

**CITY OF LAREDO
SPECIAL CITY COUNCIL MEETING**

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

MINUTES

M-93-S-08

MARCH 22, 1993

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 led in the pledge of Allegiance.

III. ROLL CALL

IN ATTENDANCE:

SAUL N. RAMIREZ, JR.,	MAYOR	
JOSE R. PEREZ,	COUNCILMEMBER,	DISTRICT I
CECILIA MAY MORENO,	"	, DISTRICT IV
BLAS CASTANEDA,	"	, DISTRICT V
EDUARDO PERALES,	"	, DISTRICT VI
JERRY PEREZ,	"	, DISTRICT VII
FELIPE CARDENAS,	"	, DISTRICT VIII
PETER H. VARGAS,	CITY MANAGER	
RAY RODRIGUEZ,	ASSISTANT CITY ATTORNEY	

ABSENCES:

Gustavo Guevara, Jr., City Secretary
Jose Salvador Tellez, City Attorney

Motion was made to excuse Cw. Aldridge and Cm. Juarez due to out-of-town commitments.

Moved : Cm. G. Perez

Second: Cm. Perez

For: 6

Against: 0

Abstain: 0

IV. INTRODUCTORY ORDINANCES

2. Authorizing the City Manager to execute an Earthen Channel Agreement with Pinto Valle II, Ltd., J.C. Martin III and Steve A. Whitworth, General Partners, and McLean Construction, Inc., providing for publication and effective

date.

Ordinance Introduction: City Council

V. FINAL READINGS

Motion to waive the final reading of ordinance #93-0-058.

Moved : G. Perez

Second: Perez

For: 6

Against: 0

Abstain: 0

* NOTE: Cw. Aldridge submitted a memorandum addressed to the City Secretary, Gustavo Guevara, Jr., Mayor Saul N. Ramirez, and City Council Members dated March 23, 1993.

The memorandum read as follows:

First of all, I would like to ask that I be excused for my absence today. A personal matter has changed my plans and I will have to be out of town.

My request is that the City Secretary read this memorandum.

I have objections to items #3 & #14, and I would like to go on record as opposing these measures.

Item #3. AGAINST: I feel that we have never been satisfied as to the legality of the contract. I am not sure that we have the authority of expending public funds in such a manner.

Item #14. AGAINST: I feel the City does not have the capacity to back up its service plan to the areas to be annexed and still maintain the same level of municipal services to current residents of the city. We already have a shortage of police and firemen and our water rights are and have been deficient for the past three years.

I would recommend that the Laredo State University Tract (200 acres) petition be separate from the Killam Tract (1,133.67 acres.)

NOTE: In reference to this memorandum, Mayor Ramirez stated that it would go in record as correspondence. He stated that a Councilperson cannot vote in absentia, that they have to be present to vote in the council meetings.

3. 93-0-058 Authorizing the City Manager to enter into an agreement with Empresas Deportivas De Nuevo Laredo, S.A. de C.V. for the use of West Martin Field by Los Tecolotes De Los Dos Laredo, Mexican Baseball Team, during the 1993 Mexican Professional Baseball Season. (City Council)

Motion to approve.

Moved : Cm. Perales

Second: Cm. Perez

For: 6 Against: 0 Abstain: 0

(Cw. Aldridge and Cm. Juarez not present.)

V. CITY MANAGER'S REPORT

4. Authorizing action to proceed with the closing of Burnside, Madison, Lafayette, Baltimore, Pierre, and Boston Streets where they intersect with the east side of Anna Street.

Marina Sukup, Planning Director, stated that staff is closing the streets entering to Anna Avenue because there is a CPL right-of-way. She added there is a substantial amount of distance between the actual paving section of Anna (the edge of this lots). This is one alternative which would essentially permit the property owners to re-subdivide the lots to make smaller lots which is consistent with the balance of the development in this neighborhood. An alternative that they look at was to designate this area as R-2 (Multi-family) and some of the possibilities as far as an alignment which would protect the residential property owners from the noise of the truck avenue which is consistent with what council wanted.

Marina Sukup stated they tried to contact property owners who own two blocks and there was no response. She added that apparently they didn't want to discuss this issue.

Ms. Sukup recommend that there be no thru traffic onto Anna.

Motion to instruct staff to proceed with option (A) and include closing Philadelphia and to amend the motion to include that it go back to the street closing committee to follow all the procedures.

Moved : Cm. G. Perez

Second: Cm. Perez

For: 6 Against: 0 Abstain: 0

It was suggested that property owners be contacted again and be notified of the street closing committee meeting by correspondence advising them of said meetings.

VI. PUBLIC HEARINGS

Motion to open the public hearing(s):

Moved : Cm. G. Perez

Marina Sukup, Planning Director, made the presentation and stated that the applicant has requested that council table this item so that they can prepare a site plan.

Ron Whitehawk, representing the owner, Roque Vela stated that it was Mr. Vela's desire to postpone this item so that a site plan can be completed.

Motion to close the public hearing and table this item for the Special Council Meeting in April.

Moved : Cm. Perales

Second: Cm. G. Perez

For: 6

Against: 0

Abstain: 0

7. Consideration of an application for rezoning a 1.23 acre tract out of Porcion 28, Abstract 24, Eastern Division, from B-3 (Community Business District) to B-4 (Highway Commercial District) located on U.S. Hwy. 59, west of Casa Blanca Road and east of India Street; and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning a 1.23 acre tract out of Porcion 28, Abstract 24, located on Highway 59, from B-3 (Community Business District) to B-4 (Highway Commercial District); providing for publication and effective date.

Motion to open public hearing.

Moved : Cm. G. Perez

Second: Cm. Perez

For: 6

Against: 0

Abstain: 0

Marina Sukup, Planning Director, made the presentation.

There was no public input.

Motion to close the public hearing; approve the recommendation of zone change as recommended by P&Z; and introduce the ordinance.

Moved : Cw. Moreno

Second: Cm. Castaneda

For: 6

Against: 0

Abstain: 0

Ordinance Introduction: Cw. Moreno

8. Consideration of an application for rezoning Block 289, Lot 8, Eastern Division, from R-2 (Multi-Family Residential District) to B-1 (Limited Business District) located at 716 Gustavus; and that an ordinance be introduced.

b. Laredo State University Tract
(1,333.67 acres)

Marina Sukup, Planning Director, made the presentation and presented a service plan as in tract one with an exception that the water service will be provided at petitioner's expense from an existing line extended from the detention center on Del Mar Blvd. extended which will ultimately loop with systems to the south. This source of water will require the installation of a booster station at an estimated cost of \$280,000. The City Charter and City Ordinances require that all line extensions be at the expense of the petitioner. She added service plans on public wastewater services, maintenance of roads and streets, maintenance of parks, playgrounds, and swimming pools, maintenance of other public facilities, etc.

Carlos Mejia representing the Killam and LSU stated the they need to clarify some things that are new, for example on the capital improvements, where it states that the petitioner agrees to provide park and open space sufficient to serve the proposed development at such time as the property is platted, at a rate of one acre for every 350 inhabitants, or 0.01 acres per dwelling unit or building lot proposed. Mr. Mejia stated this wording gives the impression that the petitioner was approached and that he agrees. He stated that he thought he was not approached and that it takes two parties to have an agreement. He added this needs to be clarified.

Mr. Mejia also specified on the 200 acre campus for LSU that they proposed to have that as a university, a 100% owned by the university and there be some open space within the university. He stated that they are hoping they will not have to dedicate some park land inside the university.

Ms. Sukup stated that council has been ask to annexed 1,333.67 acres, we have not suggested that it come out of any particular portion of this land. She added that this service plan constitutes a contract and that this is the time to discuss this things, that the petitioner is on both actual and constructive notice of what conditions apply to this annexation.

Mayor Ramirez suggested that Ms. Sukup get together with the petitioner to discuss and clear up this matters.

c. Pinto Valle - Dolores Tract
(349.8 acres)

Marina Sukup, Planning Director, made the presentation. She presented a service plan on police and fire protection, solid waste collection, public water services, capital improvements, she added petitioner also agrees to set aside

three parcels of not less than sixteen acres each for school purposes, to be acquired by the school district.

Marina Sukup added that the P&Z Commission has reviewed each individual tract and has recommended each of them for annexation subject to some of this provisions.

d. Bustamante Farm Tract
(153.3582 acres)

Marina Sukup, Planning Director, stated that the service plan is similar to the other tracts proposed. She stated that the police and fire, solid waste are similar to the other tracts proposed, the water service will be provide at the petitioner's expense from existing lines extended from facilities in place on The Mines Road south of the tract.

She added that waterwaste services will be provided at petitioner's expense from facilities adjacent to the tract. Petitioner agrees to contribute its pro-rata share of the estimated \$1.6 million expansion of the collection system at Del Mar Industrial and Santa Maria Boulevard to accommodate the needs of the development.

Mrs. Sukup continued by saying that as we see more development the current facility will not handle it without major oversizing.

Carlos Mejia stated that his client probably doesn't necessarily disagree on this condition on the public waste-water services where it states that petitioner agrees to contribute its pro-rata share of the estimated \$1.6 million expansion of the collection system at Del Mar Industrial and Santa Maria Blvd. to accommodate the needs of the development. He questioned as to how much the pro-rata share of the estimated \$1.6 million is?

Tomas Rodriguez, Director of Utilities, stated that they need to figure out on the capacity of the pipe that's going to be put in and the amount of sewage that is calculated that would be discharged.

Mayor Ramirez suggested that Tomas Rodriguez get together with Mr. Mejia and fine tune this response to see how they will be affected.

e. Muller Tract
(25.0011 acres)

Marina Sukup, Planning Director, made the presentation. She presented a service plan in summary on police and fire protection, solid waste collection, etc.

There was no public input.

f. La Bota Tract
(223.468 acres)

Marina Sukup, Planning Director, made the presentation on a service plan. She stated that again the question of the pro-rata share of the wastewater main is the main issue. The tract does not require a construction or acquisition of capital improvements since it's extremely low residential improvement is proposed. She added that the school child park dedication requirements are so small that it would be economically infeasible for the city to request park in this location.

There was no public input.

g. Milo Business Center Tract
(191.1211 acres)

Marina Sukup, Planning Director, made the presentation. Mrs. Sukup presented a service plan on police and fire protection, etc. She added it requires no school sites and no parks, since it is an industrial park that is proposed. The water facilities will be extended from facilities in place on IH-35 subject to the United reimbursement contract.

Carlos Mejia, representing petitioner stated he had questions regarding wastewater services and stated he will meet with Mr. Tomas Rodriguez to have an idea of what is being talked about where it states that petitioner agrees to contribute its pro-rata share of the north-northeast wastewater trunkline and the expansion of the Zacate Creek Treatment Plant.

h. DeLlano Tract
(18.8856 acres)

Marina Sukup, Planning Director, presented a service plan on police and fire protection, solid waste, public water services, public wastewater services, maintenance of roads and streets, maintenance of parks, playgrounds and swimming pools, maintenance of other public facilities, and capital improvements.

Ron Whitehawk spoke on behalf of the proposed purchaser stated is their intent to simply extend the existing Shiloh Development to be R-1 type of lots (6,000 sq. ft. minimums) and it would be integrating to the existing development which surrounds it in both sides.

i. Ramos I Tract
(32.87 acres)

Marina Sukup presented a service plan on police and fire protection, solid waste collection, public water services, public wastewater services, maintenance of roads and streets, etc.

There was no public input.

j. Ramos II Tract
(32.79 acres)

Marina Sukup presented council with a service plan. She stated petitioner agrees to contribute the pro-rata share of the cost of two frequency inverters to be located at Lyon and Seymour Streets to assure adequate water pressure.

The petitioner agrees finance and construct the extension of an eight inch gravity line along U.S. 59 to serve his development. Alternatively petitioner may finance and construct a six inch force main and supporting lift station.

She added the proposed site is too small to condition any annexation on either schools sites or the dedication of park land.

Cm. Perez spoke in reference to the service plans that were provided to them. He spoke in reference to police protection and stated it is a ten year plan, that the police department should stick to the formula that we have because we don't want to find out in two or three years that we are going to have to add more police officers.

Cm. Perez stated on the fire protection, if we are going to provide this services again there is a formula that we have to stick to. We are going to provide the services with the same amount of equipment and manpower then there's no problem, but if not, we need to project these and come upfront. He added we can provide all this services but then later find out we are short in personnel.

Cm. Perez stated that on the solidwaste collection it's the same thing, we need to provide to see if we are going to have the adequate equipment to do this for these particular areas.

On the public water services, Mr. Rodriguez pointed out that we need booster stations at different areas, but the booster stations are only generating the same water that is being taken from the intake plant of the river so if there is an extension and upgrading this booster pumps we need to upgrade at the plant level to continue with the same pressure or better.

Continuing with waterwaste service, he added that they are going to pro-rate this services. He added we need to project on those ten years for potential development.

on those ten years for potential development.

Cm. Perez question also on the projections for maintenance of streets and street signalization.

Cm. Perez recommended that each department project for a ten year period and the finances that involved.

Mayor Ramirez stated that the point that Cm. Perez is making is a valid point, that we need to go in there project the build up for those properties for next ten years because we have to look at what can happen in ten years within those properties.

Mayor Ramirez suggested that on the next service plans that are presented that they show projections of growth in current rates, revenues, and the impact its going to have as far as services are concern. He suggested that this projections be brought for the next meeting addressing these items.

Cm. Perez asked that the Parks & Recreation Department look at this service plans for recommendations. Cm. Perez also suggested that he would also like to see who's going to maintain the medians, if at any point they are mentioned in any of these developments.

Cw. Moreno question the lines of annexations. She asked if they are going to be annexing the inner loop area.

Peter Vargas, City Manager, stated that they not been able to proceed because we didn't have the exact alignment of the inner loop.

Mayor Ramirez clarified that the direction from Council and the City Manager is to go along the inner loop and do the 500 ft. annexation aligning from their branch out into the areas as they develop and as a petition to get annexed.

Cm. Castaneda was concerned on the cost involved in fire and police protection. Also, that a Parks & Receptions Plan be incorporated into the developments.

Motion to close the public hearings on the ten tracts proposed for these voluntary annexation.

Moved : Cm. G. Perez
Second: Cm. Castaneda
For: 6

Against: 0 Abstain: 0

15. Public hearing concerning amending the City of Laredo's 1992-1993 annual budget to appropriate excess Police Trust Fund revenues from prior year by the amount of \$47,667 and authorizing the City Manager to implement said budget; and that an ordinance be introduced.

