

CITY OF LAREDO
LAREDO, TEXAS
SPECIAL CITY COUNCIL MEETING
1110 HOUSTON STREET
5:30 P.M.

M-92-S-09

M I N U T E S

MARCH 23, 1992

I. CALL TO ORDER

With a quorum present, Mayor Saul N. Ramirez, called the meeting to order.

II. PLEDGE OF ALLEGIANCE

Mayor Saul N. Ramirez, Jr. led in the Pledge of Allegiance.

III. ROLL CALL

IN ATTENDANCE:

SAUL N. RAMIREZ, JR.,	MAYOR		
JOSE R. PEREZ,	COUNCILMEMBER,	DISTRICT I	
JACINTO P. JUAREZ,	"	DISTRICT II	
ARLENE RASH ALDRIDGE,	"	DISTRICT III	
CECILIA MORENO,	"	DISTRICT IV	
BLAS CASTANEDA,	"	DISTRICT V	
EDUARDO PERALES,	"	DISTRICT VI	
HECTOR J. LIENDO,	"	DISTRICT VII	
CONSUELO MONTALVO,	"	DISTRICT VIII	
GUSTAVO GUEVARA, JR.,	CITY SECRETARY		
PETER H. VARGAS,	CITY MANAGER		
JERRY BRUCE CAIN,	ASSISTANT CITY ATTORNEY		

ABSENT:

Motion to excuse Cm. Castaneda.

Moved : Cm. Juarez

Second: Cm. Liendo

For: 7

Against: 0

Abstain: 0

IV. INTRODUCTORY ORDINANCES

2. An ordinance altering and extending the boundary limits of the City of Laredo, and annexing additional territory of 122.4227 acres located South of Colonia Los Angeles Subdivision; known as, Los Obispos.

Ordinance Introduction: City Council

3. An ordinance altering and extending the boundary limits of the City of Laredo, and annexing additional territory of 371.7869 acres located between the Mines Road and the Rio Grande River, approximately 3.5 miles West of the Del Mar

Boulevard interchange; known as, La Bota Ranch.

Ordinance Introduction: City Council

Motion to dispense with the regular order of business and move items 7 before acting on item 4 for council action.

Moved : Cw. Montalvo

Second: Cm. Juarez

For: 7

Against: 0

Abstain: 0

4. An ordinance amending the Federal Aviation Administration (FAA) Grant Fund Budget for the 1991-1992 Fiscal Year by:
1. Increasing the following revenue line items - FAA Grant Proceeds from \$0 to \$422,478, Certificates of Obligation Proceeds from \$0 to \$127,265, Airport Capital Improvements Proceeds from \$0 to \$28,672; and
 2. Increasing the following expenditure line items - Terminal Expansion Improvements from \$0 to \$541,015 and Fence Improvements from \$0 to \$37,400. And, authorizing the City Manager to implement said budget.

Ordinance Introduction: City Council

V. FINAL READINGS

Motion to waive the final reading of ordinances #92-0-065 and #92-0-066.

Moved : Cw. Montalvo

Second: Cw. Moreno

For: 7

Against: 0

Abstain: 0

5. 92-0-065 Authorizing the City Manager to enter into an agreement with Empresas Deportivas de Nuevo Laredo, S.A. de C.V. (Tocolotes), for the lease of West Martin Field, concession operations, and advertising sales. (City Council)

Motion to approve.

Moved : Cw. Montalvo

Second: Cw. Moreno

For: 7

Against: 0

Abstain: 0

6. 92-0-066 Amending the Zoning Ordinance (Map) of the City of Laredo by a 43.6 acre tract from B-3 (Community Business District), to B-3 (Community Business District Special Use Permit); providing for publication and effective date. (City Council)

Motion to approve.

Moved : Cw. Montalvo

Second: Cw. Moreno
 For: 7 Against: 0 Abstain: 0

VI. RESOLUTIONS

7. 92-R-031 Accepting a grant from the Federal Aviation Administration, in the amount of \$422,478.00, to expand the Airport's Passenger Terminal and to upgrade fencing.

Motion to approve.

Moved : Cm. Juarez
 Second: Cw. Montalvo
 For: 7 Against: 0 Abstain: 0

VII. MOTIONS

8. Award of construction contract for the Laredo International Airport Terminal Addition to the Low Bidder, Ontrak Management Systems, Inc., Austin, Texas, in the amount of \$462,215.00.

Motion to table for April 6, 1992.

Moved : Cw. Montalvo
 Second: Cm. Juarez
 For: 7 Against: 0 Abstain: 0

9. Award of construction contract for the "11,600 Linear Feet of Airport Perimeter Fence at the Laredo International Airport" Project to the Sole Bidder, Fence Masters, Inc., Laredo, Texas, in the amount of \$32,363.00.

Motion to table for April 6, 1992.

Moved : Cw. Montalvo
 Second: Cm. Juarez
 For: 7 Against: 0 Abstain: 0

10. Approval of a budget amendment to the contract between the City of Laredo and the Chamber of Commerce/Convention and Visitor's Bureau, for the period beginning October 1, 1991 to September 30, 1992.

Motion to approve with changes made.

Moved : Cm. Juarez
 Second: Cw. Aldridge
 For: 7 Against: 0 Abstain: 0

VIII. CITY MANAGER'S REPORT

11. Authorizing the submittal of the HOME Investment Partnership

Program Description to the U.S. Department of Housing and Urban Development, as application for a HOME entitlement grant of \$1,245,000, and the execution of any and all documents resulting from such submission.

Motion authorizing the submittal of the HOME Investment Partnership Program Description.

Moved : Cw. Montalvo
Second: Cm. Liendo
For: 7

Against: 0 Abstain: 0

12. Request for executive session under Article 6252-17, Section 2(g), of Vernon's Annotated Revised Civil Statutes of Texas, to discuss personnel matters.

Motion to go into executive session under Article 6252-17, Section 2(g).

Moved : Cw. Aldridge
Second: Cw. Montalvo
For: 7

Against: 0 Abstain: 0

After executive session the Mayor stated there was no formal action taken.

IX. COMMUNICATIONS

13. Request by Councilmember Eduardo Perales to address the City Council.

Cm. Perales stated that the purpose of this item was for informing the public and the council of previous statements made at the previous meeting of which he wanted to clarify to the public of any wrong messages that might have been transmitted to the public. Cm. Perales stated that on the financing of the convention center/sports center it was made mentioned that the city had not given the facts to the public. He stated that he had a tape of the discussion made at a meeting held with the Hotel-Motel Association people in the public access channel and that the finance package was discussed with the Hotel-Motel people and at the same time it went out to the public. He added that this plan was discussed with the banks, the Chamber of Commerce and several service clubs.

Cm. Perales also added another item that was mentioned was that monies were being taken away from paving. He clarified that street paving has already been committed and that by 1996 Laredo should be totally paved. He added that this was something the city had planned and that the public had supported thru the bonds that they accepted. Cm. Perales clarified that this means if we build anything else, we are not taking anything away from the paving program. The

convention center will also be using CDBG monies, but this does not mean we will be taking monies from the paving program to be put in the convention center. He added this is for economic development. Cm. Perales continued saying that if the new convention center is built at the present location, no new hotels will develop there and that the U.I.S.D. needs new growth in its district and new hotels will help in this taxing district.

He finished by explaining that there is no confusion in the council concerning the convention center development and where the other projects stood.

Mr. Carlos Villarreal explained on the concern of some confusion on the last council meeting regarding the inner loop and about the original concept that was submitted to the Federal Government.

Mr. Villarreal gave a rundown as to what had happen regarding the inner loop as follows:

- (1) Approximately one year ago, on March 9th, 1991 there was a group of people from Council that went to Washington, Cm. Blas Castaneda, Cw. Montalvo and Cw. Aldridge together with the City Manager and himself went to Washington and had the original meeting after they had discussed the item related to the inner loop very carefully with the Texas Highway Department; gotten our figures correct and we submitted this as part of the briefing plan approximately one year ago. It was tab no. 4 that indicated exactly the funding that we were requesting for the inner loop and it has not changed until now.
- (2) On May 12 the inner loop was mentioned as part of the City Comprehensive Plan.
- (3) On July 23, 1991 there was an announcement made of approval of the inner loop and it mentioned very explicitly that it was widening of F.M. 3464 plus the continuation of construction on inner loop all the way from I.H. 35 down to Highway 59.
- (4) On July 31, 1991 the inner loop was discussed in detail with the City Council on Executive Session related to land acquisition.
- (5) On September 16th another briefing book with the same item, with the same amounts of money, as had been indicated in March of 1991 were submitted again to Councilmembers that went to Washington. Members that went to Washington were the Mayor Saul N. Ramirez, Cw. Aldridge, City Manager Peter H. Vargas and himself that went to the meetings in Washington and again

discussed the inner loop project in detail.

- (6) Again, in October 4, 1991 a big announcement in the Laredo Morning Times was indicating information on the inner loop, again indicating widening of F.M. 3464 and of the construction of the inner loop the all the way from I.H. 35 to Highway 59.
- (7) On October 16, 1991 again the inner loop is further described because we are working in two funding levels, we were working in an Appropriations Bill and Surface Transportation Bill and again, on articles on October 15, 24, November 26th again they brought about the facts related to the inner loop, no funding change, no change in project concept everything as was originally submitted on March of 1991.
- (8) Then, the culmination of 1991 of which the President signed the Surface Transportation Bill that authorized the 7.4 Million Dollars in addition to the 1.6 Million Dollars in appropriations for the inner loop.

Mr. Carlos Villarreal stated that this has always been their intent and that he had discussed this with Amadeo Saenz who stated there had been no confusion as far as the Highway Department is concerned. Mr. Villarreal added that he had told Mr. Saenz this was exactly how the city felt. They will probably be having a public hearing in April to be able to give the city of Laredo an alignment and have a public hearing. He added that while they go to finalization of the plans and specifications, we will go into land acquisition which will almost be accomplished at the same time. He stated that maybe hopefully by the beginning of 1993 construction of the inner loop can be started.

Mr. Villarreal again, clarified there was never any confusion from staff's point of view or from any of the members that accompanied them to Washington. He again stated the concept has not changed, the money figures have not changed, we know exactly what we are doing.

X. PUBLIC HEARINGS

Motion to open the Public Hearing(s)

Moved : Cm. Juarez

Second: Cw. Montalvo

For: 7

Against: 0

Abstain: 0

- 14. That a public hearing be held regarding a request from Gamez Bros. Produce Co., to rezone site from R-3 (Mixed

Residential District) to B-1 SUZD (Limited Business District), on Block 243, Lots 7 & 8, Eastern Division, located at 1701 Marcella, and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Block 243, Lots 7 & 8, Eastern Division, from R-3 (Mixed Residential District), to B-1 (Limited Business Specific Use Zoning District); providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Juarez

Second: Cw. Montalvo

For: 7

Against: 0

Abstain: 0

Mr. Erasmo Villarreal, Acting Planning Director, made the presentation before the council.

Mrs. Hermelinda Arnold, a resident of Galveston St., stated that she was opposed to the commercial zone change request due to the fear of possible future construction of a warehouse and the parking of refrigerated trailers that are left on at night and during the early morning hours.

Mr. Mario Tijerina of 1704 Marcella spoke against the SUZD request from Gamez Produce.

Mrs. Araceli Tijerina of 1704 Marcella spoke against any zone change request for the Gamez Produce Company.

Mr. Albert Muller III, representing Gamez Bros. Produce, spoke before the council to speak in favor allowing a SUZD for the purpose of allowing his employees' vehicles and the business bobtail trucks to park and not for refrigerated trailers.

Mr. Pepe Gamez of Gamez Bros. Produce stated that he has a security to stop trailers from parking in the empty lot. He added that they would add a guardrail, lights & fence to the lot. The guardrail would be for the purpose of not allowing tractor trailers into the lot. The cyclone fence would be 10' high.

Motion to close the public hearing.

Moved : Cm. Perales

Second: Cm. Liendo

For:

Against: 0

Abstain: 0

Motion that SUZD be approved with required lighting, cyclone

fencing and the barricade for the entrance prevention of tractor trailers.

Moved : Cm. Perales
Second: Cw. Montalvo
For: 7

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Perales

15. That a public hearing be held regarding a request of Robert M. Flores to rezone site from R-3 (Mixed Use Residential District) to B-3 (Community Business District), on Block 90, Lot 10, Eastern Division, located at 1320 Sanders Avenue, and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Block 90, Lot 10, Eastern Division, from R-3 (Mixed Residential District), to B-3 (Community Business District); providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Juarez
Second: Cm. Perez
For: 7

Against: 0

Abstain: 0

Mr. Robert M. Flores spoke in favor of zone change.

Motion to close the public hearing and concur with P&Z introduce.

Moved : Cm. Juarez
Second: Cw. Montalvo
For: 6
(Cw. Aldridge was temporarily out)

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Juarez

16. That a public hearing be held regarding a request of Juan Luis Perez to rezone site from B-3 (Community Business District) to B-4 (Highway Commercial District), on Tract 5, William Berjarano Plat, located at 3600 Saunders Avenue, and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Tract 5, William Berjarano Plat, 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. Juarez
 Second: Cw. Montalvo
 For: 6

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and concur with P&Z.

Moved : Cm. Juarez
 Second: Cw. Montalvo
 For: 6

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Juarez

17. That a public hearing be held regarding a request of Laura Alejo to rezone site from R-2 (Multi-Family Residential District) to B-1 (Limited Business District), on Block 248, Lot 2, Eastern Division, located at 803 Guerrero Street, and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Block 248, Lot 2, Eastern Division, from R-2 (Multi-Family Residential District), to B-1 (Limited Business District); providing for publication and effective date.

Motion to open the public hearing.

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

Against: 0

Abstain: 0

Mr. Ron Whitehawk, speaking on behalf of Ms. Alejo, spoke before the council in favor of the zone change request.

Motion to approve as R-2 SUZD with lighting and send back to P&Z for further consideration and close the public hearing.

Moved : Cw. Aldridge
 Second: Cm. Juarez
 For: 7

Against: 0

Abstain: 0

18. That a public hearing be held regarding a request of Northtown and Gateway Centennial Development to rezone site from B-1 (Limited Business District) to B-3 (Community Business District), on Block 1, Lot 2-A, Del Mar Filing #1, located at the Northeast corner of Eden Lane and Del Mar Boulevard, and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Block 1, Lot 2-A, Del Mar Filing #1, 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: Cw. Montalvo
For: 7

Against: 0 Abstain: 0

Mr. Ron Whitehawk, representing the property owner, spoke in favor of allowing his client a zone change.

Motion to close the public hearing and introduce and concur with P&Z.

Moved : Cm. Perales
Second: Cw. Moreno
For: 7

Against: 0 Abstain: 0

Ordinance Introduction: Cm. Perales

19. That a public hearing be held regarding a request of Issac Epstein to rezone site from B-3 (Community Business District) to B-4 (Highway Commercial District), on Block 1061, and Block 1060 Lots 4-12, Western Division, located at 4200 I.H. 35 North, and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Block 1060, Lots 4, 5, 6, 7, 8, 9, 10, 11, 12, and Block 1061, Western Division, 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 : Cw. Montalvo
Second: Cm. Juarez
For: 7

Against: 0 Abstain: 0

Mr. Ron Whitehawk, representing Mr. Epstein, requested approval of zone change.

Motion to close the public hearing and accept the recommendation of P&Z and introduce.

Moved : Cm. Perales
Second: Cw. Aldridge
For: 7

Against: 0 Abstain: 0

Ordinance Introduction: Cm. Perales

20. That a public hearing be held regarding the amending of Section 24-61 of the Zoning Ordinance to delete the definition nursery school, add the definition of family home, and amend the definition of day care center; amending Section 24-67, to delete nursery schools and day care centers as permitted uses, and to add family homes as a permitted use, and that the ordinance amending those sections of the Zoning Ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Amending Section 24-61 of the Zoning Ordinance, Subsection (b) (Definitions), to delete the definition of nursery School, the definition of family home, and amend the definition of day care center; amending Section 24-67, Subsection (b) (2-8), to delete nursery schools and day care centers as permitted uses, and to add family homes as a permitted use; providing for publication and effective date.

Motion to open the public hearing.

Moved : Cw. Aldridge
Second: Cm. Juarez
For: 7

Against: 0 Abstain: 0

Ms. Maria Villa stated that she was informed since November of last year and has been waiting for this change approval.

Motion to close the public hearing, introduce and publish as a public hearing.

Moved : Cm. Juarez
Second: Cm. Perez
For: 7

Against: 0 Abstain: 0

Ordinance Introduction: City Council

21. That a public hearing be held regarding the amending of Section 24-61 of the Zoning Ordinance to add the definitions of adult day care facility and adult day health care facility; and amending Section 24-73, to add adult day health care facility as an allowed use, and that the ordinance amending those sections of the Zoning Ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Amending Section 24-61 of the Zoning Ordinance, Subsection (b) (Definitions), to add the definitions of adult day care facility and adult day health care facility; amending Section 24-73, Subsection I(b) to add adult day health care facility as an allowed use; providing for publication and

effective date.

Motion to open the public hearing.

Moved : Cm. Juarez
Second: Cw. Montalvo
For: 7

Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing, introduce and publish as a public hearing.

Moved : Cw. Montalvo
Second: Cm. Juarez
For: 7

Against: 0 Abstain: 0

Ordinance Introduction: City Council

22. That a public hearing be held regarding the amending of Section 24-71 of the Zoning Ordinance to restructure the permitted uses in the B-1 District, and to add day care centers and adult day care centers as permitted uses, and that the ordinance amending that section of the Zoning Ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Amending Section 24-71 of the Zoning Ordinance, Subsection (c) to restructure the permitted uses in the B-1 District, and to add day care and adult day care centers as permitted uses; providing for publication and effective date.

Motion to open the public hearing.

Moved : Cw. Montalvo
Second: Cm. Juarez
For: 7

Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing, introduce and publish as a public hearing.

Moved : Cm. Juarez
Second: Cm. Perez
For: 7

Against: 0 Abstain: 0

Ordinance Introduction: City Council

23. That a public hearing be held regarding the amending of Section 24-69 R-3 (Mixed Residential District) of the Zoning Ordinance to delete the lot ownership requirement for mobile home placement, and to provide appearance standards for

mobile homes in R-3 lots, and that the ordinance amending that section of the Zoning Ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Amending Section 24-69, R-3 (Mixed Residential) to provide appearance standards for the R-3 zoning district; providing for publication and effective date.

Motion to open the public hearing.

Moved : Cw. Montalvo

Second: Cm. Liendo

For : 7

Against: 0

Abstain: 0

Mr. Aldo Tatangelo spoke against the ordinance change.

Mr. Juan Narvaez spoke in favor of the ordinance change.

Motion to close the public hearing, introduce and publish as a public hearing.

Moved : Cm. Perales

Second: Cm. Montalvo

For: 6

Against: 1

Abstain: 0

(Cw. Aldridge)

Ordinance Introduction: City Council

24. That a public hearing be held regarding the amending of Section 83-1 (Planned Unit Development) of the Zoning Ordinance, and that the ordinance amending that section of the Zoning Ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

An ordinance amending Section 83-1 PUD-Planned Unit Development, 8. Utility and Infrastructure Requirements, providing for public or private maintenance of utilities.

Motion to open the public hearing.

Moved : Cm. Juarez

Second: Cm. Perales

For: 7

Against: 0

Abstain: 0

Mr. Carlos Mejia and Albert Muller, III spoke before the council stating that the developer will maintain certain options in maintaining the streets, drainage repairs, etc. but that the city provide such services as police, fire, sewage and water.

Motion to close the public hearing, concur with P&Z and introduce.

Moved : Cw. Montalvo
Second: Cw. Aldridge
For: 7

Against: 0

Abstain: 0

Ordinance Introduction: City Council

25. That a public hearing be held regarding an ordinance amendment providing for reduced block lengths and new street lighting requirements, and that the ordinance amending those sections of the Subdivision Ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Amending certain sections of the Subdivision Ordinance as follows:

1. Section 3-5: Blocks; providing for exceptions to 1200' block requirement;
2. Section 3-6: K. Street Lighting; providing for publication and effective date.

Motion to open the public hearing.

Moved : Cw. Montalvo
Second: Cm. Perales
For: 7

Against: 0

Abstain: 0

Mr. Carlos Mejia and Mr. Francisco Canseco spoke in favor of the ordinance changes.

Motion to close the public hearing, concur with P&Z and introduce.

Moved : Cw. Montalvo
Second: Cm. Juarez
For: 7

Against: 0

Abstain: 0

Ordinance Introduction: City Council

XI. ADJOURNMENT

Motion to adjourn.


Moved : Cm. Juarez
Second: Cm. Perez
For: 7

Against: 0

Abstain: 0

Adjournment was at 9:00 P.M.

I HEREBY CERTIFY THAT THE ABOVE MINUTES CONTAINED IN PAGES 01 TO 14 ARE A TRUE, COMPLETE AND CORRECT PROCEEDINGS OF THE SPECIAL CITY COUNCIL MEETING HELD ON THE 23RD DAY OF MARCH, 1992. 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

APPROVED BY CITY COUNCIL ON: APR 06 1992

CORRECTIONS: