against: 0 Abstain: 0

Ordinance Introduction: City Council

40. Public hearing concerning the adoption of the 1996-2000 Capital Improvement Program of the City of Laredo.

Motion to open the public hearing.

Moved : Cm. G. Perez

Second: Cm. Cardenas

For: 8

Against: 0

Abstain: 0

There was no public input.

- 95-R-122 Resolution adopting the 1996-2000 Capital Improvement Program of the City of Laredo.

Mr. Vargas was recommending \$6 million within the next five year period for well system as opposed to the \$30 million to putting in the entire field of wells.

Cm. Perez stated he would like to make a correction on one of the drainage projects, the San Salvador/Chestnut drainage. It was said in the budget hearings that there were some monies available for this coming year, and that he did not make any motion to that effect because the monies were already there. He wants to make a correction, that they are showing 1998-99 for the project to take place, but that according to the budget hearings, it was said that we had money in place and therefore, it was going to be taken care of this year.

Mr. Vargas stated that the City Engineer recollects that we still need to obtain easements, there are funds available to obtain the easement for the project, so they have to get the right-of-way.

Cm. Perez stated that this was not his understanding, he knows that the easements need to be acquired, but at the same token the Mayor was aware that we had money enough to complete that project. He does not want this issue to come and for staff to say they do not have money to complete the project. He was going to make three motions at the budget hearing, but according to staff the money was there and it was going to be taken care of. He wants to make sure that this is the case and it is taken care of.

Mayor Ramirez asked Cm. Perez if he was talking about doing all this year.

Cm. Perez stated, that yes they were.

Mr. Vargas said there is money to acquire the right-of-ways of the project and probably over a two year period we can bring that project. He said that he misunderstood and that it is still their intent to acquire the right-of-ways.

Cm. Perez said he would like to change it, that the acquisition this year and the next year the capital.

Mayor Ramirez stated that this was the way he understood they were going to move ahead.

Mr. Vargas said that it is listed that in 1998-99 and that they can move it up to 1996-97.

Mayor Ramirez said that this is the way the will do then, to move it up to 1996-97.

Motion to close the public hearing and approve Resolution adopting the 1996-2000 Capital Improvement Program of the City of Laredo.

Moved : Cm. G. Perez
Second: Cm. Cardenas
For: 8 Against: 0 Abstain: 0

- 41. Public hearing concerning an ordinance to amend the City of Laredo's 1994-95 Annual Budget by increasing estimated revenues and expenditures by \$3,000,000.00 in the Capital Improvements Project and Civic Center Funds, and authorizing the City Manager to implement said budget.

INTRODUCTION OF AN ORDINANCE

Amending the City of Laredo's 1994-95 Annual Budget by increasing estimated revenues and expenditures by \$3,000,000.00 in the Capital Improvements Project and Civic Center Funds, and authorizing the City Manager to implement said budget.

Motion to open the public hearing.

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

There was no public input.

Motion to close the public hearing and introduce the ordinance.

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

Against: 0 Abstain: 0

Ordinance Introduction: City Council

42. Public hearing concerning an ordinance amending Chapter 14 (Garbage, Trash & Refuse) of the Code of Ordinances, specifically to amend Section 14-4.1(a) to increase Landfill and Tipping fees as follows: Vehicles, Non-compactor and Compactor from inside the city limits from \$15 to \$30 per ton; for similar vehicles from outside the city limits from \$50 to \$65 per ton; from outside the County from \$100 to \$115 per ton; waste transfer vehicles from \$2 to \$4 per ton; pick-up trucks from \$1 to \$2; Tires: passenger tires from \$1 to \$1.25; truck tires from \$1.25 to \$1.50; heavy equipment tires from \$5 to \$5.25. Federal and State mandates residential minimum charges from \$2.25 to \$4.25; and commercial minimum charge from \$0 to \$4.25.

INTRODUCTION OF AN ORDINANCE

Amending Chapter 14 (Garbage, Trash & Refuse) of the Code of Ordinances, specifically to amend Section 14-4.1(a) to increase Landfill and Tipping fees as follows: Vehicles, Non-compactor and Compactor from inside the city limits from \$15 to \$30 per ton; for similar vehicles from outside the city limits from \$50 to \$65 per ton; from outside the County from \$100 to \$115 per ton; waste transfer vehicles from \$2 to \$4 per ton; pick-up trucks from \$1 to \$2; Tires: passenger tires from \$1 to \$1.25; truck tires from \$1.25 to \$1.50; heavy equipment tires from \$5 to \$5.25. Federal and State mandates residential minimum charges from \$2.25 to \$4.25; and commercial minimum charge from \$0 to \$4.25.

Motion to open the public hearing.

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

Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance with the clause that Sundays will continue to be free.

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

Against: 0 Abstain: 0

Ordinance Introduction: City Council

43. Public hearing concerning an amendment to Division 3 (rates and charges) of Chapter 31 (utilities) of the code of ordinances, specifically to amend section 31-138 which provides for Water Rate charges by increasing the minimum rate from \$7.00 to \$8.00; and increasing the escalating rate structure by \$0.05 cents for both residential and commercial customers within the city limits; and increasing the Fire Hydrant rate by \$2.40; and increasing the Industrial Mining rate by \$1.75; providing for publication and providing for effective date.

INTRODUCTION OF AN ORDINANCE

Amending Division 3 (rates and charges) of Chapter 31 (utilities) of the code of ordinances, specifically to amend section 31-138 which provides for Water Rate charges by increasing the minimum rate from \$7.00 to \$8.00; and increasing the escalating rate structure by \$0.05 cents for both residential and commercial customers within the city limits; and increasing the Fire Hydrant rate by \$2.40; and increasing the Industrial Mining rate by \$1.75; providing for publication and providing for effective date.

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 table for the next council meeting to explore the options brought out by the council.

Moved : Cm. Casso
 Second: Cw. Moreno
 For: 7

Against: 1 Abstain: 0
 (Cm. Jerry Perez)

Motion to close the public hearing.

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

Against: 0 Abstain: 0

44. Public hearing concerning the amending of section 31-92(A) pertaining to the schedule of sewer rates of chapter 31 (utilities) of the code of ordinances by increasing the minimum rate from \$5.00 to \$6.00 for residential customers; and from \$6.00 to \$7.00 for commercial customers; and increasing the escalating rate structure by \$0.15 cents for both residential and commercial customers; and increasing the maximum charge for residential by \$4.10; providing for publication and providing for effective date.

INTRODUCTION OF AN ORDINANCE

Amending section 31-92(A) pertaining to the schedule of sewer rates of chapter 31 (utilities) of the code of ordinances by increasing the minimum rate from \$5.00 to \$6.00 for residential customers; and from \$6.00 to \$7.00 for commercial customers; and increasing the escalating rate structure by \$0.15 cents for both residential and commercial customers; and increasing the maximum charge for residential by \$4.10; providing for publication and providing for effective date.

Motion to open the public hearing.

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

Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and table.

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

Against: 1 Abstain: 0
(Cm. Jerry Perez)

- 45. Public hearing concerning the adoption of the Annual Budget for Fiscal Year 1995-1996, appropriating the estimated revenues and balances reported therein for the year beginning October 1, 1995, and ending September 30, 1996, consistent with the Financial Plan described in said Annual Budget; and authorizing the City Manager to implement said Annual Budget.

INTRODUCTION OF AN ORDINANCE

Adopting the Annual Budget for Fiscal Year 1995-1996, appropriating the estimated revenues and balances reported therein for the year beginning October 1, 1995, and ending September 30, 1996, consistent with the Financial Plan described in said Annual Budget; and authorizing the City Manager to implement said Annual Budget.

Motion to open the public hearing.

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

Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Castañeda
Second: Cm. Cardenas
For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

XIII. ADJOURNMENT

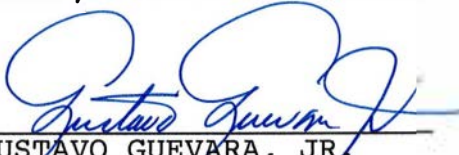
Motion to adjourn. Time: 9:10 p.m.

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

Against: 0

Abstain: 0

I HEREBY CERTIFY THAT THE ABOVE MINUTES CONTAINED IN PAGES 01 TO 28 ARE TRUE, COMPLETE AND CORRECT PROCEEDING OF THE REGULAR CITY COUNCIL MEETING HELD ON THE 5TH DAY OF SEPTEMBER, 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: September 25, 1995

CORRECTIONS: