

**CITY OF LAREDO  
SPECIAL CITY COUNCIL MEETING**

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

**MINUTES**

**M-95-S-32**

**NOVEMBER 13, 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
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 R. VILLARREAL,	ASST. CITY MANAGER	
JESUS NAVA,	ASST. CITY MANAGER	
FAUSTO SOSA,	CITY ATTORNEY	

**ABSENCES:**

Cm. Alfonso Casso.

**IV. RESOLUTIONS**

2. 95-R-157 Canvassing the returns of the Special City Charter Amendment Election held on Tuesday, November 7, 1995, and approving the results.

Motion approving Resolution 95-R-157 canvassing the returns of the Special City Charter Amendment

Election held on Tuesday, November 7, 1995, and approving the results as follows:

PROPOSITION NO. 1:

1966 VOTES: YES Shall the last sentence of Section 1.02 of the  
731 VOTES: NO Charter be changed and amended to read as follows:

The enumeration of particular powers by this Charter shall not be deemed to be exclusive. In addition to the powers enumerated or implied herein, it is intended that the City shall have and may exercise all powers under the Constitution and Laws of this State, as fully and completely as though they were specifically enumerated in this Charter?

PROPOSITION NO. 2:

2173 VOTES: YES Shall Section 2.01 (a)(b) of the Charter be 497  
VOTES: NO amended to change the phrase "Council Member" to "City Council Member".

PROPOSITION NO. 3:

2013 VOTES: YES Shall Section 2.01 (c) of the Charter be deleted  
754 VOTES: NO in its entirety and replaced with the following:

(C) Terms

The Mayor shall serve a four (4) year term with a limit of two (2) elected four (4) year terms. The City Councilmembers shall serve a four (4) year staggered term with a limit of two (2) elected four (4) year terms as a City Councilmember and may serve two (2) elected four (4) year terms as Mayor.

A person may serve two (2) elected four (4) year terms as a member of the City Council and two (2) elected four (4) year terms as Mayor. Excluding any time served through appointment or an elected unexpired term prior to being elected to a four (4) year term.

PROPOSITION NO. 4:

1935 VOTES: YES Shall Section 2.02 be changed and amended to read  
820 VOTES: NO as follows:

The City Council may determine the annual salary of the Mayor and City Council members by ordinance, but no ordinance increasing such salary shall

become effective for Mayor and all City Council members until the date of commencement of their respective new term, provided that such respective new term follows the adoption of the ordinance by at least three (3) months. The Mayor and City Council members shall get a salary deduction to be assessed for each unexcused absence from a regular City Council meeting. The Mayor and City Council members shall receive reimbursement for their actual and necessary expenses incurred in the performance of their duties of Office.

PROPOSITION NO. 5:

2395 VOTES: YES Shall Section 2.04 (b) of the be amended to allow  
325 VOTES: NO for the Mayor or City Council Member to forfeit his  
office if he is convicted of a felony?

PROPOSITION NO. 6:

1971 VOTES: YES Shall Section 2.09 (b) of the Charter be amended  
604 VOTES: NO to include the title: "Procedure"?

PROPOSITION NO. 7:

1972 VOTES: YES Shall Section 2.14 of the Charter be amended to  
756 VOTES: NO provide that the Mayor shall serve a four (4) year  
term with a limit of two (2) elected four year  
terms excluding any time served through appointment  
or an elected unexpired term prior to being elected  
to a four (4) year term.

PROPOSITION NO. 8:

1858 VOTES: YES Shall Section 2.16 of the Charter be deleted and  
880 VOTES: NO replaced with the following:

The City Secretary shall be nominated by the City Manager and confirmed by the City Council for an indefinite term. The City Secretary position shall be reviewed annually. It shall be the duty of the City Secretary to attend every meeting of the City Council and keep accurate minutes of the proceedings thereof in a book to be provided for that purpose and to engross and enroll all laws, resolutions and ordinances of the City Council; to keep the corporate seal; to take charge of and preserve and keep in order all the books, records, papers, documents, and files of said Council, to countersign all commissions issued to the City officers and licenses issued and any other duties and responsibilities as may be assigned by the City Council. The City Secretary shall receive such salary as shall be affixed by ordinance?

PROPOSITION NO. 9:

2115 VOTES: YES Shall Section 2.17 of the Charter be created to  
630 VOTES: NO read as follows:

## Section 2.17 REMOVAL

The City Secretary may be removed from office by a majority vote of the entire City Council.

PROPOSITION NO. 10:

1967 VOTES: YES Shall Section 3.01 of the Charter be deleted and  
774 VOTES: NO replaced with the following:

## Section 3.01 APPOINTMENT; COMPENSATION

The City Council, by a majority vote of total membership, shall appoint a City Manager for an indefinite term and fix the manager's compensation. His/her compensation shall be reviewed on a yearly basis during the budget process?

PROPOSITION NO. 11:

1894 VOTES: YES Shall Section 3.02 of the Charter be deleted and  
715 VOTES: NO replaced with the following:

## Section 3.0 QUALIFICATIONS

The City Manager shall be appointed solely on the basis of executive and administrative qualifications. He/She shall have a Bachelor's Degree and no less than seven (7) years experience in Municipal Government, five (5) of which must be supervisory managerial experience. A Master's Degree in Public Administration is preferred. The Manager need not be a resident of the City or State at the time of appointment, but must reside inside the City while in office.

PROPOSITION NO. 12:

1967 VOTES: YES Shall Section 3.03 of the Charter be deleted and  
630 VOTES: NO replaced with the following:

## Section 3.03 REMOVAL

The City Manager shall not be appointed for a definite term, but may be removed at the will and pleasure of the City Council by a majority vote of total membership. The action of the City Council in removing the City Manager shall be final, it

being the intention of the Charter to vest all authority and fix all responsibility for such removal on the City Council?

PROPOSITION NO. 13:

1979 VOTES: YES Shall Section 3.04 of the Charter be deleted and  
573 VOTES: NO replaced with the following:

Section 3.04 ACTING CITY MANAGER

By letter filed with the City Secretary, the City Manger shall designate, subject to approval of the City Council, a qualified City administrative officer to exercise the powers and perform the duties of City Manager during his/her temporary absence or disability. During such absence or disability, the City Council may revoke such designation at any time and appoint another officer of the City to serve until the City Manager shall return of his/her disability shall cease. In the event the City Manager is incapacitated and cannot or will not designate an Acting City Manager, then he City Council shall appoint an Acting City Manager by a majority vote of total membership?

PROPOSITION NO. 14:

1989 VOTES: YES Shall Section 3.05 be created to read as follows:  
597 VOTES: NO

Section 3.05 POWERS AND DUTIES OF THE CITY MANAGER

The City Manager shall be the chief administrative and executive officer of the City. He/she shall be responsible to the City Council for the administration of all City affairs placed in he/her charge by or under this Charter. He/she shall have the following powers and duties:

- (1) Shall appoint and, when he/she deems it necessary for the good of the service, suspend or remove all City department heads provided for by or under this Charter, except as otherwise provided by law, this charter or personnel rues adopted pursuant to this Charter. Department heads shall have the power to appoint, remove, or suspend all employees in their respective departments pursuant to policy;
- (2) Shall attend all City Council meetings and shall have the right to take part in discussion but may not vote;

- (3) Shall prepare and submit the annual budget and capital program to the City Council;
- (4) Shall submit to the City Council and make available to the public a complete report on the finances and administrative activities of the City as of the end of each fiscal year;
- (5) Shall make such other report as the City Council may require concerning the operations of City departments, offices and agencies subject;
- (6) Shall keep the City Council fully advised as to the financial condition and future needs of the City and make such recommendations to the City Council concerning the affairs of the City as he/she deems desirable; and
- (7) Shall perform such other duties as are specified in this Charter or may be required by the City Council.

PROPOSITION NO. 15:

2163 VOTES: YES Shall Section 4.02 be created to provide as  
 575 VOTES: NO follows:

Section 4.02 CITY ATTORNEY

There shall be a City Attorney of the City appointed by the city manager subject to confirmation by the City Council. The City Attorney shall serve as chief legal advisor to the council, the city manager and all city departments, offices and agencies, shall represent the city in all legal proceedings and shall perform any other duties prescribed by this charter or by ordinance. The City Attorney can be removed from office on the recommendation of the city manager and by simple majority vote of the entire membership of the City Council?

PROPOSITION NO. 16:

1985 VOTES: YES Shall Section 5.02 of the Charter be amended to  
 702 VOTES: NO provide that City Council may, by ordinance, provide for the appointment of one or more additional judges of the municipal court, each appointed terms shall not exceed two (2) consecutive years as appointee?

PROPOSITION NO. 17:

2320 VOTES: YES Shall Section 6.02 of the Charter be amended to  
 395 VOTES: NO provide that Sixty (60) days before the end of the  
 fiscal year, or any time before that, the City  
 Manager shall present to the Council, in an open  
 public meeting, after proper public notice, and  
 having been placed on the Council meeting agenda, a  
 budget for the ensuing fiscal year with an  
 accompanying message?

PROPOSITION NO. 18:

1883 VOTES: YES Shall Section 6.04 of the Charter be amended to  
 770 VOTES: NO delete the last sentence which provides; that the  
 total of proposed expenditures shall not exceed the  
 total of estimated income and be replaced with the  
 following:

Excess carry over funds from a prior fiscal year  
 may be appropriated in the ensuing fiscal year for  
 one time appropriations only. Such funds shall not  
 be used for recurring annual operating costs.

PROPOSITION NO. 19:

2208 VOTES: YES Shall Section 6.05 (a) of the Charter be amended to  
 449 VOTES: NO provide that the city manager shall prepare and  
 submit a five (5) year flexible capital program at  
 least three (3) months before the end of the fiscal  
 year?

PROPOSITION NO. 20:

2298 VOTES: YES Shall Section 6.06 (a) of the Charter be amended to  
 376 VOTES: NO provide that the Council shall publish in one or  
 more newspapers of general circulation in the City  
 for two (2) days the general summary of the budget?

PROPOSITION NO. 21:

2302 VOTES: YES Shall Section 6.07 of the Charter be amended to  
 395 VOTES: NO incorporate its present text into Subsection (a)  
 entitled Notice of Hearing and to add the  
 following:

The City Council shall publish in one or more  
 newspapers of general circulation in the city the  
 general summary of the capital program.

PROPOSITION NO. 22:

1822 VOTES: YES Shall Section 6.07 (b) be created to provide as  
 801 VOTES: NO follows:

(B) Adoption. The City Council, by resolution, shall adopt the capital program with or without amendment after the public hearing and on or before the last day of the current fiscal year.

PROPOSITION NO. 23:

2190 VOTES: YES Shall Section 6.12 of the Charter be amended to  
463 VOTES: NO provide that is an integral part of the independent audit, a compliance audit of all major grants shall be provided and that the auditing firm must be recognized as independent?

PROPOSITION NO. 24:

2093 VOTES: YES Shall Section 6.13 of the Charter be amended to  
552 VOTES: NO include the following:  
  
The total overall outstanding debt shall be limited to 10% of the total assessed valuation of the City?

PROPOSITION NO. 25:

2059 VOTES: YES Shall Section 6.16 be created to provide the  
562 VOTES: NO following:  
  
Section 6.16 CERTIFICATES OF OBLIGATION  
  
The City Council is hereby authorized to issue Certificates of Obligation in accordance with State laws?

PROPOSITION NO. 26:

2191 VOTES: YES Shall Section 7.03 of the Charter be amended to  
455 VOTES: NO correct an error in the fourth sentence which reads in part that Taxes for 1982 not paid by April 30th be changed to replace the year 1982 with the phrase "the current year"?

PROPOSITION NO. 27:

1952 VOTES: YES Shall Section 9.02 of the Charter be changed and  
506 VOTES: NO amended to read as follows:  
  
There shall be a City Planning and Zoning Commission consisting of nine (9) members who shall be appointed by the Mayor and Council for terms concurrent with the Mayor or Council Members who nominated each Commissioner. It is understood that the Mayor and Council Members each nominate a person to serve as Commissioner, from among the qualified voters of their respective districts.



Members of the Commission shall hold no other City office. The Commission shall make recommendations to the City Manager and the City Council on all matters affecting the physical development of the City, shall be consulted on the comprehensive plan, the implementation thereof and shall exercise all other responsibilities as may be provided bylaw. Members shall forfeit their office upon failure to attend three (3) consecutive meetings without being excused by the Commission. This provision to become effective for new appointments after approval by the voters.

PROPOSITION NO. 28:

1918 VOTES: YES Shall Section 9.05 of the Charter be changed and  
538 VOTES: NO amended to read as follows:

The Council shall by ordinance establish a board of adjustment and shall provide standards and procedure for such board to hear and determine appeals from administrative decisions, petitions for variances in the case of peculiar and unusual circumstances which would prevent the reasonable use of land and such other matters as may be required by the Council or by law. There shall be five (5) regular members and four (4) alternate members. The Mayor and Council Members shall nominate one member each. By lottery the first five (5) nominees selected shall be the regular members and the remaining four (4) shall be the alternate members. The term shall run concurrently with that of the Mayor and Council Member who made the nomination. No member shall serve for more than four (4) years.

PROPOSITION NO. 29

2085 VOTES: YES Shall Section 10.01 (a) of the Charter be amended  
365 VOTES: NO to provide that the regular City election shall be held the first Saturday of May every even numbered year or as required by the current Texas Election Code?

PROPOSITION NO. 30:

1942 VOTES: YES Shall the title of Section 10.01 (C) of the Charter  
438 VOTES: NO be amended to read conduct of Elections?

PROPOSITION NO. 31:

2105 VOTES: YES Shall Section 10.02 of the Charter be amended to  
342 VOTES: NO read any person filing for office shall file on application with the City Secretary in accordance

with the Texas Election Code?

PROPOSITION NO. 32:

1364 VOTES: YES Shall the word "City Secretary" be deleted from  
1007 VOTES: NO Section 10.05(a)?

PROPOSITION NO. 33:

1857 VOTES: YES Shall Section 10.05 (c) of the Charter be amended  
558 VOTES: NO to delete the words "the first Saturday in May" and  
replace it with "according to the current Texas  
Election Code?"

PROPOSITION NO. 34:

1908 VOTES: YES Shall the last sentence of Section 10.06 of the  
512 VOTES: NO Charter be amended to correct it grammatically by  
deleting the comma after the word appear and in its  
place insert the word "in"?

PROPOSITION NO. 35:

1546 VOTES: YES Shall the second sentence of Section 10.08 (B)  
879 VOTES: NO of the Charter be amended to delete the word  
"voters" and replace the same with the word  
"Commissioners" and also delete the word "other"  
from said sentence?

PROPOSITION NO. 36

1945 VOTES: YES Shall Section 10.08 (C) of the Charter be amended  
517 VOTES: NO include that by the first of January after every  
federal census or as soon as feasible, after  
release of certifiable population figures by the  
federal census the Districting Commission shall  
file a report with the City Secretary containing a  
recommended plan for adjustments of the Council  
District Boundaries and to replace the word "voter"  
with the word "population"?

PROPOSITION NO. 37

2008 VOTES: YES Shall Section 11.01 of the Charter be amended to  
587 VOTES: NO delete the first comma of the second sentence and  
add the word "or" and provide that recall petitions  
shall have a time limit of six months from the  
earliest date of any signature on the petition?

PROPOSITION NO. 38

2018 VOTES: YES Shall the second sentence of Section 11.02 of the  
546 VOTES: NO Charter be amended include a comma after the word  
"number" and delete the word "and" and to include

and provide for the date the signature was placed on the petitions and add the phrase "State of Texas" at the end of said section.

PROPOSITION NO. 39

2005	VOTES: YES	Shall Section 11.04 of the Charter be amended to include and provide that exclusive of the six month time limit stated on Section 11.01, a recall petition may be amended at any time within 20 days after certification of insufficiency by the City Secretary?
568	VOTES: NO	

PROPOSITION NO. 40

2007	VOTES: YES	Shall the last sentence of Section 11.05 of the Charter be amended to read "recall" election?
569	VOTES: NO	

PROPOSITION NO. 41

1979	VOTES: YES	Shall Section 11.07 of the Charter be changed and amended to read as follows:
641	VOTES: NO	

If a majority of the votes cast are against the recall of a person he/she shall continue in office for the remainder of his/her term, but shall remain subject to the recall provisions. If a majority of such votes are for the recall of a person he/she shall, regardless of any defect in the recall petition be deemed removed from office.

PROPOSITION NO. 42:

1926	VOTES: YES	Shall Section 11.10 of the Charter be amended to increase the time from 40 to 60 days after the enactment of an ordinance, in which a referendum involving the same may be commenced.
640	VOTES: NO	

PROPOSITION NO. 43:

2020	VOTES: YES	Shall Section 11.11 of the Charter be amended to delete the third "and" in the last sentence and provide for a date of signature?
498	VOTES: NO	

PROPOSITION NO. 44:

1961	VOTES: YES	Shall Section 11.13 of the Charter be amended to provide that Exclusive of the 60 day time limit as set forth in section 11.10 a petition may be amended at any time within twenty (20) days after the notification of insufficiency and delete the word "his" before certificate and replace the same with "a" in the second sentence of said section?
590	VOTES: NO	

PROPOSITION NO. 45:

2075 VOTES: YES Shall Section 11.15 of the Charter be changed and  
510 VOTES: NO amended to read as follows:

(a) Initiative Petition

Whenever the council receives an initiative petition from the City Secretary it shall be immediately considered. A proposed initiative ordinance shall be read and provision shall be made for a public hearing. The Council shall take final action on the ordinance no later than sixty (60) days after the date on which such ordinance was submitted to the Council by the City Secretary.

(B) Referred Ordinance

A referred ordinance shall be reconsidered and the Council shall, within thirty (30) days, vote upon the question, "Shall the ordinance be repealed?"

PROPOSITION NO. 46:

2033 VOTES: YES Shall Section 11.16 of the Charter be amended to  
531 VOTES: NO grammatically correct the same by deleting the word "therefore" and replacing it with "thereof"?

PROPOSITION NO. 47:

2000 VOTES: YES Shall Section 12.01 of the Charter be amended to  
542 VOTES: NO grammatically correct the third sentence by deleting the comma appearing after the word "expressed" and placing one after the words "corporation contracting with the council"?

PROPOSITION NO. 48:

2045 VOTES: YES Shall Section 12.03 of the Charter be amended to  
504 VOTES: NO grammatically correct the same by deleting the comma after the word "City"?

PROPOSITION NO. 49:

1913 VOTES: YES Shall Section 12.04 (a)(4) of the Charter be  
567 VOTES: NO changed and amended to read as follows:

(A) Activities Prohibited

(4) No person shall knowingly, or willfully solicit or assist in soliciting any assessment, subscription or contribution for any political party or political purpose to be used in

conjunction with any city election from any city employee.

PROPOSITION NO. 50:

1831 VOTES: YES Shall Section 12.04 12.04 (a)(5) of the Charter  
606 VOTES: NO be changed and amended to read as follows:

(5) No city employee shall knowingly or willfully make, solicit or receive any contribution to the campaign funds of any political party or committee to be used in a city election or to campaign funds to be used in support of or opposition to any candidate for election to city office or city ballot issue. Further, no city employee shall knowingly or willfully participate in any aspect of any political campaign on behalf of or opposition to any candidate for city office. This section shall not be construed to limit any person's right to exercise rights as a citizen to express opinions or to cast a vote nor shall it be construed to prohibit any person from active participation in political campaign at any other level of government.

PROPOSITION NO. 51:

1849 VOTES: YES Shall Section 12.07 of the Charter be deleted in  
514 VOTES: NO its entirety because the same text appears in Section 1.12 of the Charter?

PROPOSITION NO. 52:

1848 VOTES: YES Shall Section 13.03 of the Charter entitled  
583 VOTES: NO "pending matters" which relates to matters that were pending during the original adoption of the City Charter be deleted in its entirety because it is no longer applicable?

PROPOSITION NO. 53:

1839 VOTES: YES Shall Section 13.04 (a) of the Charter entitled  
566 VOTES: NO "State and Municipal Laws" be deleted in its entirety because the text is irrelevant and no longer applies?

PROPOSITION NO. 54:

1857 VOTES: YES Shall Section 13.05 (A)(B)(C)(D) and (E) of the  
579 VOTES: NO Charter entitled "Schedule" be deleted in its entirety because the text is irrelevant and no longer applies?