

**CITY OF LAREDO
REGULAR CITY COUNCIL MEETING**

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

MINUTES

M-94-R-24

AUGUST 1, 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, JR.,	COUNCILMEMBER,	DISTRICT I
LOUIS H. BRUNI,	"	, DISTRICT II
ALFONSO I. "PONCHO" CASSO,	"	, DISTRICT III
CECILIA MAY MORENO,	"	, DISTRICT IV
JOE A. GUERRA,	"	, DISTRICT VI
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	
JOSE SALVADOR TELLEZ,	CITY ATTORNEY	

ABSENCES:

Motion to excuse Cm. Blas Castaneda and Cm. Jerry Perez due to out-of-town commitments.

Moved : Cm. Cardenas

Second: Cm. Perez

For: 6

Against: 0

Abstain: 0

VI. INTRODUCTORY ORDINANCES

2. Authorizing the abandonment by the City of Laredo of an eight (8') foot water line easement that crosses from south to north at Meadowlands Subdivision.

Ordinance Introduction: City Council

- 3. Authorizing the City Manager to enter into an Oil, Gas and Mineral Lease between Columbus Energy Corporation and the City of Laredo, for the lease of the Right-of-Way and mineral rights to land within the following boundaries to-wit: Rio Grande River to the West; Bayard Street to the North; Bartlett Street to the East; and the City Limits to the South.

Motion to table this item for next council meeting.

Moved : Cm. Perez
 Second: Cm. Cardenas
 For: 6 Against: 0 Abstain: 0

V. FINAL READINGS

Motion to waive the final reading(s) of ordinances #94-O-071, #94-O-144, #94-O-145, #94-O-146, #94-O-147, #94-O-148, #94-O-149, #94-O-150, #94-O-151, #94-O-152, #94-O-153, #94-O-154, #94-O-155, #94-O-156, and #94-O-157.

Moved : Cm. Perez
 Second: Cw. Moreno
 For: 6 Against: 0 Abstain: 0

- 4. 94-O-071 Authorizing the City Manager to execute an agreement providing for reimbursement of part of the cost of constructing an offsite 16" water line extension to El Portal Industrial Park, Phase I, as incurred by Hurd Urbahn Development, L.C. (Unanimous City Council)

Motion to approve.

Moved : Cm. Perez
 Second: Cm. Cardenas
 For: Against: 0 Abstain: 2
 Cm. Bruni
 Cm. Casso

(The second was withdrawn)

Motion to table for next council meeting.

Moved : Cm. Cardenas
 Second: Cm. Guerra
 For: 6 Against: 0 Abstain: 0

- 5. 94-O-144 Authorizing the City Manager to execute a lease amendment to lease agreement adopted by Ordinance No. 90-O-228. Said lease agreement is with St. Patrick's Church for approximately 3,455.00 square feet out of Del Mar Boulevard at Fenwick Drive to

Motion to approve.

Moved : Cm. Perez

Second: Cw. Moreno

For: 6

Against: 0

Abstain: 0

6. 94-0-145 Authorizing the City Manager to execute a lease with South Texas Development Council for approximately 670 square feet constituting Room #23 of Building #S-1, located at 1718 East Calton Road at the Laredo International Airport;

a) Lease term is for one year commencing July 1, 1994, and ending June 30, 1995, and may be renewed for one year until June 30, 1996;

b) Monthly rent will be \$737.00, and will be adjusted annually according to changes in the consumer price index; providing for effective date.

(Unanimous City Council)

Motion to approve.

Moved : Cm. Perez

Second: Cw. Moreno

For: 6

Against: 0

Abstain: 0

7. 94-0-146 Authorizing the City Manager to execute a lease with South Texas Development Council for approximately 480 square feet constituting Room #26 of Building #S-1, located at 1718 East Calton Road at the Laredo International Airport;

a) Lease term is for one year commencing August 1, 1994, and ending July 31, 1995, and may be renewed for one year until July 31, 1996;

b) Monthly rent will be \$528.00, and will be adjusted annually according to changes in the consumer price index; providing for effective date.

(Unanimous City Council)

Motion to approve.

Moved : Cm. Perez

Second: Cw. Moreno

For: 6

Against: 0

Abstain: 0

8. 94-0-147 Authorizing the City Manager to execute a Subordination, Non-Disturbance, and Attornment Agreement between the City of Laredo and L.A. Ventures, Inc., under lease agreement authorized by Ordinance No. 92-0-183, as reformed by Ordinance No. 93-0-115, and amended by Ordinance No. 93-0-

247, at the Laredo International Airport.
(Unanimous City Council)

Motion to approve.

Moved : Cm. Perez
Second: Cw. Moreno
For: 6 Against: 0 Abstain: 0

9. 94-0-148 Amending the City of Laredo's Fiscal Year 1993-1994 Special Police Program Annual Budget in the amount of \$23,077.00 for a grant awarded by the Texas Department of Transportation in the amount of \$15,000.00, with the City designating \$8,077.00 in matching funds for a total of \$23,077.00 for funding of the City's Traffic Safety - Traser Program for the period beginning October 1, 1993 through September 30, 1994. (Unanimous City Council)

Motion to approve.

Moved : Cm. Perez
Second: Cw. Moreno
For: 6 Against: 0 Abstain: 0

10. 94-0-149 Amending the City of Laredo's Fiscal Year 1993-1994 Financial Task Force Fund Annual Budget in the amount of \$331,261.00 for a grant awarded by the Governor's Office, Criminal Justice Division, to be used for personnel and supplies for an organized, multi-agency Financial Task Force Program for the period beginning July 1, 1994 through June 30, 1995. (Unanimous City Council)

Motion to approve.

Moved : Cm. Perez
Second: Cw. Moreno
For: 6 Against: 0 Abstain: 0

11. 94-0-150 Amending the City of Laredo's Fiscal Year 1993-1994 Annual Budget to decrease the Hotel/Motel Construction Reserve Appropriation balance by \$55,581.00 from \$368,978.00 to \$313,397.00 and to increase the appropriation to the Laredo Convention and Visitors Bureau from \$660,000.00 to \$715,581.00. (Unanimous City Council)

Motion to approve.

Moved : Cm. Perez
Second: Cw. Moreno
For: 6 Against: 0 Abstain: 0

12. 94-0-151 Amending the zoning ordinance (map) of the City of Laredo by rezoning Lots 1, 2, 5, 6, 7 & 8, and the southern 1/2 of Lots 3 & 4, Block 2022, Eastern Division, located at 405 South Smith Avenue, of the City of Laredo, from R-3 (Mixed Residential District) and B-3 (Community Business District) to M-1 (Light Manufacturing District); providing for publication and effective date.
(Jose R. Perez, Jr.)

Motion to approve.

Moved : Cm. Perez

Second: Cw. Moreno

For: 6 Against: 0 Abstain: 0

13. 94-0-152 Amending the zoning ordinance (map) of the City of Laredo by rezoning 7.2634 acres out of Porcion 29, as further described by metes and bounds on attached Exhibit "A", out of Eastwoods Subdivision, Phase II, east of Ejido Avenue and north of the proposed Clark Boulevard extension, of the City of Laredo, from AG (Agricultural District) and R-1 (Single Family Residential District) to B-3 (Community Business District); providing for publication and effective date. (Louis H. Bruni)

Motion to approve.

Moved : Cm. Perez

Second: Cw. Moreno

For: 6 Against: 0 Abstain: 0

14. 94-0-153 Authorizing the issuance of a Conditional Use Permit for a Karate Studio on Lots 7 and 8, Block 1840, Eastern Division, located at 3002 East Ash Street, of the City of Laredo; providing for publication and effective date. (Louis H. Bruni)

Motion to approve.

Moved : Cm. Perez

Second: Cw. Moreno

For: 6 Against: 0 Abstain: 0

15. 94-0-154 Amending the zoning ordinance (map) of the City of Laredo by rezoning Lots 2 & 11, Block 684, Eastern Division, located at 1203 O'Kane Avenue and 1204 Clark Boulevard, of the City of Laredo, from R-2 (Multi-Family Residential District) and B-1 (Limited Business District) to B-3 (Community Business District); providing for publication and effective date. (Cecilia May Moreno)

Motion to approve.

Moved : Cm. Perez
 Second: Cw. Moreno
 For: 6 Against: 0 Abstain: 0

16. 94-0-155 Amending the zoning ordinance (map) of the City of Laredo by rezoning the north 1/2 of Lot 6, and the north 1/2 of the east 1/2 of Lot 5, Block 350, Eastern Division, located at 101 West Lyon, of the City of Laredo, from R-3 (Mixed Residential District) to B-1 (Limited Business District); providing for publication and effective date. (Cecilia May Moreno)

Motion to approve.

Moved : Cm. Perez
 Second: Cw. Moreno
 For: 6 Against: 0 Abstain: 0

17. 94-0-156 Amending the zoning ordinance (map) of the City of Laredo by rezoning Block 1063, Western Division, located at 4301 San Dario Avenue, of the City of Laredo, from B-3 (Community Business District) to B-4 (Highway Commercial District); providing for publication and effective date. (Jerry Perez)

Motion to approve.

Moved : Cm. Perez
 Second: Cw. Moreno
 For: 6 Against: 0 Abstain: 0

18. 94-0-157 Authorizing an amendment to the Special Use Permit for a Manufactured Housing Park on a 6.45 acre tract of land out of Porciones 23 and 24, Abstract 283, as further described by metes and bounds on attached Exhibit "A", as part of Towne North Mobile Home Park, located on the 400 Block of International Boulevard, of the City of Laredo; providing for publication and effective date. (Felipe Cardenas)

Motion to approve.

Moved : Cm. Perez
 Second: Cw. Moreno
 For: 6 Against: 0 Abstain: 0

VI. RESOLUTIONS

19. 94-R-084 Approving the re-appointment of the nominees of District VII Councilmember Jerry Perez to the

Airport Advisory Board and the Planning and Zoning Commission.

Motion approving the re-appointment of Jorge Trevino the nominee of District VII Councilmember Jerry Perez to the Airport Advisory Board and Braulio Martinez to the Planning and Zoning Commission.

Moved : Cm. Cardenas

Second: Cm. Guerra

For: 6

Against: 0

Abstain: 0

20. 94-R-085 Authorizing the City Manager to accept grants for State Fiscal Year 1994-1995 (September 1, 1994 through August 31, 1995) from the Texas Department of Health in the amount of \$1,614,035.00, consisting of \$1,117,785.00 in funds and \$496,250.00 in direct State assistance for public health services at the City of Laredo Health Department.

Motion authorizing the City Manager to accept grants for State Fiscal Year 1994-1995 (September 1, 1994 through August 31, 1995) from the Texas Department of Health in the amount of \$1,614,035.00, consisting of \$1,117,785.00 in funds and \$496,250.00 in direct State assistance for public health services at the City of Laredo Health Department.

Moved : Cm. Guerra

Second: Cw. Moreno

For: 6

Against: 0

Abstain: 0

21. 94-R-086 Approving the appointment of the nominee of District III Councilmember Alfonso I. "Poncho" Casso to the Transportation and Traffic Safety Advisory Board.

Motion approving the appointment of Carlos A. Zuniga, Jr., the nominee of District III Councilmember Alfonso I. "Poncho" Casso to the Transportation and Traffic Safety Advisory Board.

Moved : Cw. Moreno

Second: Cm. Cardenas

For: 6

Against: 0

Abstain: 0

Motion to move item D(1) for discussion at this time.

Moved : Cm. Cardenas

Second: Cw. Moreno

For: 6

Against: 0

Abstain: 0

VII. MOTIONS

22. Award of a contract to the Low Bidder, Varmicom Industries, Harlingen, Texas, in the amount of \$11,002.00, for the purchase of reinforced concrete pipe, as required for the reconstruction of Del Mar Boulevard, east of McPherson Road.

Motion to award a contract to the low bidder, Varmicom Industries, in the amount of \$11,002.00 for the purchase of reinforced concrete pipe.

Moved : Cm. Cardenas

Second: Cm. Perez

For: 6

Against: 0

Abstain: 0

23. Award of an engineering contract to Frontera Associates International, Inc., Laredo, Texas, for an amount not exceed \$645,000.00, to design, provide surveys, and preparation of plans and specifications, and a Resident Project Representative (inspection Services) for a Wastewater Interceptor from the South Laredo Wastewater Treatment Plant to U.S. Highway 59.

Motion to award engineering contract to Frontera Associates International, Inc. for an amount not exceed \$645,000.00.

Moved : Cm. Cardenas

Second: Cm. Perez

For: 6

Against: 0

Abstain: 0

24. Approval of change order no. 1, an increase of \$28,671.00, for additional improvements to the Jefferson Street Water Treatment Plant Filter Renovation and Capacity Increase from 38 Million Gallons-per-day (MGD) to 68 Million Gallons-per-day Project with Lambda Construction Company, New Braunfels, Texas.

Motion to approve change order no. 1, an increase of \$28,671.00 for additional improvements to the Jefferson Street Water Treatment Plant Filter Renovation and Capacity Increase.

Moved : Cm. Perez

Second: Cw. Moreno

For: 6

Against: 0

Abstain: 0

25. Approval to reject the Sole Bid received for the Reconstruction of a portion of Taxiway B at the Laredo International Airport, to modify the construction plans, and re-bid the project.

Motion to approve to reject the sole bid received for the

reconstruction of a portion of Taxiway B at the Laredo International Airport, to modify the construction plans and re-bid the project.

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

Against: 0 Abstain: 0

26. Award of a Professional Surveying Services Contract to Mejia Engineering Company, Laredo, Texas, for an amount not exceed \$27,480.00, to provide surveying/platting maps, and legal metes and bounds descriptions for an approximate 300 acre tract of land located north of the Laredo International Airport and south of Del Mar Boulevard.

Motion to award a Professional Surveying Services Contract to Mejia Engineering Company, for an amount not exceed \$27,480.00.

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

Against: 0 Abstain: 0

27. Approval of change order no. 1, an increase of \$129,076.00, to the construction contract with Ramex Construction, Inc., Houston, Texas, for additional water and sanitary sewer improvements to Street Paving Project 49 (44 Blocks) in east Laredo, primarily in the Moreno Addition Area.

Motion to approve change order no. 1, an increase of \$129,076.00 to the construction contract with Ramex Construction, Inc.

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

Against: 0 Abstain: 0

28. Approval of change order no. 2, a decrease of \$74,792.70, acceptance of the project, and approval of final payment in the amount of \$151,822.88, to Ramex Construction Company, Inc., Houston, Texas for Street Paving Project 44 (31 Blocks).

Motion to approve change order no. 2, a decrease of \$74,792.70, acceptance of the project, and approval of final payment in the amount of \$151,822.88, to Ramex Construction Company, Inc., for Street Paving Project 44.

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

Against: 0 Abstain: 0

29. Amending the contract between the City of Laredo and the City of Laredo Convention and Visitors Bureau (LCVB) for Fiscal Year 1993-1994, to increase funding from \$650,000.00 to \$715,581.00.

Motion amending the contract between the City of Laredo and the City of Laredo Convention and Visitors Bureau (LCVB) for Fiscal Year 1993-1994, to increase funding of \$650,000.00 to \$715,581.00.

Moved : Cm. Perez

Second: Cw. Moreno

For: 6

Against: 0

Abstain: 0

VIII. CITY MANAGER'S REPORT

30. Submission of the City of Laredo Proposed Budget and Annual Work Plan for Fiscal Year 1994-1995.

City Manager reported that he was presenting the budget this evening to the City Council. He announced that the City Secretary has two (2) copies of the budget as well as one (1) available at the Laredo Public Library for public inspection.

IX. COMMUNICATIONS

- a. Presentation of certificates of appreciation to
- a) Patrick Alexander
 - b) Jesus Ponce
 - c) Frank "Pancho" Quesada
- for their service on the Transportation and Traffic Safety Advisory Board, and
- a) Carlos V. Cruz
 - b) Malu Kraus
 - c) Ciro Gonzalez
- for their service on the Airport Advisory Board.

Certificate of appreciation was given to Jesus Ponce for his service on the Transportation and Traffic Safety Advisory Board by Mayor Saul Ramirez. Patrick Alexander and Frank Quesada were absent.

Certificates of appreciation were given to Malu Kraus and Ciro Gonzalez for their service on the Airport Advisory Board by Mayor Saul Ramirez. Carlos Cruz was not present.

X. CITY COUNCIL DISCUSSION AND PRESENTATION

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

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

1. Status report on the City's Creek Cleaning Program.

Joe Guerra, Public Works Director, presented a written status report to the City Council.

NOTE: No copy was given to the City Secretary for the record.

Cm. Bruni stated that a creek water test report showed that it contained fecal bacteria and wanted to know what the city does in this case.

Mr. Vargas stated that when staff is aware, a truck is sent to siphon out the contaminated water. They have found that illegal sewer connections have been located that drain into the creeks, which have been investigated and they will continue to monitor and investigate them.

Cm. Casso stated that besides fecal bacteria, there are contaminants of oils and other chemicals and suggested that the monitoring program be an on going process to clean the creeks.

Mr. Vargas assured him that this is an on going program.

B. Request by Councilmember Blas Castañeda

1. Discussion and possible action concerning future use of the City's current library facility by the Laredo Children's Museum.

Motion to table this item.

Moved : Cm. Perez

Second: Cm. Cardenas

For: 6

Against: 0

Abstain: 0

2. Status report and possible action concerning the possible development of a dam up-river.

Motion to table this item.

Moved : Cm. Perez

Second: Cm. Cardenas

For: 6

Against: 0

Abstain: 0

C. Request by Councilmember Joe A. Guerra

1. Recognizing the heroism of Tomas M. Rodriguez III for thwarting the robbery of his high school students while on an outing at the river banks.

Mayor Ramirez presented him with a paper weight with the Coat of Arms of the City of Laredo for his heroism.

2. Progress report on the Downtown Transit Center.

Mr. Vargas stated that two (2) of the four (4) properties have been acquired and the other two are in negotiations and will be done within a couple of weeks. The design work is in progress and we should be calling for bids in January and awarding the bid on February.

3. Report on the status of the City's efforts in eliminating lead/asbestos pipes in the City's Water System.

Tomas Rodriguez, Water System Director, stated that the report shows that there existed 371 service units in the old downtown area. Since 1991 they started to remove the units and replace them with copper and have replaced 102 units with 271 still pending and will be replacing them with going projects.

On the asbestos pipes, Mr. Rodriguez, stated that they exist only in the Del Mar area with an 8" along Del Mar Blvd., Lindenwood, and another street. He said that the city does not have an asbestos concrete problem and the Del Mar Asbestos pipes will be replaced with on going waterline projects.

4. Recognizing the athletic accomplishments of John Linhart from United High School (pole vault) and Guillermo Heredia from Martin High School (discus throw).

Mayor Ramirez and Councilmember recognized the athletic accomplishments of John Linhart from United High School (pole vault) and Guillermo Heredia from Martin High School (discus throw) for reaching the highest level in high school sports and presented each with the "All American City of Laredo" label pin.

D. Request by Councilmember Felipe Cardenas

1. Discussion and possible action regarding the entrance to the Laredo Community College located on Hidalgo Street.

Mr. Jesus Longoria, representing 72 signed petitioners of the San Francisco Javier Neighborhood area, spoke in protest to the continued crossing problems at the Hidalgo and Zaragoza street railroad crossings. The problem exists in that the railroad continues to block the crossings for more than 15 minutes and in some instances more than 30 minutes. He added that Hidalgo at times has been closed totally for traffic and pedestrians. He also spoke on a particular incident that occurred to his brother and hopes that the situation does not happen to anybody else in the future.

He continued by citing letters that he has sent to the Texas Railroad Commission, the Department of Civil Rights of the Federal Railroad Administration of the U.S. Department of Transportation, and the U.S. Department of Justice.

Father Manente of San Francisco Javier Church expressed his frustration at the railroad company and its employees as they continue to refuse to cooperate with solving the blockage problem.

Mr. Andres Sandoval spoke in support of the Longoria family and the petitioners as this problem has existed since the era of Mayor J.C. Martin and continues today. He suggested that the city pursue the possibility of what was once proposed to built a road under the first pillar of the Tex-Mex rail bridge which would allow both vehicles and pedestrians to cross safely. He also stressed the point that Union Pacific should use the north switching yards and use this area solely for prepared cars for crossing.

Mrs. Longoria, sister-in-law of Mr. Jesus Longoria, stated that they do not want a pedestrian overwalk, they want either an underpass walkway or open crossings.

Peter Vargas, City Manager, stated that the Union Pacific assured the city that 90% of the railcars will utilize the new proposed rail bridge and thus eliminating the problem. He also stated that the legal issue on citations given to the railroad engineers has produced a tuck of war with Union Pacific, because they refuse to pay the fines stating that they are under federal regulations and not municipal law or mandates.

Mayor Protem Moreno suggested that we challenge the railroad company on the issue of refusal to pay the fines.

Cm. Cardenas requested a report from staff on citations issued and suspended to Union Pacific. He also suggested that a committee be formed to open talks with Union Pacific officials.

Mayor announced that the committee to open talks with Union Pacific officials would consist of himself, Cm. Cardenas, Cm. Jose Perez, Cm. Casso, and Mr. Jesus Longoria. This committee would invite the officials from Omaha, Nebraska to meet with them or the committee would go to Omaha to meet with them to find a solution. He also stated that we would continue to work with the ordinance and issue citations to the railroad engineers.

XI. PUBLIC HEARINGS

32. Public hearing on approval of an amendment to the contract with the Texas Department of Health for State Fiscal Year

1994-1995 (September 1, 1994 through August 31, 1995) and budget in the amount of \$1,614,035.00, consisting of \$1,117,785.00 in funds and \$496,250.00 in State direct assistance to provide public health services, and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Approval of a contract amendment with the Texas Department of Health and budgets in the amount of \$1,614,035.00 consisting of 1,117,785.00 in funds and \$496,250.00 in State direct assistance, to provide public health services for State Fiscal Year 1994-1995 (September 1, 1994 through August 31, 1995) and increasing corresponding Revenue and Expenditure line items.

Motion to open the public hearing.

Moved : Cm. Perez
Second: Cm. Cardenas
For: 6 Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved : Cm. Cardenas
Second: Cm. Perez
For: 6 Against: 0 Abstain: 0

Ordinance Introduction: (By councilmembers present this evening - Cm. Perez, Cm. Bruni, Cm. Casso, Cw. Moreno, Cm. Guerra, and Cm. Cardenas)

XII. MOTION TO RECESS AND CONVENE AS THE MASS TRANSIT BOARD

Motion to recess as City Council and convene as The Mass Transit Board.

Moved : Cm. Perez
Second: Cw. Moreno
For: 6 Against: 0 Abstain: 0

33. Award of a contract to the Sole Bidder, Texas School Bus Center, Austin, Texas, in the amount of \$383,985.00, for the purchase of seven paratransit vans for the El Lift Program of the Laredo Municipal Transit System.

Motion to award a contract to the sole bidder, Texas School Bus Center, in the amount of \$383,985.00 for the purchase of seven paratransit vans for the El Lift Program of the Laredo Municipal Transit System.

