

**CITY OF LAREDO
SPECIAL CITY COUNCIL MEETING**

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

MINUTES

M-94-S-09

MARCH 28, 1994

I. CALL TO ORDER

With a quorum present, Mayor Protem Perales, called the meeting to order.

II. PLEDGE OF ALLEGIANCE

Mayor Protem Perales led in the Pledge of Allegiance.

III. ROLL CALL

IN ATTENDANCE:

SAUL N. RAMIREZ, JR.,	MAYOR	
JOSE R. PEREZ, JR.	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	
CARLOS VILLARREAL,	ASST. CITY MANAGER	
JOSE SALVADOR TELLEZ,	CITY ATTORNEY	

IV. INTRODUCTORY ORDINANCES

2. Amending Chapter 19, Article VI, Division 5, Section 19-267 of the Code of Ordinances to amend meaning of the term Truck and including definition of new term Truck-Tractor Single Unit.

Ordinance Introduction: City Council

3. Amending Ordinance No. 93-O-001, Section 1 to open the East bound only portion of Lafayette Street between Pinder Avenue to the West and Santa Ursula Avenue to the East for truck-tractor single unit traffic only.

Ordinance Introduction: City Council

V. FINAL READINGS

Motion to waive the final reading of ordinance #94-O-070.

Moved : Cm. Juarez
 Second: Cw. Aldridge
 For: 8

Against: 0 Abstain: 0

4. 94-O-070 Authorizing the City Manager to execute Amendment No. 4 of the Reimbursement Agreement dated March 5, 1990, between the City of Laredo and Royal Joint Venture, which provides for the reconfiguration of the service area pursuant to a Water Supply and Controlled Development contract dated June 15, 1988, entered into between the City of Laredo and Royal Joint Venture.
 (Unanimous City Council)

Motion to approve.

Moved : Cm. Juarez
 Second: Cw. Aldridge
 For: 8

Against: 0 Abstain: 0

VI. RESOLUTIONS

5. 94-R-027 Creating a City Council Concessionaire Services Ad Hoc Committee for the City of Laredo; providing for the appointment of its three (3) members.

Motion creating a City Council Concessionarie Services Ad Hoc Committee for the City of Laredo; and appointing Cm. Felipe Cardenas, Cm. Jerry Perez and Cw. Arlene Rash Aldridge.

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

Against: 0 Abstain: 0

VII. MOTIONS

6. Award of a contract in the amount of \$12,900.00, to the Low Bidder, Water Components, Sausalito, California, for the purchase of swimming pool equipment for the Civic Center pool.

Motion to award contract in the amount of \$12,900.00 to the low bidder, Water Components for the purchase of swimming pool equipment for the Civic Center pool.

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

Against: 0

Abstain: 0

VIII. COMMUNICATIONS

There were no items under communications.

IX. CITY COUNCIL DISCUSSION AND PRESENTATION

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

A. Request By Councilmember Blas Castañeda

1. Discussion with regards to the idea of building a dam upriver to be used for recreational purposes. This request is in response to questions which arose at several Economic Development Council Workshops.

Cm. Castaneda stated that the project would cost approximately \$12 million and it could be a payback type of a project where power would be generated by this particular dam which in turn would be sold to the Mexican Government for their utilization, which would pay itself back in about 12 years which was the payout at that time.

Mr. Villarreal stated that they had looked at three different concepts that have risen from time to time. This most recent concept was presented to Representative Bustamante by Mexican counterparts which entailed the acquisition of property on either side. This was not going to be a \$12 million project, it was going to be considerably more and it would also entail additional property acquisition related to the project itself involving alot of money. He added that they had several meetings and discussed this with the International Boundary & Water Commission. They indicated that they didn't feel that it was something that they would be able to finance at that time. Mr. Villarreal added that Enrique Resendez, a Congressman from the Mexican side was the one moving this project that never materilized because of the tremendous cost involved which was over \$50 million besides alot of property owners in both sides that would have to commit large amounts of land to the project. He added that Nuevo Laredo on the Mexican side had stated that they are not interested and that they are more interested in getting Bridge No. 4 constructed at this time. Mr. Villarreal stated that

they will request additional information from the International Boundary and Water Commission.

Mayor asked that the documentation that had been compiled prior to it being set aside as a discussion item between the two countries be submitted to the Economic Advisory Council and at that point, they can provide their input as to what could be the possible different alternatives that would be available to pursue combination private/public ventures and at least bring them up-to-date as what was discussed and was brought before council. He added that in regards to this issue there was an extensive report prepared.

Cm. Perales stated that such an endeavor would have to be endorsed by the Commissioners of Webb County, that to take such a step, they also need their cooperation.

X. PUBLIC HEARINGS

8. Public hearing on amending the zoning ordinance (map) of the City of Laredo by rezoning 3.1334 acres out of the west half of Part A-1 of the A.M. Bruni Estate Share 1 in Porcion 32, Abstract 296, as further described in attached Metes and Bounds on Exhibit "A", located at Loop 20 and Avenida Los Presidentes, from R-1A (Single Family Reduced Area 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 3.1334 acres out of the west half of Part A-1 of the A.M. Bruni Estate Share 1 in Porcion 32, Abstract 296, as further described by attached Metes and Bounds in attached Exhibit "A", located at Loop 20 and Avenida Los Presidentes, from R-1A (Single Family Reduced Area District) to B-1 (Limited Business District); providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Perez

Second: Cm. Juarez

For: 8

Against: 0

Abstain: 0

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

Cm. Perez announced that his updated opposition signature list is now 300 instead of 150 from the previous list.

Mrs. Juanita Martinez, a resident of Century City, stated that they were not opposing apartments, but rather opposing businesses and want their area strictly residential.

Mr. Alfredo Agredando, a resident of Century City, requested that council considers the rejection of the zone change request for commercial development.

Richard Haynes stated that he would like to keep the area as a residential zone only and that council consider the 300+ signatures against the B-1 zone change.

Rodney Webb, a Century City resident, wants to keep the area a residential zoning and asked that council reject the change requested.

Robert Salinas, partner in the Hilltop Farms Development Corporation, who developed Los Presidents Residential Subdivision asked that council respect the residents' wishes to maintain their property values. He also stated that he opposes apartment building and commercial development in this area.

A letter from UISD Superintendent, Dr. David Barbosa and James Whitworth, President of the Board of Trustees was read by Mayor Ramirez stating that they are not against residential development whether it be on a form of mobile home parks, apartment buildings or single family dwellings. The board feels strongly that where ever there is a residential development a provision should be made for sites for schools. However, they would be satisfied if developers would set aside the necessary land for school sites so that the land can be purchased, sometime as the student population is given and the area justifies the construction of a school. He continued reading that in the case of small developers they feel that some sort of a pulling arrangement would be equitable, there are residential developments in the community where not one inch of land has been set aside for schools.

Frank Saldana spoke in reference to the statement made by Enrique Rangel at a previous council meeting addressing this issue that the UISD was taking sides in the issue. He asked the President of the Board of Trustees if in fact what Enrique Rangel had indicated to the council was correct and he was very surprised of what Mr. Rangel presented. He stated that at no time had the UISD Board ever considered this zone request and that the board had not instructed Mr. Rangel to come before council and take a position or opposition of the zone change, he had no directives from the UISD Board.

Mr. Nathan Bratton spoke on behalf of the owner requesting the zone change. Mr. Bratton proposed to restrict the

platting of this property so that there are no two story buildings, no apartments, that there be a wall at the back which abuts Mr. Haynes development. That there be no bars and no cantinas. Mr. Bratton stated that this is a reasonable rational solution to the problem. In the B-1 there are positive things that can happen in that property, there can be a church, community centers, day care centers, medical centers medical/dental clinics and professional offices and if they exclude a possibility this type of development they are in essence denying the residents some of the services and they have to travel some distance for. He concluded by saying that these are the things they are guaranteeing and that they will bind themselves to these plat restrictions when that plat comes through.

Mayor suggested that these commitments from the developers should go back before the P&Z to be put in writing and allow the residents to review the new restrictions.

Eduardo De La Chica stated that the P&Z Board has already approved it without restrictions and that they are willing to add the new plat restrictions to the zone change approval.

Motion to close the public hearing; to override P&Z Commission; and deny the zone change request.

Moved : Cm. Perez

Second: Cm. Juarez

For: 8

Against: 0

Abstain: 0

Motion to recess for five minutes.

Moved : Cm. Perez

Second: Cm. Cardenas

For: 8

Against: 0

Abstain: 0

9. Public hearing on amending the zoning ordinance (map) of the City of Laredo by issuing a Special Use Permit for Gas Extraction on 1.38 acres out of Porcion 25, Abstract 50 as further described by Metes and Bounds on attached Exhibit "A", located south of Del Mar Boulevard and 1.2 miles east of McPherson Road; and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Authorizing the issuance of a Special Use Permit for a Gas Extraction Facility for a 1.38 acre tract out of Porcion 25, Abstract 50, as further described by Metes and Bounds on attached Exhibit "A", located 1.2 miles east of McPherson Road and south of Del Mar Boulevard, of the City of Laredo; providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Cardenas

Second: Cm. Juarez

For: 8

Against: 0

Abstain: 0

Marina Sukup, Planning Director, made the presentation before the council stating that staff remains concerned as to what is safe and recommends an independent assessment for further analysis of safety clearance.

Motion to open up for discussion items 10 & 11 together with item 9.

Moved : Cm. Perez

Second: Cm. Juarez

For: 8

Against: 0

Abstain: 0

Mr. Glafiro Lopez, representing Amaco Production and Killam & Hurd, said they have nine (9) operating wells in the area and are looking at additional wells which includes the UISD Alexander High School area; the Country Club area; and the third close to the area of McPherson Road and Del Mar Blvd. He added that they have submitted all the necessary drilling permits and applications.

John Jacek, an Amaco Engineer, was present to address any questions or concerns from the City Council.

Kent Bonen, Amaco Safety Engineer, went over the safety factors and the worst case scenario damages that could occur in the event of an explosion. He stated that there would be a 24 foot radius explosion, no personal injuries after 50 feet and no property damages after 200 ft.

Cm. Perales suggested that a public hearing be held; that an independent study be done; and that the residents be addressed at this time at which time they can express their concerns because he was not prepared to vote on something like this without proper questions answered and the safety features are assured.

Mr. Ponce stated that safety features should be established as ground rules for the special use permit approval and suggested that we look at the drilling ordinances from other cities.

Mr. Rene Calderas spoke in favor of Amaco and their request for the special use permit to drill the wells.

Motion to close the public hearing; that their Safety Analysis Reports and Papers be reviewed by an expert

recognized by a National Safety Council for an independent analysis; and introduce the ordinance.

Moved : Cm. Castaneda

Second: Cm. Perales

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

10. Public hearing on amending the zoning ordinance (map) of the City of Laredo by issuing a Special Use Permit for Gas Extraction on .86 acres out of Porcion 25, Abstract 50 as further described by Metes and Bounds on attached Exhibit "A", located 175 feet east of McPherson Road, north of Del Mar Boulevard; and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Authorizing the issuance of a Special Use Permit for a Gas Extraction Facility for a 0.86 acre tract out of Porcion 25, Abstract 50, as further described by Metes and Bounds on attached Exhibit "A", located at the northeast corner of McPherson Road and Del Mar Boulevard, of the City of Laredo; providing for publication and effective date.

Motion to open the Public Hearing was made in item #9.

Motion to close the public hearing and proceed with the same intention as item #9 with the safety assessment and that the ordinance be introduced.

Moved : Cm. Castaneda

Second: Cm. Cardenas

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

11. Public hearing on amending the zoning ordinance (map) of the City of Laredo by issuing a Special Use Permit for Gas Extraction on 1.07 acres out of Porcion 24, Abstract 268 as further described by Metes and Bounds on attached Exhibit "A", located east of Country Club Drive and north of Kimberly Drive; and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Authorizing the issuance of a Special Use Permit for a Gas Extraction Facility for a 1.07 acre tract out of Porcion 24, Abstract 268, as further described by Metes and Bounds on attached Exhibit "A", located east of Country Club Drive and north of Kimberly Drive, of the City of Laredo; providing for publication and effective date.

Motion to open the Public Hearing was made in item #9.

Motion to close the public hearing and introduce the ordinance with the safety assessment restrictions as item No. 9 and No. 10.

Moved : Cm. Juarez
Second: Cw. Aldridge
For: 8

Against: 0 Abstain: 0

Ordinance Introduction: City Council

12. Public hearing on amending the zoning ordinance (map) of the City of Laredo by rezoning 46 feet of Lot 12, Block 62, located at 5101 Springfield in Calton Gardens Subdivision No. 2, from B-1 (Limited Business District) to B-3 (Community Business District); and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Amending the zoning ordinance (map) of the City of Laredo by rezoning the west 46 feet of Lot 12, Block 62, out of Calton Gardens Subdivision No. 2, located at 5101 Springfield, of the City of Laredo, from B-1 (Limited Business District) to B-3 (Community Business District); providing for publication and effective date.

Motion to open the public hearing.

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

Against: 0 Abstain: 0

Marina Sukup, Planning Director, made the presentation.

There was no public input.

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

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

Against: 0 Abstain: 0

Ordinance Introduction: Cm. Juarez

13. Public hearing on amending the zoning ordinance (map) of the City of Laredo by rezoning 5.43 acres out of Blocks 36 and 37 and Tracts 1 and 2 out of Calton Gardens Subdivision, as further described by attached Metes and Bounds on Exhibit "A", from B-3 (Community Business District) to B-4 (Highway Commercial District); and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Amending the zoning ordinance (map) of the City of Laredo by rezoning 5.43 acres out of Blocks 36 and 37 and Tracts 1 and 2, as further described by Metes and Bounds on attached Exhibit "A", out of Calton Gardens Subdivision, of the City of Laredo, from B-3 (Community Business District) to B-4 (Highway Commercial District); 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

Marina Sukup, Planning Director, made the presentation.

Ron Whitehawk, representing H.E.B., spoke in favor of the zone change request.

Motion to close the public hearing; approve the zone change request; and introduce.

Moved : Cm. Juarez

Second: Cm. Cardenas

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

14. Public hearing on authorizing the issuance of a Special Use Permit for a Manufactured Housing Park for all property contained in the Towne North Plat except 6.538 acres previously approved for a Special Use Permit in Ordinance No. 91-O-109 located in the 400 Block of International Boulevard; and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Authorizing the issuance of a Special Use Permit for a Manufactured Housing Park on all of Towne North Plat except 6.538 acres previously approved for a Special Use Permit in Ordinance No. 91-O-109, located on the 400 Block of International Boulevard, in the City of Laredo; providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Castaneda

Second: Cm. Cardenas

For: 8

Against: 0

Abstain: 0

Marina Sukup, Planning Director, spoke on major points of contention and stated that staff recommends approval subject to the completion of recommended water and fire improvements

be made before any moving permits are issued. Improvements recommended are:

- 1) Install an extra fire hydrant in front of mobile home space A-7 to be connected to a 6" water main.
- 2) Extend a 6" class 200 PVC pipe from the 4" located at the north end of the park to the 6" service on International Boulevard.
- 3) A pressure reducing valve and a new 3" meter to connect to the new water line on International Boulevard at the entrance to Towne North Mobile Home Park. (To be paid for by applicant and installed by the Utilities Department)
- 4) One 3" check valve at the existing 3" meter at the S.W. corner of the park. (To be paid by applicant and installed by the Utilities Department)

Mr. Ron Whitehawk, representing the applicants, addressed the council on several recommendations for change from that of the staff's recommendations. He spoke against item 3 on page 2 of the council communications setting 35 ft. setback and that this setback be allowed to be changed as this will provide four (4) spaces to be unusable.

Mr. Fred Vincent Garcia Norris, part owner of the developed property, requested several changes in the wording to the agreement and ordinance. The first change proposed was that item 2 of page 2 of the communications add the words "the applicant intentionally allowing"; second, item 4 on page 2 of the ordinance to add "new or replacing"; third, to add "applicant intentionally allowing" on item 6 of page 6; and on item 11 of page 3 that a fine be assessed and due notice be given.

Mayor Ramirez read a letter from Mr. Reynaldo Ramirez in reference to his hardship and to his concerns regarding mobile home skirting.

Mrs. Rosa Maria Campero, a resident of Towne North Mobile Home, spoke against the requirements placed by the ordinance on the home owners.

Motion to close the public hearing; approve the special use permit and accepting Dr. Garcia's recommendation on the three points of contention in allowing 24 months for paving, the conversion of the overhead electrical service to underground with construction within 25 feet, and meet the fencing requirement by the placement of oleander shrubs; and introduce.

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

Against: 0

Abstain: 0

Ordinance Introduction: City Council

XI. ADJOURNMENT

Motion to adjourn.


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

Against: 0

Abstain: 0

Adjournment time: 8:45 P.M.

I HEREBY CERTIFY THAT THE ABOVE MINUTES CONTAINED IN PAGES 01 TO 12 ARE A TRUE, COMPLETE AND CORRECT PROCEEDINGS OF THE SPECIAL CITY COUNCIL MEETING HELD ON THE 28TH DAY OF MARCH, 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: April 18, 1994

CORRECTIONS: