

**CITY OF LAREDO
REGULAR CITY COUNCIL MEETING**

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

MINUTES

M-94-R-11

APRIL 18, 1994

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
JACINTO P. JUAREZ,	"	, DISTRICT II
ARLENE RASH ALDRIDGE,	"	, DISTRICT III
CECILIA MAY MORENO,	"	, DISTRICT IV
BLAS CASTANEDA,	"	, DISTRICT V
EDUARDO PERALES,	"	, 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	
JOSE SALVADOR TELLEZ,	CITY ATTORNEY	

IV. APPROVAL OF MINUTES

2. Regular City Council Meeting of March 21, 1994 Special City Council Meeting of March 28, 1994 Regular City Council Meeting of April 4, 1994

Motion to approve.

Moved : Cm. Juarez

Second: Cm. Perez

For: 8

Against: 0

Abstain: 0

V. INTRODUCTORY ORDINANCES

3. Authorizing the City Manager to execute a lease with Francisco Alderete d/b/a Alderete & Associates for approximately 409 square feet constituting Room #8 of Building #S-1 located at 1718 East Calton Road at the Laredo International Airport;
 - a. Lease term is for one (1) year commencing May 1, 1994, and ending April 30, 1995;
 - b. Monthly rent will be \$355.00; providing for effective date.

Ordinance Introduction: City Council

4. Authorizing the City Manager to execute a lease with Tri-Group International, Inc., for approximately 16,000 square feet constituting Buildings #60 located at 4810 Maher Avenue at the Laredo International Airport;
 - a. Lease term is for five (5) years commencing May 1, 1994, and ending April 30, 1999, and may be renewed for an additional five year term until April 30, 2004;
 - b. Monthly rent will be \$2,200.00 and will be adjusted annually according to changes in the consumer price index; on May 1, 1999, monthly rent will be \$4,000.00 and further adjusted annually according to changes in the consumer price index; providing for effective date.

Ordinance Introduction: City Council

5. Authorizing the City Manager to execute a lease with Wholesale Shoes of Laredo, LTD., for approximately 8,466 square feet constituting Building #464 located at 1705 East Hillside Road at the Laredo International Airport;
 - a. Lease term is for two (2) years commencing April 1, 1994, and ending March 31, 1996;
 - b. Monthly rent will be \$2,080.00 and will be adjusted annually according to changes in the consumer price index; providing for effective date.

Ordinance Introduction: City Council

6. Authorizing the City Manager to execute a lease amendment to the lease agreement entered into on February 16, 1993, between the City of Laredo and Paul W. Reynolds to amend Sections 1.03A and 3.01A, so that Lessee's rental obligation shall commence on the first day lessee opens the restaurant for business or six (6) months after execution of this amended lease, whichever event occurs first; and so that Lessee will commence to erect improvements one hundred twenty (120) days after execution of this amended lease; providing for effective date.

Ordinance Introduction: City Council

VI. FINAL READINGS

Motion to waive the final reading of ordinance 94-0-083.

Moved : Cm. Juarez

Second: Cm. Cardenas

For: 8

Against: 0

Abstain: 0

7. 94-0-083 Authorizing the City Manager to execute a water supply and sewer contract with Thelma Moreno and Armando P. Moreno to provide water and wastewater service to Lot 1, Block 1, Tex-West Plat Industrial Park Subdivision. (Unanimous City Council)

Motion to approve.

Moved : Cm. Castaneda

Second: Cm. Perales

For: 8

Against: 0

Abstain: 0

VII. RESOLUTIONS

8. 94-R-030 Proclaiming April 18-24, 1994 National Library Week.

Motion adopting Resolution 94-R-030 proclaiming April 18-24 National Library Week.

Moved : Cw. Moreno

Second: Cw. Aldridge

For: 8

Against: 0

Abstain: 0

Motion to waive the regular order of business and consider item XI B(1) at this time.

Moved : Cm. Juarez

Second: Cm. G. Perez

For: 8

Against: 0

Abstain: 0

9. 94-R-032 Authorizing the City Manager to execute a Water Rights Sales Agreement for the purchase of 2,500 acre feet per annum of Class A Water Rights, under Certificate of Adjudication No. 23-829 from Cameron County Irrigation District No. 6, for \$900,000.00; and to make application to the Texas Natural Resource Conservation Commission, and to pursue the amendment of certificate of Adjudication No. 23-829, involving the transfer of 2,500 acre feet of Class A Water Rights, their conversion to municipal use, to establish place of use, and to establish diversion point.

Motion authorizing the City Manager to execute a Water Rights Sales Agreement for the purchase of 2,500 acre feet per annum of Class A Water Rights.

Moved : Cm. Perez

Second: Cm. Cardenas

For: 8

Against: 0

Abstain: 0

10. 94-R-034 Authorizing the City Manager to execute a Water Rights Sales Agreement for the purchase of 136.919 acre feet per annum of Class B Water Rights, under Certificate of Adjudication No. 23-339B from Connecticut Mutual Life Insurance Co., for \$39,432.67; and to make application to the Texas Natural Resource Conservation Commission, and to pursue the amendment of certificate of Adjudication No. 23-339B, involving the transfer of 136.919 acre feet of Class B Water Rights, their conversion to municipal use, to establish place of use, and to establish diversion point.

Motion authorizing the City Manager to execute a Water Rights Sales Agreement for the purchase of 136.919 acre feet per annum of Class B Water Rights.

Moved : Cm. Juarez

Second: Cm. Perez

For: 8

Against: 0

Abstain: 0

11. 94-R-035 Authorizing the City Manager to execute a Water Rights Sales Agreement for the purchase of 476.175 acre feet per annum of Class B Water Rights, under Certificate of Adjudication No. 23-190 from El Valle Investments, LTD., for \$137,138.40; and to make application to the Texas Natural Resource Conservation Commission, and to pursue the amendment of Certificate of Adjudication No. 23-190, involving the transfer of 476.175 acre feet of Class B Water Rights, their conversion to municipal use, to establish place of use, and to establish diversion point.

Motion authorizing the City Manager to execute a Water Rights Sales Agreement for the purchase of 476.175 acre feet per annum of Class B Water Rights under Certificate of Adjudication No. 23-190.

Moved : Cm. Juarez

Second: Cm. Perez

For: 8

Against: 0

Abstain: 0

12. 94-R-036 Acceptance of a grant from the Texas Department of Health in the amount of \$163,205 for the HIV Care Consortia Project of the City of Laredo Health Department for the period beginning April 1, 1994

through March 31, 1995; and authorizing the City Manager to execute the contract.

Motion to accept of a grant from the Texas Department of Health in the amount of \$163,205 for the HIV Care Consortia Project of the City of Laredo Health Department.

Moved : Cm. Perales
 Second: Cm. Castaneda
 For: 8 Against: 0 Abstain: 0

13. 94-R-037 Authorizing the City Manager to accept a grant from the Texas Department of Transportation in the amount of \$37,500 for a Safety Belt Enforcement Program.

Motion authorizing the City Manager to accept a grant from the Texas Dept. of Transportation in the amount of \$37,500 for a Safety Belt Enforcement Program.

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

14. 94-R-038 Authorizing the City Manager of the City of Laredo to accept conveyance of "the Surface Only" together with all improvements thereon of a certain twenty (20) acre tract, more or less, in Porcion 12, Santiago Sanchez, original grantee, 1-1478, Webb County, Texas, more fully described on Exhibit "A" which is attached hereto and made part hereof for all relevant purposes, which includes the UNITEC Wastewater Treatment Plant.

Motion authorizing the City Manager of the City of Laredo to accept conveyance of the "Surface Only" together with all improvements thereon of a certain twenty (20) acre tract, more or less, in Porcion 12, Santiago Sanchez, original grantee, 1-1478, Webb County, Texas.

Cm. Juarez stated that the Water Ad-Hoc Committee had approved the conveyance and they were recommending approval by the council.

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

VIII. MOTIONS

15. Refund of property taxes in the amount of \$1,178.85, to Casa Valdez due to a change in the tax value.

Motion to refund property taxes in the amount of \$1,178.85, to Casa Valdez due to a change in the tax value.

Moved : Cm. Castaneda

Second: Cw. Aldridge

For: 8

Against: 0

Abstain: 0

16. Award of a contract in the amount of \$19,640.35 to the **Low Bidder**, Courtesy Ford, Corpus Christi, Texas, for the purchase of one utility vehicle for the Fire Department.

Motion to award contract in the amount of \$19,640.35 to the low bidder, Courtesy Ford.

Moved : Cm. Juarez

Second: Cm. Perez

For: 8

Against: 0

Abstain: 0

17. Award of an annual supply contract in the amount of \$52,500.00, to the **Sole Bidder**, Davis Water & Waste Industries, Inc., Tellevast, Florida, for the purchase of nitrate based odor control chemicals for the Utilities Department.

Motion to award annual supply contract to the sole bidder, Davis Water & Waste Industries, Inc. in the amount of \$52,500.00.

Moved : Cm. Juarez

Second: Cm. Perez

For: 8

Against: 0

Abstain: 0

18. Award of a construction contract to the **Sole Bidder**, Ramex Construction Company, Inc., Houston, Texas, in the amount of \$237,500.00, for the Replacement of 150 Fire Hydrants throughout the City.

Motion to award construction contract to the sole bidder, Ramex Construction Company in the amount of \$237,500.00.

Moved : Cm. Juarez

Second: Cm. Perez

For: 8

Against: 0

Abstain: 0

IX. CITY MANAGER'S REPORT

19. Advising and requesting concurrence from the City Council regarding the authorization by the City Manager for the rental of a Caterpillar D8N high-track tractor and its transport to the landfill for work needed at the landfill as a result of Subtitle "D" requirements.

Motion advising and gaining concurrence from the City Council regarding the authorization by the City Manager for the rental

of a Caterpillar D8N high-track tractor and its transport to the landfill for work needed at the landfill as a result of Subtitle "D" requirement.

Moved : Cm. Castaneda

Second: Cm. Juarez

For: 8

Against: 0

Abstain: 0

X. COMMUNICATIONS

- A. Recognition by the Mayor and City Councilmembers of police officers:

- a) Jesus R. Degollado (34 years)
- b) Carlos Meza (23 years)

on their retirement from the Laredo Police Department for their loyal and dedicated service to the citizens of the City of Laredo.

Mayor Ramirez and City Councilmembers recognized Jesus R. Degollado on his retirement from the Laredo Police Department for his loyal and dedicated service to the citizens of the City of Laredo.

Note: Mr. Meza was not present.

- B. Cw. Aldridge introduced Ms. Oralia Bernal, representing the Boys & Girls Club of Laredo, who made an announcement that the Houston Rockets Basketball Organization and the City of Laredo were promoting Beat the Streets for kids and were donating 10 tickets to the April 24th Rockets Basketball vs. Denver Nuggets Basketball game. The kids will have courtside seats and will meet the likes of great Hakeem Ojuwan probably National Basketball Association's 1994 most valuable player.

Mr. Pepe Trevino, a Boardmember of the Boys & Girls Club Association, announced that Ms. Bernal was named the new manager of South Laredo Boys & Girls Club.

XI. CITY COUNCIL DISCUSSION AND PRESENTATION

20. Request by the Mayor and Councilmembers for discussion and presentation.

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

- 1. Status report on the alignment of the Inner Loop south of Loop 20.

Peter Vargas, City Manager, stated that discussions are going on presently with property owners who have shown interest and would donate right-of-ways. He presented an artist rendition of the possible alignment. He stated that staff has been in contract with the Texas Department of Transportation on this project with regards to the proposed changes and that this project has to be included as part of the MPO projects.

Cw. Moreno's concern was the time schedule and stated she would like to see this project pushed up, that the connection to Hwy 83 should be further south than Loop 20 and that they should concentrate on a connection to 83 and not wait until the Outer Loop Project.

Cm. Castaneda recommended that on looking to the inner and outer loops that in conjunction to these, the boulevards that would connect to and from those areas be laid out and included.

Cm. Juarez stated that when they passed the resolution for Bridge No. 4, they were working with Tamaulipas and they also identified the fifth bridge in south Laredo. He added that when they committed to the bridge we have now, they had to commit to the one on south Laredo, because prior to that they were not willing to even contemplate bridge in south Laredo.

Cw. Aldridge stated that we need a south bridge more than we need a northwest bridge. She stated that we need to push for that south bridge as soon as possible so this will prompt the construction of the outer loop, it would also keep any kind of hazardous truck routes or trucking companies or freight to come around the city and not go through the middle of Laredo. She added that it would also be a better route to go to Corpus on 359. Cw. Aldridge stated that the south bridge is something we need to approach now in conjunction with the other bridge.

Mr. Vargas stated that they have approached the outer loop and this process has been initiated by the Department of Transportation.

Cm. Perales stated that our counterparts in Mexico did not want a bridge in south Laredo they wanted a bridge in north Laredo and we went along, but also the major percentage of transportation companies are in north Laredo. He added that time and distance is of essence to that industry besides the cost involved.

Mayor Ramirez stated that as far as Loop 20 is concern, that it does include the five lane extension. He added they have talked about it previously. At the time that the construction phase of the Inner Loop or the Bob Bullock gets

to that point it will be widen from the current configuration.

2. Status report on the Villa del Sol Park completion.

Cm. Perez stated that the lighting and the paving of the parking area are still pending.

Mr. Vargas stated that they are working with CP&L to get the lighting to the park.

Mr. Alfredo Castillo, Director of Education & Recreation, stated that all amenities have been completed and that they had spoken to CP&L today. They are working with the project and the last thing that is required is a letter of authorization which they will be forwarding to the City Manager's office. As soon as this letter is executed, then they will go ahead and schedule to place the lighting. The parking lot will be completed as part of Project 46. The objective date of competition is May 20th.

B. Request By Councilmember Dr. Jacinto P. Juarez

1. Presentation by Raymond Martinez, Jr., first grader at MacDonell Elementary School.

Cm. Juarez introduced Raymond Martinez, Jr. to the City Council as an example of a student who uses the library all the time and his mother was introduced who also commits her time to her son's use of the library.

C. Request By Councilmember Arlene Rash Aldridge

1. Cost associated with the development of the fourth bridge.

Cw. Aldridge had several questions that she wanted Mr. Vargas to answer regarding the fourth bridge being proposed at the northwest location.

- 1) What studies have been done to show the need for the bridge?

Mr. Vargas answered that there have been feasibility studies done. There have been studies done with regard to traffic and the increase in traffic that we have experienced over the last several years and what were are projecting for future growth as a result of NAFTA. He added that in addition, since they submitted the Presidential Permit Application in July of 1991, there has been some evolution on the part of the permit and part of that has been council's decision, approved through resolution, to indicate that should the northwest

crossing (Bridge No. 4 be approved), that all commercial traffic would be diverted from Bridges 1 and 2 to this new bridge and the Colombia Bridge and that 18 wheelers would not be permitted on Bridge No. 1 & 2, so that basically provides for a guaranteed use of that facility because we will be sending all the commercial traffic to that location. He concluded by saying that this makes an economical viable project.

- 2) Cw. Aldridge stated that we have the Solidarity already as we speak, why then are we not using the Solidarity for that purpose also?

Mr. Vargas stated that the Laredo/Colombia Bridge is in Nuevo Leon and as you know in Mexico the states derive some of the duties that are charged for exports and in fact, what we would be saying is that we would be taking all the export business away from the State of Tamaulipas. Mr. Vargas explained that they would be telling all the brokers there and saying to them that their business has to occur in the State of Nuevo Leon which would create tremendous problem and that he thought that the Mexican authorities would not stand for it. He added that if we would attempt to do that, it would be civil disobedience at the very least. Mr. Vargas said that if they are willing to burn down the Mexican Aduana for \$50 limit on imports and we say we are taking all the export business away, he thinks this is just not viable or practical.

- 3) How was the location of this new bridge chosen and why was it chosen for this location?

Mr. Vargas answered that the original location that Tamaulipas and Nuevo Laredo wanted was the Jefferson Street crossing. That they had gone through a public hearing process with them and Mayor Cortes Villada, which indicated that the site had several problems.

- 1) It was adjacent to our water treatment facility and we felt it was an inappropriate location.
- 2) It was encircled by the railroad which meant that it was by a stumbling area...a bottleneck and they were insisting that they wanted a north crossing.

Mr. Vargas stated that they went over the Comprehensive Plan and identified the loop projects as something that they wanted to propose and plan for and a bridge at the termination point of the inner loop then became a viable location. They went to several meetings with the City Council and with the City Council of Nuevo Laredo and it was all agreed that this would be the northwest crossing.

It was also agreed too by the council by a resolution and then also, by the City Council of Nuevo Laredo. This is how that particular point became the crossing point four years ago.

Cw. Aldridge stated that these are questions that she has been asked and this is why she is asking these information.

- 4) What is the status of the environmental studies for Bridge No. 4?

Mr. Vargas answered that they have completed an environmental assessment. He added that this is probably the fifth environmental assessment that has been done in the general area. There was an environmental assessment done for the Colombia/Laredo Bridge which was done for the general area also. They did the environmental assessment for Bridge No. 4; the Faskens have done an environmental assessment for a proposed development in the general area and the Union Pacific Railroad has done one because of the proposed crossing for a new railroad facility. He stated that there have been extensive amounts of environmental assessments done in the area and that they have indicated that there are any significant problems, that obviously they have to comply with all state and federal regulations with regard to the environment, with regards to the clean air and clean water, and all those things have been done. Right now the things that are outstanding are an archaeological study and a biological survey, which they have entered into an agreement with the State Dept. of Transportation that they in fact supply the experts for that study and then they will incorporate the roadway leading to the bridge and the bridge site as part as the same assessment. Those are the only two things that are outstanding and they will be in town on the 27th of this month to do these two surveys which are the only ones pending.

- 5) How will the bridge impact the communities and the people that live near it? Will hazardous cargos use this bridge?

Mr. Vargas stated that council has also indicated that the Colombia Bridge be designated as hazardous materials crossings because it is very well equipped to do that. That is one of the issues that has been addressed by GSA and the U.S. Customs so we don't have any particular problem with that. He added they think the northwest crossing is going to make the Colombia Bridge more viable because right now there is an economic reason why Colombia hasn't had the kind of business that they had anticipated it would have, and that is that there is an extra charge that is levied by the transportation

industry of \$75.00 to and \$75.00 back, so it's an additional \$150.00 per truck and that is essentially the point that has deprived that facility of some the business.

6) What is the cost of the new bridge?

Mr. Vargas stated that they anticipate that the bridge cost would be very similar to the cost that was experienced with the Colombia/Laredo Bridge, in the neighborhood between \$4.5 to \$5 million. The city's toll plaza would be probably in the area of \$3 million, so we are talking at about \$7 million to \$9 million for the cost of the facility. He added that they have been discussing with the Dept. of Transportation alternative sources of financing for this project. In 1991 when I.S.T.E.A. was adopted provided for Section 1012 that allows the Federal and State Government to setup a revolving loan fund for I.S.T.E.A. monies as long as this monies are loan to projects that generate a toll which are tunnels, roads and bridges. So they think this projects falls right in line. They have been in serious discussions with representatives of the Dept. of Transportation and the Dept. of Highways to see if in fact the Laredo project would be the first project that can be funded under this particular approach. In that situation, then they would use the bridge and the federal facilities would be incorporated into the financial skim. It's a new approach and the reason that much has not be said is that they are basically going through the process of developing the program. The city has been asked by the State Department of Transportation to assist in developing some of the guidelines because we have the most viable project that is ready to go.

Cw. Aldridge asked if the are talking of possibly \$8 million and not the \$15 million that was projected.

Mr. Vargas answered that it depends on the how they approach this. He added that they can approach this the traditional way, which is the city builds the bridge, the city build the city's toll plaza and the export lot and the federal government builds all the facilities, take care of the streets and utilities. The Department of Transportation is interested in a new initiative which would be to set up a revolving loan fund themselves, as opposed to going to the bond market or going to Congress for a line item appropriation. He added that the issue here is that right now everyone will agree that there's only sufficient revenues to do 10% of all the projects in this country that are being requested with regards to infrastructure improvements through the Department of Transportation. What the Department of Transportation is now looking at is a way of leveraging the money that they

do have, so they can do more of the projects and one way they can do that by is lending money to projects that can generate the revenues through a toll. That money will be repaid and will be used again for other projects, what they are saying is that if we can incorporate some of public projects with these items such as roads, interchanges or whatever, then we can get those projects built sooner and the money will in fact even come back to the State Department of Transportation to fund new projects in the future as opposed to the old process, which is to wait until they have the money to give us a grant and we will be line for years.

- 7) What impact would this paying of the debt service for the revenue bonds have on the city's general fund?

Mr. Vargas stated we do not have an impact on the general fund because it is a separate enterprise fund, funded entirely on it's own capability of sustaining both the operations and the debt service that's incorporated so it would not have an impact.

- 8) Cw. Aldridge asked if there was no liability on this?

Mr. Vargas stated that the fact of the matter is that those are bonds issued by the bridge system, obviously if the bond system fails or there are insufficient revenues it would be in the best interest of the city to make sure that doesn't happen. Before you enter into a project like this, you enter into a feasibility study, then you submit the rating to make sure your projections are realistic.

- 9) How or what if any, are private persons benefiting from this bridge and are they paying their fare share of the cost?

Mr. Vargas stated that if you look at benefits, those benefits are derived by a variety of people. The communities as a whole benefits from the relief of the truck congestion on the roadways. The property owners adjacent to the general area. If you were to extend 3464 from where it intersects with the Mines Road straight to the river, that's the location for this facility, you are talking about the Fasken property, the Muller property, Antonio Acero property, and the other property owners which are the Hurd Family, the Killams, the other Muller Family, the whole area, the people that presently own land there obviously will have an enhancement if this facility is to be built there. That's why they have talked to those individuals about donating the property. He added that both Mr. Muller and a representative of Mrs. Fasken have agreed that they will donate the property for this project.

Mr. Nava stated the whole beneficiaries of the businesses and property owners along the Mines Road corridor. He added it is an industrial corridor and the proper place for anyone interested in developing industrial developments.

- 10) Cw. Aldridge stated that as a business persons you put in \$15 million on a bridge that isn't working, does not have adequate access, yes we are having the adequate access built in our side near the Mines Road Development but what in fact has the city done to work with Nuevo Laredo? She stated that she heard that maybe the possibility of having the road to Piedras Negras, having it reworked and extended to that bridge would work. She added that trucking companies would not have to travel such an ugly, dangerous road and this would help tremendously. She stated that by building this bridge they are killing the other bridge.

Mr. Vargas answered, "No...not necessarily because what we are advocating is that they need to work together in the infrastructure and one good way to do that is that right now the road to Colombia has not been built is because of the expense and it's at the hands of the State of Nuevo Leon." Right now they have a moratorium on new construction until the El Metro System is completed in Monterrey. We suggested to them that if we could couple these two bridges then both states could work together on a truck service that would service both the Colombia/Laredo Bridge and Bridge No. 4 whereby they would only have to buy a small portion by themselves and then jointly build the connector road from that point down to the free road and to the toll road going to Monterrey. Working together there is a better chance of happening then once they try to build their own infrastructure without regard for the other state and where the alignment might be beneficial to both.

Mr. Vargas stated that Mayor Ramirez and he have had meetings with Mayor Garza Garza about the fact that once the Presidential Permit is approved for this project, the next step is a contractual agreement with Nuevo Laredo and one of the main criteria would be that they commit to do the infrastructure on that side even prior to the bridge being constructed so that we will not have the problems of the lack of infrastructure on the other side. They have given us the reassurance that this will happen and they have assembled a group of investors that have been introduced to us that are willing to make the investment for the infrastructure.

- 11) Cw. Aldridge stated that in the agreement Mayor Aldo Tatangelo had Nuevo Leon agreed to have them build a

water treatment plant at that site. Are you going to have the same type of requisites for this site also, because it's above water intake for the City of Laredo?

Mr. Vargas answered, "Yes, it's called a Zero Discharge Concept...and what we are saying is that if they build a water treatment facility in the area that it will have a zero discharge that means that the effluent that they provide will be used for irrigation purposes no closer than five miles to the river and the sludge will be landfilled away from the river so then none of that remains in that location." He added this is the agreement with Nuevo Leon and they will pursue this with Nuevo Laredo. There might not be a need to build a facility because the facility they are building now will probably be adequate if they can stand the collection system to that point.

12) Who will own the bridge?

Mr. Vargas answered, "I intend to pursue a financial mechanism to where the city will own and operate the bridge."

Cm. Juarez asked what would be the cost of this fourth bridge with the \$9 million as the city's contribution plus the federal and state contributions?

Mr. Vargas stated that the total price is going to be in the area of \$21 and \$22 million with everything included, and this includes the facilities for GSA and the roadside.

Mr. Gary Jacobs addressed the council and stated that we should pursue the fourth bridge as soon as possible, but not to the exclusion of infrastructure. He reminded council that it was not the Council's decision and the initiative to build the Colombia Bridge where it ended up being built, he added that this was a political decision that was trusted upon us by then, Governor of Texas, Bill Clements and then a different administration in Mexico.

He added this is not to say that this was not a wise investment for the city to make long term, but that they knew when they made that investment that it was a very long term infrastructure investment. Hopefully, this new investment will be a shorter term investment and the payback will be quicker on this fourth bridge.

Trinidad Silva spoke in reference to the treatment plant and that before any bridge can be built that the Mexican counterparts should first upgrade their roads before any other bridge is built because we are the ones paying for this.

Jesus Hernandez addressed the council in support of the fourth bridge, but was concerned and against the location. He asked that the council consider the people, the safety and the traffic.

2. Time table on the sidewalk program for Corpus Christi Street.

Amador Escudero, City Engineer, stated that the plans will be ready by May, but that they have to coordinate problems encountered with the utilities and will follow up with a construction schedule report.

Mr. Jesus Nava, Assist. City Manager stated that they are trying to work with the utility companies to phase the projects.

3. The clean-up of Zacate Creek.

Cw. Aldridge spoke in reference to the clean-up of Zacate Creek mainly the area from Gustavus south.

Mr. Vargas stated that the section of Zacate Creek was cleaned in January and it is scheduled for this month again. He added they have a schedule that Public Works has put out on all the creek that they are trying to get to them and work on them. In January Zacate Creek was done from Taylor to Market and now they are working Corpus Christi to Market.

Mr. Vargas stated that much of the portion of that section was redone with the pilot channel and does not really require an extensive amount of maintenance because the water is confined to the pilot channel. He added the serious problem is from the point where the channel ends south.

Cw. Aldridge asked why is the area not seeded to grow grass and then maintained so that the children can play.

Joe Guerra, Public Works, stated that every three or four months they go through the Zacate Creek area south. There are 26 miles of creeks, after they finish Zacate they go through Tinaja and then return to Zacate again.

Mr. Nava stated they will be looking at solutions for low maintenance and low cost and still present opportunities for recreation or other things as other cities have been able to do successfully and probably bring back at the budget process for funding of some type.

Mr. Simon Villarreal made comments regarding the creeks and the park adjacent to the Zacate Creek east of the Colonia Guadalupe that does not need clean-up but that is being

constantly vandalized by gangs in that area. Mr. Villarreal demanded police protection.

4. What steps are being implemented to stop the sewer back-up in the Chacon Creek area.

Tomas Rodriguez, Utilities Director, stated that the Utilities Department has presented to council their 1993 Capital Improvements Program. The Chacon Creek interceptor which starts from the south of wastewater treatment plant to the intersection of south Meadow and Chacon Creek and from that point it would follow to Chacon Creek to Highway 59. The Council approved that Capital Improvement Program and has funded the engineering part of that particular project. The council has also funded the engineering of a Wastewater Master Plan. We have received letters of interest from engineers for the Chacon Creek Interceptor as well as letters for the master plan. He added they have not awarded the contract to the Chacon Creek Interceptor because it was imperative that they give the contract to the Master Plan. The Master Plan is one that will help the city in general to have a good design to follow and the engineers will be selected on the next council meeting in May.

Mr. Rodriguez stated that the council also has two big projects undergoing that are \$1.8 million which will eliminate seven lift stations which will be put in one giant collector to eliminate the old lift stations that will be discharging into the Zacate Creek Wastewater Treatment Plant. There is an engineering contract to either repair, replace or remodel seven lift stations of which six of them are in the Chacon Creek Water shed to remedy this type of problem.

D. Request By Councilmember Cecilia May Moreno

1. Presentation by Jesus Hernandez concerning the establishment of a Veterans Home in the City of Laredo.

Mr. Jesus Hernandez would like to work as fast as possible towards the establishment of a Veterans Home. He stated that Governor Ann Richards had not received a resolution from the City of Laredo on the endorsement of the home by the City Council.

Mr. Hernandez asked if the city is going to donate the piece of land for the Veterans Home?

Mayor Ramirez announced that the council has already committed itself to working with the veterans on the use of airport property for this project.

2. Request for an update on the removal of graffiti on all concrete channelized creeks.

Mr. Vargas stated that an inventory is being taken to identify the areas, identify the individuals and that they are trying to attack this graffiti problems by either discouraging the actual graffiti by apprehending the individuals and discouraging them either through counseling or through prosecution of graffiti damage. They have also changed some of the specifications when they bid out projects for this type of work, so that in fact there is a chemical compounds that is incorporated into the construction that facilitates the cleaning. He concluded by saying that they are also using the park patrol.

Cw. Aldridge suggested that maybe the Youth Commission would help in doing the cleaning.

Cm. Castaneda asked for the support for the Youth Commission at budget time on their need because they will be needing a full time coordinator. In regards to the graffiti, Cm. Castaneda stated that we need to make sure that they can go as stiff as they can on the prevention of this particular problem. He asked council to ask the help of our City Manager, our Municipal Court Judge to see how we can fine line this particular enforcement. He strongly encouraged that Mr. Vargas work with the Municipal Court Judge and the City Attorney to see how they can facilitate some of these things.

Cm. Castaneda stated that there also has to be a closer coordination between the Police Department and Mr. Castillo in terms of where he is getting all the problems and how we can better improve on how we need to utilize these officers.

3. Discussion and possible action concerning the creation of a Laredo Commission for Women.

Cw. Moreno stated that these are commissions established by cities. This would be an organization that would study issues that directly affect women or families, generally they do this by establishing a commission and have a task of doing that one item. With this commission they would also make recognitions of women that contributed to their society or the state in some fashion or another.

Motion to establish a Local Women's Commission; name Cw. Moreno to head the formation of this commission; and that she meet with staff to establish the rules and regulations.

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

Against: 0

Abstain: 0

E. Request By Councilmember Blas Castañeda

1. Discussion and possible action concerning the future of the Border Air Ambulance.

Cm. Castaneda asked staff to mention the things that the city has been doing for Border Air in regards to the request they had made and the things we have complied with?

Mr. Vargas stated that the City Council approved a Resolution in 1989 (89-R-071) which was supporting the development and formation of an emergency ambulance system operated by Border Air Ambulance to service the City of Laredo and the surrounding region. In that particular resolution the city committed to providing for some inkind support for the organization such as office space and landing rights at the airport and they were to provide some office space in the fire station that services the airport. That resolution has been going on since then. Recently, the City and Border Air when it became operational negotiated an interlocal agreement between the City of Laredo and Border Air in which for continued use of the office space at the airport and landing rights the city would continue to provide that service and Border Air would also agree to provide for certain amount of hours of airtime for both police and fire in the event that they required the services of a helicopter and that in fact they would be available for services in the city whenever the fire or police department dispatched or thought there was a need for that service.

Mayor Ramirez asked if this includes also a per hour cost once we reach the maximum of the inkind service amount that we have agreed upon so if they do have calls beyond that amount they will be receiving a reiteration for their service?

Mr. Vargas answered "No, essentially the way they were going to operate was that we were going to call if we thought there was a need for the service and that the individual actually receives the service might be asked to pay some of that cost through their insurance company or whatever." The city was not going to be liable for that, what the city was getting was access to the air ambulance because of its interlocal agreement to allow them to have free landing rights at the airport and office space in addition they provided two hours of flight time per month for fire or police at no cost and if we wanted to use them more than that there would be an additional cost which would be a \$300.00 per flight in excess of two flight hours per month.

Cm. Castaneda mentioned that the City has indeed been providing some inkind services to this entity and some people thought that we were not providing any inkind

services. He added that the city is really putting the emphasis on the need for critical services.

Cm. Castaneda asked Mr. Vargas if there was a dollar amount in terms of what this inkind services are costing the city?

Mr. Vargas stated that he did not have that figures now based on the square footage that's being allocated at the fire station. And the specific breakdown on the number of calls that the air ambulance has done within the city. He stated that they will calculate and provide that report to council.

Don Talley, Chairman of Border Air Ambulance, stated that they have made 131 calls for emergency care, transferred 110 patients, most of them being citizens of Laredo, or Webb County being transferred to local hospitals. To date they have accounts receivable of \$122,000.00 which is the financial liability of their system, they have collected \$28,000.00 due to the nature of medical collections, the county has funded them \$175,000.00, Doctor's Hospital has donated \$36,000.00 toward their operations, and they have had donations to-date for this year of \$40,000. Their operating cost is approximately \$50,000.00 a month and this depends on how many people are picked up and how many hours they fly, types of injury and such. One of the reason that they do incur a deficit in their operations is the rule that their organization is founded on and that is, that they will respond to an emergency situation regardless of the patient's ability to pay. To date, if you take gross patient revenue average that trauma patient generate for the medical systems generated \$1,100,000.00 in their first six months of operations for the medical community in Laredo. That's averaging \$10,000.00 in medical care that the patient receives when they get into the system from workmen's compensation to physical therapy, surgery, and medical expenses involved.

The have served over 50 people that would have not lived if they had not received their services and had not been transferred to a hospital just because of time and distance and the nature of the injury they sustained.

Cm. Castaneda recommended that in trying to get this information that he requested, that the members of Council that are also members of the South Texas Migrant Council which represents four counties see if we can go through a presentation there and present this to the full Board of Directors, recommend a more expanded service and balance out the funding.

F. Request By Councilmember Eduardo "Eddie" Perales

1. Presentation by Simon Villarreal concerning:
 - a) possible involvement by the City in an effort to reverse the 1969 case of State of Texas v. Hidalgo County Water Control Improvement District #18, (443 SW2d 728), which adjudicated a tremendous amount of water rights to the Lower Rio Grande Valley, and
 - b) possibility of diverting water from the Rio Grande into local creeks.

Mr. Villarreal provided the council with a copy of a letter of the response he got several years ago from the U.S. Commissioner regarding the diversions of water from the International Rio Grande to the Zacate Creek. He also provided the council with chart where he was recommended by the Commissioner that four channels be constructed to cross the stem of the Rio Grande to eliminate at least 78% of the waste.

(No copies of this letter or chart were submitted to the City Secretary's Office.)

He stated that under the present conditions of the developing of the Zacate Creek he finds that in the main channel of the Zacate Creek there is plenty of water and is contaminated and forms mosquitos, attracts animals and snakes, etc. which he considers detrimental to the public welfare and as an eyesore to the community. He stated that approximately 10 years ago he addressed a letter to the U.S. Commissioner requesting that if he had any objections as far as diverting the water from the Rio Grande into the Zacate Creek to create a slow flow and not to create sole erosion and the return flow back into the Rio Grande.

According to the respond that he got from the U.S. Commissioner which is that we put a gauging station to measure the water that goes in and out so we can be given credit. Under that bill that water would be put to beneficiary use, so regardless if water is spilling from reservoir and dams or inflow to the Rio Grande we would still get the amount of water that is necessary to develop this project.

Mr. Villarreal requested that the City address a letter or adopt a resolution requesting the Texas Water Commission to initiate a feasibility study of the creek and that the engineers of the Texas Water Commission conduct a feasibility study to develop this project.

Motion to direct staff to bring back a resolution for council adoption and address it to the Texas Water Commission.

Moved : Cm. Perales
Second: Cm. G. Perez

Cm. Castaneda stated that they need to proceed the way we have done before. He suggested that in dealing with this issue they have touched base with the federal agencies. Cm. Castaneda suggested that they explore the idea of bringing federal officials from EDA, EPA and the Department of Interior to Laredo so that we can meet then with the Texas Water Commission and the International Boundary and Water Commission bring all those parties together so they can see what we actually have because they need to see the people at the grass roots. He suggested that in support of this resolution, that this be added.

Second to the motion concurred with this amendment.

Motion to direct staff to bring back a resolution for council adoption and address it to the Texas Water Commission with the amendment that staff and council invite and bring down the Washington directors of EDA, EPA, and the Department of the Interior to meet with the Texas Water & Boundaries Commission.

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

Against: 0

Abstain: 0

Mr. Simon Villarreal spoke in reference to the other issue on the case known as the Valley Water Case tried in 1966. According to the court judgment all the water was adjudicated to the Rio Grande Valley. He requested that council apply legal remedies to this court judgement decision that was rendered in 1966 either to revise the decision or to apply a legal remedy to entertain a lawsuit to recall that water and to be adjudicated to the City of Laredo because it belongs the City of Laredo.

Mr. Tellez, City Attorney, stated that asking for the City of Laredo to challenge the State of Texas vs. the Hidalgo County Water Control Improvement District #18 which is a landmark case, as far as how water rights are redistributed, that right now in the State of Texas the way water is redistributed along the Rio Grande is the same concept that the state is planning to implement for water rights for this particular state. Right now for a city like ours to come in and challenge the way the water is allocated is an attempt to undo over 150 years of federal legislation, state legislation, international treaty between Mexico and the United States and also to undo a concept that was adopted. When Amistad Dam was built the water that flows north of Del Rio is mainly contributed by tributaries from the U.S., water that flows south of Del Rio to the Gulf is primarily contributed by the tributaries coming out of Mexico. When

the United States and Mexico sat down to negotiate how water was to be distributed, they reached an agreement that 58% of the water that came out of the Rio Grande was to be allocated to the properties that bordered the left side of the bank which is the United States' side and 42% of the water to the right side which is the Mexican side. In this particular case that Mr. Villarreal is mentioning dealt with adjudication of water rights of everybody who had properties south of the Falcon Dam which is another problem there. We have no property interest south of the Falcon Dam, furthermore, there would be problems with alot of federal agencies.

Mayor Ramirez asked what if we took the approach that we want to claim the discharge of our effluent as credit for water rights back to the City of Laredo because we are in fact putting back cleaner water into the river than what we are taking out.

Mr. Tellez answered that this is an issue that has to be taken into consideration with the Texas Resource Water Commission and something that they can look at, which will require both initiative from both our State Representative and State Senator to introduce legislation that would favor the City of Laredo.

Mayor Ramirez stated that it has passed the senate, but failed miserably at the house and in no reflection of our representative that has tried to push it through, but that we should not relax our efforts to try to reverse the trend so that we can claim our rightful ownership to all that water that is being put into the river that truly belongs to the City of Laredo. He stated that they will pursue every possible avenue including our legal remedies to continue to fight our fare share.

G. Request By Councilmember Felipe Cardenas

1. Invitation to the Citizens of Laredo and especially to all mothers to the Mother's Day Concert to be held at the Laredo Civic Center.

Cm. Cardenas extended an invitation to the Mayor, City Council, and the citizens for May 10th in which 8 to 10 local bands, local merchants will donate gifts that will be awarded to mothers that are in attendance.

XIII. PUBLIC HEARINGS

21. Public hearing on Project 51 Paving Assessment Street Improvements and fixing a lien and charge.

INTRODUCTION OF AN ORDINANCE

Closing the hearing on Project 51 Paving Assessment Street Improvements Project and fixing a lien and charge.

Motion to open the public hearing.

Moved : Cm. Perales

Second: Cm. Castaneda

For: 8

Against: 0

Abstain: 0

Amador Escudero, City Engineer, made the presentation before the City Council.

Mrs. Francis Villarreal, Texas Certified Appraiser, stated that upon assessing the improvements to the abutting landowners she stated that the opinion of the appraiser that the enhancement in value by street improvements was at least by the amount assessed with only three exceptions as follows:

- 1) Parcel No. 62 is being assessed \$3,482.40 of which the enhancement was only 50% and she is recommending an adjustment to \$1,741.20
- 2) Parcel No. 101 from \$2,082.00 by 50% to \$1041.00
- 3) Parcel No. 202 from \$715.50 by 0.

Parcel 62 is a triangle with frontage on loop 20 and Blaine Street between Smith and Indiana 50% of this triangle was too narrow to build therefore, was not enhanced.

Parcel 101 had a water flow problem through 50% which rendered this parcel not buildable, therefore not enhanced by 50%.

Parcel 202 did not appear to have level land to be buildable therefore the Street Improvements did not enhanced this parcel.

The difference in the assessment was \$3,497.70

There was no public input.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Perez

Second: Cm. Juarez

For: 7

Against: 0

Abstain: 0

(Cw. Aldridge was not present to vote)

Ordinance Introduction: City Council

- 21(a). Motion to award a construction contract to the Lowest Bidder, Ramex Construction Company, Inc., Houston, Texas, in the amount of \$957,185.75, for the Bond Street Paving Assessment Project 51 (41 Blocks).

Motion to award construction contract to the lowest bidder,

Ramex Construction Company in the amount of \$957,185.75, for the Bond Street Paving Assessment Project 51.

Moved : Cm. G. Perez

Second: Cm. Cardenas

For: 7

Against: 0

Abstain: 0

(Cw. Aldridge was not present to vote.)

22. Public hearing on approval of an amendment to the budget of the Chronic Disease Prevention Program, Breast and Cervical Cancer Project, of the City of Laredo Health Department decreasing funds from \$152,886.00 to \$145,886, for the period beginning July 1, 1993, through June 30, 1994 and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Approval of an amendment to the budget for the Chronic Disease Prevention Program, Breast and Cervical Cancer Control Project, of the City of Laredo Health Department decreasing funds from \$152,886.00 to \$145,886.00 for the period beginning July 1, 1993, through June 30, 1994; and decreasing Revenue Line Item #226-0000-132-4055 from \$152,886.00 to \$145,886.00; and decreasing Expenditure Line Item #226-6078 from \$152,886.00 to \$145,886.00.

Motion to open the public hearing.

Moved : Cm. Perales

Second: Cm. G. Perez

For: 7

Against: 0

Abstain: 0

(Cw. Aldridge was not present to vote.)

There was no public input.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Perales

Second: Cm. Cardenas

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: City Council

23. Public hearing on approval of a contract amendment with the Texas Department of Health for the second year budget of the HIV Care Consortia Project in the amount of \$163,205, for the period beginning April 1, 1994, through March 31, 1995 and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Approval of a contract amendment with the Texas Department of Health for the previously approved two-year HIV Care Consortia Project of the City of Laredo Health Department for the period beginning April 1, 1993, through March 31, 1995, and the second

year budget in the amount of \$163,205, and increasing Revenue Line Item #226-0000-323-4051 from \$0 to \$163,205.00; and increasing Expenditure Line Item #226-6096 from \$0 to \$163,205.

Motion to open the public hearing.

Moved : Cm. Castaneda

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. Juarez

Second: Cm. G. Perez

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

24. Public Hearing on approval of an ordinance fixing and ordering the rates to be charged by Proviron, Inc., for gas and gas service to residential and commercial customers within the City of Laredo, Texas; and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Ordinance fixing and ordering the rates to be charged by Proviron, Inc., for gas and gas service to residential and commercial customers within the City of Laredo, Texas; providing for publication, and 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 close the public hearing and introduce the ordinance.

Moved : Cm. Perales

Second: Cm. Cardenas

For: 7

Against: 0

Abstain: 0

(Cw. Aldridge was not present to vote)

Ordinance Introduction: City Council

XIV. ADJOURNMENT

Motion to adjourn.

Moved : Cm. Cardenas

Second: Cm. Juarez

For: 7

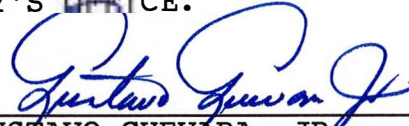
Against: 0

Abstain: 0

(Cw. Aldridge not present to vote)

Adjournment time: 8:45 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 18TH DAY OF APRIL, 1994 AT 5:30 P.M. 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

APPROVED BY CITY COUNCIL ON: MAY 16, 1994

CORRECTIONS: