

**CITY OF LAREDO
REGULAR CITY COUNCIL MEETING**

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

MINUTES

M-94-R-30

SEPTEMBER 6, 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	
LOUIS H. BRUNI,	"	DISTRICT II	
ALFONSO I. "PONCHO" CASSO,	"	DISTRICT III	
CECILIA MAY MORENO,	"	DISTRICT IV	
BLAS CASTANEDA,	"	DISTRICT V	
JOE A. GUERRA,	"	DISTRICT VI	
JOSE GERARDO (JERRY) PEREZ,	"	DISTRICT VII	
FELIPE CARDENAS,	"	DISTRICT VIII	
GUSTAVO GUEVARA, JR.,	CITY SECRETARY		
PETER H. VARGAS,	CITY MANAGER		
CARLOS R. VILLARREAL,	ASST. CITY MANAGER		
JESUS NAVA,	ASST. CITY MANAGER		
JOSE SALVADOR TELLEZ,	CITY ATTORNEY		

IV. APPROVAL OF MINUTES

2. Regular City Council Meeting August 15, 1994

Motion to approve.

Moved : Cm. Castaneda

Second: Cm. G. Perez

For: 8

Against: 0

Abstain: 0

Motion to waive the regular order of business and move up items 43, 40(A), 44, 45, 46, and 47 for discussion and council consideration.

Moved : Cm. Castaneda

Second: Cm. G. Perez

For: 8

Against: 0

Abstain: 0

V. INTRODUCTORY ORDINANCES

3. Authorizing the City Manager to execute a Water Supply Contract between the City of Laredo and Alfredo Barrera on behalf of Stephan Mussolino and Lee Aerenson to provide water service, for Industrial Purposes, to a tract of land outside of the City Limits and located approximately 427 feet south of the existing City Limits, which runs parallel to U.S. Highway 59, in Webb County, Texas, and commonly referred to as the Al Barrera Plat.

Ordinance Introduction: City Council

4. Authorizing the City Manager to execute a Right-of-Way and Easement Agreement between the City of Laredo and Rosendo and Mary Carranco and Carlos Carranco for Block 63, of the Calton Garden Subdivision, located on Calton Road between Springfield Avenue and Maryland Avenue.

Ordinance Introduction: City Council

5. Authorizing the City Manager to execute a lease with the United States of America (Lease No. DTFA07-95-L-01050) for a land site for installation of a Medium Intensity Approach Lighting System with Runway Alignment Indicator Lights (MALSR), Runway 17R, at the Laredo International Airport; providing for effective date.

Ordinance Introduction: City Council

6. Authorizing the City Manager to execute a lease agreement with Associated Publishing and the Laredo Morning Times for the purpose of holding an air show on approximately 15.0 acres of land located on the north end of the Air Operations Area of the Laredo International Airport;

1. Lease term is for one day being October 8, 1994;

2. Daily rent will be \$800.00 plus 10% of gate receipts which will be paid by advertisement; providing for effective date.

Mr. Bill Green of the Laredo Morning Times made a presentation before the council.

Ordinance Introduction: City Council

7. Repealing Ordinances #90-O-047 and #90-O-048 dated March 5, 1990, which Ordinances authorized two leases with Sanchez-O'Brien Oil and Gas Corporation for Buildings #372 and #374 respectively; and authorizing the City Manager to execute a new lease with Sanchez-O'Brien Oil and Gas Corporation for approximately 22,776 square feet constituting Building #374 and situated on approximately 138,359.77 square feet tract of land and a tract of land consisting of approximately 118,295 square feet located at 712 Maher Avenue at the Laredo International Airport;

1. Lease term is for thirty years commencing October 1, 1994, and ending September 30, 2024, and may be renewed for one term of ten years until September 30, 2034;
2. Monthly rental for building #374 will be \$7,205.00 beginning October 1, 1994, to January 31, 1995, and monthly rental beginning February 1, 1995 will be \$8,013.00, plus rent adjustments annually based on changes in the consumer price index (CPI) and based on appraisals at 10th, 20th and 30th anniversaries; providing for effective date.

Ordinance Introduction: City Council

8. Authorizing the City Manager to execute a lease with Alzafar Shrine Temple for the purpose of holding a circus on approximately 13.0 acres of land located on Saunders Street at the Laredo International Airport;

1. Lease term is for two days commencing October 29, 1994, and ending October 30, 1994;
2. Daily rental will be \$600.00; providing for effective date.

Ordinance Introduction: City Council

9. Authorizing the City Manager to execute a lease with South Texas Private Industry Council for approximately 10,552 square feet constituting building #979 located at 4717 Daugherty Avenue at the Laredo International Airport;

1. Lease term is for one year commencing August 1, 1994, and ending July 31, 1995, and may be renewed for two terms of one year each until July 31, 1997;
2. Monthly rental will be \$3,166.00 and will be adjusted annually according to changes in the Consumer Price Index; providing for effective date.

Ordinance Introduction: City Council

10. Authorizing the City Manager to execute a lease agreement with Jett Racing and Sales, Inc., for an approximate 80,000 square foot tract of land located at the Laredo International Airport;
 1. Lease term is for ten years commencing on September 1, 1994, and ending August 31, 2004, and may be extended for two consecutive ten year terms;
 2. Monthly rent shall be \$1,991.00 and will be adjusted annually according to changes in the Consumer Price Index (CPI) and during each ten year anniversary based on appraised fair market value;
 3. Providing for replacement facilities and establishing the cost to replicate said facilities at an amount not to exceed \$381,000;
 4. Providing for the early termination of the following two lease agreements with Jett Sales, Inc., for Buildings No. 1750 approved by Ordinance No. 84-O-139 and for Building No. 1760 approved by Ordinance No. 85-O-019; providing for effective date.

Ordinance Introduction: City Council

11. Authorizing the City Manager to enter into a lease agreement with Robert Spagnola for the use of West Martin Field to conduct and promote a world Championship Boxing Event;
 1. Lease term is for one (1) day being October 15th, 1994, and ending on October 15th 1994; and
 2. Daily rent will be \$3,500.00.

Mr. Spagnola was present and made a few comments on the CBS presentation of the event to be held in Laredo and thanked the council for the hospitality.

Ordinance Introduction: City Council

12. Authorizing the City Tax Assessor-Collector to collect and to issue payment to the Webb County Clerk for all recording fees for the release of City of Laredo Paving Liens released by payment from property owners and that the collection of said fees be in accordance with the Webb County recording fee schedule.

Ordinance Introduction: City Council

VI. FINAL READINGS

Motion to waive the final reading of ordinances #94-O-161, #94-O-162, #94-O-163, #94-O-164, #94-O-165, #94-O-166, #94-O-167, #94-O-168, #94-O-169, and #94-O-170.

Moved : Cm. Castaneda

Second: Cm. Cardenas

For: 8

Against: 0

Abstain: 0

13. 94-O-160 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. (Unanimous City Council)

Motion to table the final reading and instruct staff to negotiate with both companies and bring back at next meeting of September 19th.

Moved : Cm. Bruni

Second: Cm. Casso

For: 8

Against: 0

Abstain: 0

14. 94-O-161 Authorizing the City Manager to execute an Agreement providing reimbursement for part of the cost of constructing a storm water detention basin and discharge line incurred by Hill Top Farm, LTD., a Texas Limited Partnership, for the Las Americas Subdivision, Units 2 and 3. (Unanimous City Council)

Motion to approve.

Moved : Cm. Castaneda

Second: Cm. G. Perez

For: 8

Against: 0

Abstain: 0

15. 94-O-162 Amending Ordinance No. 88-O-65 of the City of Laredo to change the incorrect zoning designation of Lot 1, Block 1698, to Lot 8 and the south 38.8 feet of Lot 1, Block 1698, Eastern Division, located at 1815 Arkansas, of the City of Laredo, rezoning from R-3 (Mixed Residential District) to B-1 (Limited Business District); providing for publication and effective date. (Unanimous City Council)

Motion to approve.

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

16. 94-0-163 Approval of an amendment to the contract with the Texas Department of Health and budget in the amount of \$72,943.00, for the Chronic Disease Prevention Program, Breast and Cervical Cancer Control Project, of the City of Laredo Health Department for the period of July 1, 1994, through June 30, 1995; and increasing Revenue line item #226-0000-132-4055 from \$0 to \$72,943.00; and Expenditure line item #226-6009 from \$0 to \$72,943.00.
(Unanimous City Council)

Motion to approve.

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

17. 94-0-164 Approval of an amendment to the contract with the Texas Department of Health and budget in the amount of \$79,176.00, for the HIV Health and Social Services Project of the City of Laredo Health Department for the period of September 1, 1994, through August 31, 1995; and increasing Revenue line item #226-0000-323-4053 from \$0 to \$79,176.00; and Expenditure line item #226-6002 from \$0 to \$79,176.00. (Unanimous City Council)

Motion to approve.

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

18. 94-0-165 Amending the zoning ordinance (map) of the City of Laredo by rezoning Lots 2, 3 and 4, Block 454, Eastern Division, located at 2102 South Malinche Avenue, of the City of Laredo, from B-3 (Community Business District) to B-4 (Highway Commercial District); providing for publication and effective date. (Councilmember Jose R. Perez, Jr.)

Motion to approve.

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

19. 94-0-166 Amending the zoning ordinance (map) of the City of Laredo by rezoning 1.0640 acres out of Porcion 26, Abstract 282, as further described by metes and

bounds on attached Exhibit "A", located west of McPherson Road and North of Calle del Norte, of the City of Laredo, from B-1 (Limited Business District) to B-3 (Community Business District); providing for publication and effective date. (Unanimous City Council)

Motion to approve.

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

20. 94-0-167 Amending the zoning ordinance (map) of the City of Laredo by rezoning Lot 1, Block 3, and all of Block 2 out of Del Mar Village Subdivision, located north of Village Boulevard and west of Spring Road, of the City of Laredo, from B-3 (Community Business District) to B-4 (Highway Commercial District); providing for publication and effective date. (Councilmember Joe A. Guerra)

Motion to approve.

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

21. 94-0-168 Amending the zoning ordinance (map) of the City of Laredo by rezoning 2.73 acres out of Lot 3, Block 1, Del Mar Filing Unit #1, as further described by metes and bounds on attached Exhibit "A", located north of Del Mar Boulevard and west of McPherson Road, of the City of Laredo, from R-2 (Multi-Family Residential District) to B-3 (Community Business District); providing for publication and effective date. (Councilmember Joe A. Guerra)

Motion to approve.

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

22. 94-0-169 Amending the zoning ordinance (map) of the City of Laredo by rezoning 1.1031 acres out of Porcion 21, Plat 1, Part 6, as further described by metes and bounds on attached Exhibit "A", located west of Mines Road and north of Rancho Viejo Subdivision, of the City of Laredo, from B-1 (Limited Business District) to B-4 (Highway Commercial District); providing for publication and effective date. (Councilmember Jerry Perez)

Motion confirming the appointment and re-appointment of five members to the Historic District/Landmark Board by Mayor Saul N. Ramirez, Jr. as follows:

- 1) Sharyn Jordan
- 2) Dr. Stanley Green
- 3) John Keck
- 4) Bonnie Lepovitz
- 5) Elizabeth Gill

Moved : Cm. Castaneda

Second: Cm. Perez

For: 8 Against: 0 Abstain: 0

26. 94-R-100

Authorizing the City Manager to enter into a Lease Purchase Agreement for the purpose of financing one Thermal Storage HVAC Retrofit System for the City of Laredo's Health Department Building Complex.

Motion to authorizing the City Manager to enter into a Lease Purchase Agreement for the purpose of financing one Thermal Storage HVAC Retrofit System for the City of Laredo's Health Department Building Complex.

Moved : Cm. G. Perez

Second: Cm. Cardenas

For: 8 Against: 0 Abstain: 0

27. 94-R-101

Authorizing the City Manager to develop a Transitional Assistance Program in order to facilitate the orderly relocation of the Tenants of the Briarwood Mobile Home Park.

Motion authorizing the City Manager to develop a Transitional Assistance Program in order to facilitate the orderly relocation of the Tenants of the Briarwood Mobile Home Park.

Moved : Cm. Castaneda

Second: Cm. Guerra

For: 8 Against: 0 Abstain: 0

28. 94-R-102

Appointing the nominees of District III Councilmember Alfonso I. "Poncho" Casso to the Parks and Recreation Board and the Cable Commission.

Motion appointing Blanca A. Martinez and Adolph R. Kahn the nominees of District III Councilmember Alfonso I. "Poncho" Casso to the Parks and Recreation Board and the Cable Commission.

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

VIII. MOTIONS

- 29. Refund of property taxes in various amounts to the following individuals or companies:
 - a. Oscar E. Medina, Jr. in the amount of \$654.87, and
 - b. Bombay Bazar in the amount of \$579.64.

Motion to approve refund of property taxes in various amounts to the following individuals or companies:

- a. Oscar E. Medina, Jr. in the amount of \$654.87, and
- b. Bombay Bazar in the amount of \$579.64.

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

- 30. Award of a contract to the Environmental Systems Research Institute, Inc., San Antonio, Texas, in the amount of \$43,974.00, for the purchase and installation of computer hardware and software for the City's Geographic Information System.

Motion to award a contract to the Environmental Systems Research Institute, Inc., in the amount of \$43,974.00.

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

- 31. Award of an annual supply contract to the Low Bidder, the Rohan Company, Laredo, Texas, in the estimated amount of \$72,107.10, for the purchase of water meters for the Utilities Department.

Motion to award an annual supply contract to the low bidder, the Rohan Company, in the estimated amount of \$72,107.10 for the purchase of water meters for the Utilities Department.

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

- 32. Award of a construction contract to the Lowest Bidder Meeting Specifications, Gillette Air Conditioning Inc., San Antonio, Texas, in the amount of \$352,000.00, for the Laredo Health Department Thermal Storage HVAC Retrofit System.

Motion to award construction contract to the lowest bidder meeting specifications, Gillette Air Conditioning Inc. in the amount of \$352,000.00 for the Laredo Health Department Thermal Storage HVAC Retrofit System.

Moved : Cm. G. Perez

Second: Cm. Cardenas

For: 8

Against: 0

Abstain: 0

33. Approval of Amendment No. 1, an increase of \$1,580.00, to the engineering contract with Zuniga Engineering Company, Laredo, Texas, for additional services modify the plans and specifications, and re-bid the Laredo Health Department Thermal Storage HVAC Retrofit System located at 2600 Cedar Avenue.

Motion to approve Amendment No. 1, an increase of \$1,580.00 to the engineering contract with Zuniga Engineering Company.

Moved : Cm. G. Perez

Second: Cm. Cardenas

For: 8

Against: 0

Abstain: 0

34. Award of a construction contract to the **Lowest Bidder Meeting Specifications**, Castle Developers Inc., Laredo, Texas, in the amount of \$118,000.00, for the Addition to the Frontera Halfway House.

Motion to award construction contract to Castle Developers Inc. in the amount of \$118,000.00 for the addition to Frontera Halfway House.

Moved : Cm. G. Perez

Second: Cm. Cardenas

For: 8

Against: 0

Abstain: 0

35. Final acceptance and approval of final payment in the amount of \$1,727.50, to Teodoro Aguero Dump Trucks, Inc., Laredo, Texas, for the Fleet Maintenance Facility Tanks Removal Project.

Motion to approve the final acceptance and approval of final payment in the amount of \$1,727.50, to Teodoro Aguero Dump Trucks, Inc., Laredo, Texas, for the Fleet Maintenance Facility Tanks Removal Project.

Moved : Cm. Bruni

Second: Cw. Moreno

For: 8

Against: 0

Abstain: 0

36. Award of a construction contract to the **Low Bidder**, Ed A. Wilson, Inc., Laredo, Texas, in the amount of \$404,759.00, for the Wastewater Collection Warehouse and Water Pollution Control Laboratory (NPDES).

Motion to award a construction contract to the low bidder, ED A. Wilson, Inc., in the amount of \$404,759.00.

Moved : Cm. Bruni

Second: Cw. Moreno

For: 8

Against: 0

Abstain: 0

37. Approval of Construction Change Order No. 1, an increase of \$2,991.41, acceptance of the project, and approval of final payment in the amount of \$47,606.41, to Big D Lining Systems Company, Midland, Texas, for the construction of a Landfill Liner for Cell No. 3, for the City of Laredo Landfill located at U.S. Highway 359, Permit No. 1693, in compliance with Texas Natural Resource Conservation Commission Subtitle "D" Requirements

Motion to approve Construction Change Order No. 1, an increase of \$2,991.41 acceptance of the project, and approval of final payment in the amount of \$47,606.41, to Big D Lining Systems Company.

Moved : Cm. Bruni

Second: Cw. Moreno

For: 8

Against: 0

Abstain: 0

38. Approval of partial acceptance of the Upgrading/Replacement of Six Lift Stations Project, approval to release the construction contract retainage in the amount of \$79,120.00, to BRH-Garver, Inc., Houston, Texas, and approval to retain \$30,644.51, for the remaining portion of the project per Change Order No. 2 which includes the construction of a 15" and 18" gravity line from the 18" collector line at Hidalgo Street/Eagle Pass Avenue north to the Sanchez/Pinder Lift Station.

Motion approving partial acceptance of the Upgrading/Replacement of Six Lift Stations Project, approval to release the construction contract retainage in the amount of \$79,120.00, to BRH-Garver, Inc., and approval to retain \$30,644.51 for the remaining portion of the project per Change Order No. 2.

Moved : Cm. Bruni

Second: Cw. Moreno

For: 8

Against: 0

Abstain: 0

Motion to waive the regular rules of order and move item #39 to end of the meeting and proceed with agenda.

Moved : Cm. G. Perez

Second: Cw. Moreno

For: 8

Against: 0

Abstain: 0

IX. CITY MANAGER'S REPORT

- 39. Request for Executive Session under V.T.C.A. Open Government; Ethics, Section 551.074, to hear complaints from the Laredo Police Officers Association against the Chief of Police, and possible action.

Motion to go into Executive Session under V.T.C.A. Open Government; Ethics, Section 551.074 to hear complaints from the Laredo Police Officers Association against the Chief of Police, and possible action.

Moved : Cm. Castaneda

Second: Cm. G. Perez

For: 8

Against: 0

Abstain: 0

The following police officers were summoned by the council to appear before them and to present their complaints against Police Chief J.L. Martinez:

Allen F. Lanier, Jr., Luis Tinajero, Ezequiel E. Rodriguez, Nick Lichtenberger, Eduardo R. Madrigal, Jr., Jose Jalomo, Jr., Armando Rodriguez, Candelario Viera, I.L. Alardin, and Leopoldo Hernandez.

CLEAT Attorneys, John Curtis and Ron Delord were representing the individual officers.

Teresa Hunter was representing Chief J.L. Martinez.

After executive session Mayor Saul N. Ramirez announced that no formal action was taken. (11:30 P.M.)

Motion to recess for September 15, 1994 at 2:00 p.m. in the Council Chambers to continue with the testimonies.

Moved : Cm. G. Perez

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

Meeting recessed at 11:45 P.M.

THE FOLLOWING ARE PROCEEDINGS OF THE RECESSED CITY COUNCIL MEETING OF SEPTEMBER 15, 1994, AND WHICH WAS RECESSED FROM THE REGULAR CITY COUNCIL MEETING OF SEPTEMBER 6, 1994.

With a quorum present, Mayor Saul N. Ramirez, Jr. called the reconvene meeting to order. (2:13 P.M.)

IN ATTENDANCE:

SAUL N. RAMIREZ, JR., MAYOR
 JOSE R. PEREZ, COUNCILMEMBER, DISTRICT I
 LOUIS H. BRUNI, " , DISTRICT II
 ALFONSO I. "PONCHO" CASSO, " , DISTRICT III
 CECILIA MAY MORENO, " , DISTRICT IV (2:59 p.m.)
 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

ABSENCES:

Blas Castaneda, Councilmember, District V

Continuation of executive session begun of the Regular City Council Meeting of September 6, 1994. Executive Session is authorized under V.T.C.A. Government Code, Section 551.074, to hear complaints from the Laredo Police Association against the Chief of Police, and possible action.

Motion to go into Executive Session under V.T.C.A. Government Code, Section 551.074, to hear complaints from the Laredo Police Association against Chief of Police, and possible action. (2:15 P.M.)

Moved : Cm. G. Perez

Second: Cm. Cardenas

For: 6

Against: 0

Abstain: 0

The officers that were summoned were present and would be called in as they take their particular concerns and address them in executive session.

(Mayor Protem Moreno joined executive session at 2:59 P.M.)

Motion to recess this meeting concerning the Police Department and reconvene at the conclusion of the Special City Council Meeting dealing with public hearings and final readings of the budget and tax rates of September 15th.

Moved : Cm. Casso

Second: Cm. Perez

For: 7

Against: 0

Abstain: 0

(Cm. Castaneda was not present.)

Motion to convene with recessed meeting of September 6, 1994 and continue with said Executive Session under V.T.C.A. Open Government Code Section 551.074 to hear the complaints from the Laredo Police Officers Association against Chief J.L. Martinez, and possible action thereafter.

Mayor Ramirez announced that testimony was heard from all the original complainants during this process and that both sides, the Police Officers Association as well as the Chief had made their summaries to the presentations that were made in Executive Session.

Motion to go into Executive Session under V.T.C.A. Open Government; Ethics, Section 551.074 to further deliberations on this matter.

Moved : Cm. Guerra
Second: Cm. Cardenas

For: 7 Against: 0 Abstain: 0
(Cm. Castaneda was not present.)

After discussions in Executive Session the City Council convene in open session pursuant to the item in the agenda.

Mayor Ramirez announced, "no action was taken on our deliberations in executive session." He made the following statement, "throughout the discussions and the presentations that were made by way of the grievances submitted by the Laredo Police Officers Association and the rebuttals that were made by our Chief of Police, we recognize that there is room for improvement within the department and management and as such, would request from the City Council if it so deems appropriate at this time to instruct staff to proceed to bring in an independent third party to conduct an analysis of the departments and managements strengths and weaknesses and that this analysis be brought back to the City Council for us to consider and deliberate and proceed accordingly after this analysis has been presented to us to continue to improve the operations of our Police Department."

Motion to instruct staff to proceed with Mayor Ramirez's recommendation.

Moved : Cm. Cardenas
Second: Cm. Bruni

For: 7 Against: 0 Abstain: 0

X. COMMUNICATIONS

- a. Presentation to the Family of City Engineer Amador A. Escudero.

Mayor Ramirez presented the family with plaques of recognition in honor of Amador Escudero.

- b. Presentation of certificates of appreciation to
 - a) Terry Palacios
 - b) Mary H. Gallego
 - c) Roberto Delgado

for their service on the Beautification Board.

The above persons were not present to receive the certificates.

XI. CITY COUNCIL DISCUSSION AND PRESENTATION

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

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

1. Status report and possible action concerning the possibility of adding additional space to the Cigarroa Recreation Center Complex.

Peter Vargas, City Manager, stated that Frontera Engineering advised staff that the cost estimate for the additional 1,500 sq. ft. is \$67,500 plus engineering cost of about \$15,500.

Motion to add the additional 1,500 sq. ft. to the Cigarroa Recreation Center Complex at the additional cost of \$67,500 plus engineering costs for a total of approximately \$83,000.

Moved : Cm. Perez

Second: Cm. Castaneda

For: 7

Against: 0

Abstain: 0

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

1. Discussion and possible action concerning the placement of traffic lights at the corner of:
 (1) Meadow Avenue and Galveston Street, and
 (2) Seymour and Guerrero.

Motion to instruct staff to do a traffic count study at the above intersections.

Moved : Cm. Casso

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

C. 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 and allow him to bring it back at a future date.

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

Against: 0 Abstain: 0

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

Motion to table this item and allow him to bring it back at a future date.

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

Against: 0 Abstain: 0

XII. PUBLIC HEARINGS

41. Public hearing on amending the zoning ordinance (map) of the City of Laredo by rezoning Lot 12 and the west 1/2 of Lot 11, Block 1149, Eastern Division, located at 2002 Chihuahua, from R-O (Residential-Office District) to B-1 (Limited Business District); and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Amending the zoning ordinance (map) of the City of Laredo by rezoning Lot 12 and the west 1/2 of Lot 11, Block 1149, Eastern Division, located at 2002 Chihuahua Street, of the City of Laredo, from R-O (Residential-Office District) to B-1 (Limited Business District); providing for publication and effective date.

Motion to open the public hearing.

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

Against: 0 Abstain: 0

Marina Sukup, Planning Director, made the presentation before the council.

Mrs. Schaffer, a resident of 1920 Chihuahua, stated that she saw no reason to change the zoning use from residential to commercial.

Erasmus Villarreal of the Community Development Department stated that he was representing his parents who are residents in the area and were against the zone change.

Ms. Chris Castillo stated that they had bought the property and were told by the realty company that they would not have a problem with the placement of a business at this location and asked council for approval of the zone change request.

Ms. Sandra Castillo presented a video to the council showing the area to have heavy vehicular traffic pointing out the area to be suitable for a flower shop.

Carlos Mejia, of Mejia Engineering and representing the applicant, presented council with renditions showing that the area should be zoned commercial due to the present commercial surroundings.

Ms. Martha Castillo stated that a flower shop should be allowed in this area.

Motion to close the public hearing; approve; and introduce.

Moved :	Cm. Casso		
Second:	Cm. G. Perez		
For:	6	Against: 2	Abstain: 0
		Cw. Moreno	
		Cm. Castaneda	

Ordinance Introduction: Cm. Casso

- 42. Public hearing on authorizing the issuance of a Special Use Permit for the storage of Flammable and Explosive Products on Lots 8 and 9, Block 1, out of the Inter-America Distribution Park, located at the corner of Transportation Avenue and Enterprise Street; and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Authorizing the issuance of a Special Use Permit for the storage of Flammable and Explosive Products on Lots 8 and 9, Block 1, out of the Inter-America Distribution Park, located at the corner of Transportation Avenue and Enterprise Street, of the City of Laredo; providing for publication and effective date.

Motion to open the public hearing.

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

There was no public input.

Motion to close the public hearing; approve; and introduce.

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

Ordinance Introduction: Cm. G. Perez

43. Public hearing on adopting the Annual Budget for Fiscal Year 1994-1995, appropriating the estimated Revenues and Balances reported therein for the year beginning October 1, 1994 and ending September 30, 1995, consistent with the Financial Plan described in said Annual Budget; and authorizing the City Manager to implement said Annual Budget.

INTRODUCTION OF AN ORDINANCE

Adopting the Annual Budget for Fiscal Year 1994-1995, appropriating the estimated Revenues and Balances reported therein for the year beginning October 1, 1994 and ending September 30, 1995, consistent with the Financial Plan described in said Annual Budget; and authorizing the City Manager to implement said Annual Budget.

Motion to open the public hearing.

Moved : Cm. Cardenas

Second: Cm. Perez

For: 8

Against: 0

Abstain: 0

Peter Vargas, City Manger, explained the budget to the public and council for the period October 1, 1994 through September 30, 1995 with a 6% budget increase over last year's.

Mrs. Tina Trevino and Mr. Larry Plotkin thanked the council for being included in the budget funding for Communities In Schools.

Tom Bond of the Rio Grande International Study Center spoke to the council in reference to their request for funding this year for the center which was not included for 94-95.

Charles Martens stated that this being a very aggressive budget, the council should try to focus on growth through the next budgets.

Andres Sandoval was concerned with third party funding and particularly the Ruthe B. Cowl Rehabilitation Center. He pointed out a resolution by council to create jobs and assistance for the handicapped and asked council to help to reinstate the funding for the Ruthe B. Cowl Center.

Mrs. Ruthe B. Cowl, President of the Ruthe B. Cowl Rehab Center, stated that to set the record straight she does not own the center nor the land where it sits and has always worked as the Executive Director and has never received a salary and has paid for her own insurance, travel and expenses. She asked for the council's support to fund the center to their requested amount.

The Mayor excused himself from the meeting (6:20 p.m.)

Michael Creamer, representing the Tax Payers League, stated that it is in the best interest of good government that the proposed tax rate be voted down at this time.

Ms. Alicia Saenz spoke on the tax increase and in particularly the raising of property values and that the capital improvement projects should be done by piece meal basis and not all at the same time.

Mary Pena wants to see where the revenues from the budget are going to and also opposed and saw no justification to the increase in taxes.

Elton Gaskey, Laredo Webb County Food Band, asked that the city give them the lease payment at the airport which is \$27,027.00 instead of the \$24,000 allocated.

Rose Woodruff of the Laredo Library Board spoke on the new Main Library and asked the council not to delay the project and do what the voters have approved, which was to build a new main library and that the taxpayers knew that it was going to cost them in property taxes.

Cm. Casso questioned how much revenues are being generated as a result of the tax increase.

Jesus Amezcua stated that approximately \$2.2 million.

Cm. Casso questioned how much the percentages of valuations have gone up in the last three or four years.

Leta Schinke reported on the year per year valuations and percentages.

Jose Diaz de Leon asked if the Parks and Recreation budget include the setting of a volleyball league.

Alfredo Castillo stated that they worked with Mr. De Leon last year and tried to start a volleyball team, but that it did not materialized. They will continue working to establish a volleyball team this year.

Mr. Vargas stated that staff and the recreation board will work with Mr. De Leon and listen to his concerns on this recreational activities and they will try to facilitate whatever is available.

Mr. John Arnt asked how many bonds and when are the bonds being sold?

Mr. Vargas stated that \$26.7 million because \$7 million have already being sold.

Mr. Arnt pointed out that interest rates right now are as low as they are probably going to get, that this is a very serious thing because interest rates are going up.

Juan Ramon Barrera spoke in favor of a baseball park.

Ricardo Guerra and Ricardo Alonzo representing Alonzo Electric and a member of the Laredo Electrical Contractors Association, also a member of the Electrical Examining Board spoke in reference to several concerns addressing the inspections department. He stated that there is insufficient personnel in the Building Inspections Department, they are having problems acquiring building permits and that this item had been discussed at the Electrical Examining Board meeting of August 9, 1994.

Mr. Vargas stated that three electrical inspectors are added on the budget and that adjustments have to be made as far as the salaries are concerned and they will come back with recommendations.

Johnny Rendon, President of the Laredo Firefighter's Association spoke about future economic growth due to NAFTA and requested the formation of a third fire district to meet the growing demands.

Mr. Vargas stated that this issue was discussed at the budget workshop and council direction was that it come back in six months. We are going to expand the area by three fire stations, the first station going in line next year that is why we have 12 firefighters in the proposed budget for next year. He added that his recommendation to council was that when that fire station was up and operational they should have a third district and that in six months they can come back and assess that situation.

Jorge Casiano asked if and when would there be another budget hearing.

Mayor Protem Moreno announced that this is an introductory hearing and that there will be another budget hearing at a later date.

Cm. Casso stated that he was not in agreement with the annual budget and that does not think a tax increase is necessary, that many items are overlapped.

Motion to amend the budget line item with regards to Ruthe B. Cowl Rehab Center in the amount of \$150,000 that they had requested.

Moved : Cm. Casso
Second: Cm. Guerra

The second was rescinded by Cm. Guerra at which time the following motion was made:

Motion to look into raising funding up to at least \$100,000 to Ruthe B. Cowl and instruct staff to bring back to council their recommendation with an identified source of funding for this agency from other sources other than the general fund by the next council meeting to bring the level up to \$100,000.00.

Moved : Cm. Casso

Second: Cm. Guerra

For: 7

Against: 0

Abstain: 0

(Mayor Protem Moreno was not voting.)

Motion to reduce the 80 positions to half.

Moved : Cm. Casso

Second: Cm. Guerra

(The motion could not be made since Cm. Casso was not on the prevailing side of the previous motion made at the budget hearing which proposed to reduce the General Fund positions from 56 to 35. Motion was made by Mayor Protem Moreno and seconded by Cm. Guerra. This motion was voted 3 in favor and 5 against).

Motion to close the public hearings on discussions with councilmembers.

Moved : Cm. Perez

Second: Cm. Bruni

Mayor Protem Moreno relinquished her chair to Cm. Castaneda in order to present a motion.

Motion not to fund the position for the Mayor's Assistant.

Moved : Cw. Moreno

Cm. G. Perez stated that there was a motion voted on this issue previously at the budget hearings.

Cw. Moreno stated that her motion was to reduce any positions or to ask staff to select what positions should not be funded, at this point she was requesting that the Mayor's Assistant position not be funded. She added that it was not the same motion, that she was never specific or by specific number about what item should be reduced.

There was no second as City Attorney Tellez stated that this motion was also considered within the failed reduced positions motion.

Mayor Protem Moreno asked that staff bring back to council the motions made at the budget hearings and have legal opinions available on the motions.

The chair was relinquished back to Mayor Protem Moreno.

Mayor Protem Moreno asked if they have approved any expenditures for the acquisition of UNB.

Mr. Vargas stated that there is approximately \$650,000 that have been identified for the city hall annex, not designated for any particular location, but for additional office space.

Motion to close the public hearing and introduce the ordinance with amendments.

Moved : Cm. Cardenas

Second: Cm. G. Perez

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: City Council

44. Public hearing on the 1994 proposed Ad Valorem tax rate of \$.551601 and introduction of an ordinance approving the 1994 Appraisal Roll and providing for the levy and collection of General and Special Ad Valorem and Alcoholic Beverage Taxes for the City of Laredo for the Tax Year 1994 and the Fiscal Year 1994-1995; and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Approving the 1994 Appraisal Roll and providing for the levy and collection of General and Special Ad Valorem and Alcoholic Beverage Taxes for the City of Laredo for the Tax Year 1994 and the Fiscal Year 1994-1995.

Motion to open the public hearing.

Moved : Cm. Castaneda

Second: Cm. G. Perez

For: 7

Against: 0

Abstain: 0

Jesus Hernandez suggested that the council should call a special meeting of the whole district at least three times a year so they get together and discuss issues such as how is the tax monies are going to be used.

Trinidad Silva requested a legal interpretation by the Legal Counsel on the question if the raising of taxes is in violation of state law and the constitution.

Jose Valdez spoke in favor of the tax increase since the people have already voted and approved the projects and

stated that it is a bargain at the price the taxpayer is going to pay.

Cm. Casso stated that we do not need to provide all the projects overnight and that the west Laredo overpass should be paid by the railroad companies. He spoke against the tax increase at this time and should take another look at these projects.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Castaneda

Second: Cm. Perez

For: 4

Cm. Perez

Cw. Moreno

Cm. Castañeda

Cm. G. Perez

Against: 3

Cm. Casso

Cm. Bruni

Cm. Guerra

Abstain: 0

(Mayor Protem Moreno was chairing the meeting.)

Ordinance Introduction: City Council

Motion to open the Public Hearing again for the purpose of having the Tax Assessor-Collector Phyllis Colon read the ordinance publicly for the record.

Moved : Cm. Perez

Second: Cm. Cardenas

For: 7

Against: 0

Abstain: 0

The ordinance was read in its entirety by Tax Assessor-Collector Phyllis Colon.

Motion to close the public hearing for the second time.

Moved : Cm. G. Perez

Second: Cm. Cardenas

For: 7

Against: 0

Abstain: 0

- 45. Public hearing on amending Division 3 (Rates and Charges) of Chapter 31 (Utilities) of the Code of Ordinances, specifically to amend Section 31-138 which provides for Water Rate Charges by increasing the minimum rate from \$6.25 to \$7.00; and increasing the escalating rate structure by \$0.05 cents per user category for both Residential and Commercial Customers within the City Limits; providing for publication and effective date.

INTRODUCTION OF AN ORDINANCE

Amending Division 3 (Rates and Charges) of Chapter 31 (Utilities) of the Code of Ordinances, specifically to amend

\$99,395.00 and authorizing the City manager to implement said budget.

INTRODUCTION OF AN ORDINANCE

Amending the City of Laredo's 1993-1994 Annual Budget by increasing the Street Reconstruction Fund Revenue Line Item from \$0 to the estimated revenues of \$87,350.00 and to reduce the Traffic Signal Expenditure Line Item by \$3,000.00 and to increase Expenditure Line Item Traffic Light Synchronization (TLS) Program III from \$0 to \$99,395.00 and authorizing the City manager to implement said budget.

Motion to open the public hearing.

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

Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

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

Against: 0 Abstain: 0

Ordinance Introduction: City Council

- 49. Public hearing on amending the City of Laredo's 1993-1994 Annual Budget by increasing the Airport Fund Revenues by \$800,000.00 and appropriating \$401,000.00 to be used for relocation of Airport tenants as a result of a public land sale of Airport Land, and authorizing the City manager to implement said budget.

INTRODUCTION OF AN ORDINANCE

Amending the City of Laredo's 1993-1994 Annual Budget by increasing the Airport Fund Revenues by \$800,000.00 and appropriating \$401,000.00 to be used for relocation of Airport tenants as a result of a public land sale of Airport Land, and authorizing the City manager to implement said budget.

Motion to open the public hearing.

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

Against: 0 Abstain: 0

Mrs. Nina Pena questioned the expenditure of building for a tenant when we're asking for a tax increase.

Mayor Ramirez explained to Mrs. Pena the difference in appropriations and expenditures of the Airport budget's and the city's budget.

Motion to close the public hearing and introduce.

Moved : Cm. G. Perez

Second: Cm. Cardenas

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

50. Public hearing on amending the Community Development Block Grant Final Statement for the 17th year by reprogramming of \$36,708.00 of fund balances from the Family Care Program and Street Paving Project 37 and 38 Paving Assessment Grants for the operation of an Elderly Nutrition Program administered by the Laredo Webb County Community Action Agency.

Motion to open the public hearing.

Moved : Cm. G. Perez

Second: Cm. Cardenas

For: 8

Against: 0

Abstain: 0

Mr. Jose Valdez, Executive Director of the Community Action Agency, spoke on the need of these funds.

Mr. Jesus Hernandez spoke in favor of approving these needed funds for the elderly.

Ms. Toni Tenorio, Holy Redeemer Neighborhood representative, asked council for the approval of these funds for the elderly.

Mr. Vargas, City Manager, read a letter from Mrs. Betty Flores expressing the possibility of undercount for not increasing the need in Webb County.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Castaneda

Second: Cm. Cardenas

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

- 50(a). Motion authorizing the City Manager to enter into a contract with the Laredo Webb County Community Action Agency to provide Elderly Nutrition Services in the amount of \$36,708.00.

Motion authorizing the City Manager to enter into a contract with the Laredo Webb County Community Action Agency to provide Elderly Nutrition Services in the amount of \$36,708.00

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

Against: 0 Abstain: 0

XIII. MOTION TO RECESS AND CONVENE AS THE LAREDO MASS TRANSIT BOARD

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

Moved : Cm. Guerra
 Second: Cm. Castaneda
 For: 8

Against: 0 Abstain: 0

51. 94-RT-092 Authorizing the City Manager to accept Grant No. TX-90-X309 from the Federal Transit Administration (FTA), in the amount of \$3,568,406.00 (Federal Share), for Fiscal Year 1993-1994, and adopting an operating and capital budget (Program of Projects), for said Grant.

Motion authorizing the City Manager to accept Grant No. TX-90-X309 from the Federal Transit Administration (FTA), in the amount of \$3,568,406.00 (Federal Share), for Fiscal Year 1993-1994, and adopting an operating the capital budget (Program of Projects), for said Grant.

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

Against: 0 Abstain: 0

52. Public hearing adopting the Laredo Municipal Transit System's Proposed Program of Projects and Annual Operating Budget for Fiscal Year 1994-1995, appropriating the estimated revenues and balances reported therein for the year beginning October 1, 1994 and ending September 30, 1995; and authorizing the City Manager to implement said budget.

- 94-RT-093 Adopting the Laredo Municipal Transit System's Proposed Program of Projects and Annual Operating Budget for Fiscal Year 1994-1995, appropriating the estimated revenues and balances reported therein for the year beginning October 1, 1994 and ending September 30, 1995; and authorizing the City Manager to implement said budget.

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

Against: 0 Abstain: 0

XV. ADJOURNMENT

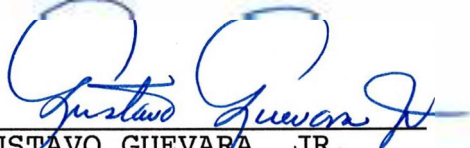
Motion to adjourn.

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

Against: 0 Abstain: 0

Adjournment time: 10:15 P.M.

I HEREBY CERTIFY THAT THE ABOVE MINUTES CONTAINED IN PAGES 01 TO 31 ARE TRUE, COMPLETE AND CORRECT PROCEEDINGS OF THE REGULAR CITY COUNCIL MEETING HELD ON THE 6TH DAY OF SEPTEMBER, 1994. A CERTIFIED COPY IS ON FILE IN THE CITY SECRETARY'S OFFICE.



GUSTAVO GUEVARA, JR.
CITY SECRETARY

MINUTES PREPARED BY: Delia Rodriguez, Deputy City Secretary II

MINUTES APPROVED ON:

CORRECTIONS: