

CITY OF LAREDO
CITY COUNCIL MEETING

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

MINUTES

M97-R-15

APRIL 28, 1997

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

Mayor Protem Casso 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 |
| ELISEO VALDEZ | " | , DISTRICT V |
| JOE A. GUERRA, | " | , DISTRICT VI |
| CONSUELO "CONSUELO MONTALVO, | " | , DISTRICT VIII |
| GUSTAVO GUEVARA, JR., | CITY SECRETARY | |
| FLORENCIO PENA, | CITY MANAGER | |
| JAIME L. FLORES, | CITY ATTORNEY | |

ABSENCES:

Motion to excuse Cm. Alvarado.

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

Against: 0 Abstain: 0

Motion to dispense with the regular order of business and move up items #13, #14 - B(1) and B(2).

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

Against: 0 Abstain: 0

IV. FINAL READINGS

Motion to #97-O-090, #97-O-092, #97-O-093, #97-O-094, #97-O-095, #97-O-096, #97-O-096, #97-O-097, and #97-O-098.

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

Against: 0 Abstain: 0

- 2. 97-O-090 Ordinance authorizing the City Manager to execute a lease with Laredo Independent School District for approximately 9,216 square feet constituting Building #1325 located at 4103 Maher Avenue.
 - 1. Lease term is for one (1) year commencing February 1, 1997 and ending January 31, 1998.
 - 2. Monthly rent shall be \$1,996.89. Previous monthly rent was \$1,901.80.
 Lease premises are used for storage.
(City Council)

Motion to approve Ordinance #97-O-090.

Moved : Cm. Perez
Second: Cw. Montalvo
For: 5

Against: 0 Abstain: 2
Cm. Perez
Cw. Moreno

- 3. 97-O-092 Ordinance authorizing the City Manager to grant a license to Bestel, S.A. de C.V. for the use of a telecommunications PVC conduit on Juarez Lincoln International Bridge and on city right-of-way on San Francisco Avenue and the Riverbank
 - 1. License term is for five (5) commencing on April xx, 1997, and ending April xx, 2002.
 - 2. Annual rent shall be \$10,000.00 and will be adjusted annually during the term of this license according to changes in the Consumer Price Index; providing for effective date.
(City Council)

Motion to approve Ordinance #97-O-092.

index up to a maximum of four percent (4%) over the minimum rent charged the previous year, but only if the amount arrived at exceeds the rental charge for the previous year.
(City Council)

Motion to approve Ordinance #97-O-094.

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

6. 97-O-095 Ordinance authorizing the acceptance of a 0.6736 acre easement out of Porcion 36 as recorded in volume 1407 pages 243-246 of the Webb County records, and the release of a 40 foot utility easement located on Santa Fe Subdivision as recorded in volume 49, pages 327-328 of the Webb County deed records. This action is a utility easement trade between the City and Santa Fe Subdivision which is at no cost to the City. (City Council)

Motion to approve Ordinance #97-O-095.

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

7. 97-O-096 Ordinance amending the City of Laredo's 1996-1997 (LEOSE) account fund budget in the amount of \$22,756.35 from the State's Law Enforcement Officers Standards and Education (LEOSE) account for continuing education for police officers for the period of October 01, 1996 through September 30, 1997. (City Council)

Motion to approve #97-O-096.

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

8. 97-O-097 Ordinance amending the ordinance which establishes bus charter service rates to be charged by the El Metro Transit System, to be effective as of each fiscal year (October 1), to be based on the budgeted operating cost per hour, increased by 25%

to provide for depreciation expense. This amount would be referred to the "**base rate**". Currently, (FY 1996-97), the base rate would be \$50.00 per hour. For each vehicle chartered, a two-hour minimum would apply. Time chargeable for charters is measured from the time the vehicle leaves the transit garage, to the time the vehicle returns to the garage.

- A. The hourly rate for persons or entities not qualifying for the base rate described above, or reduced rate described below, would be charged 150% of the base rate. Currently, this would be \$75.00 per hour.
- B. The hourly rate for organizations organized under the following sections of the Internal Revenue Code would be charged base rate (currently, \$50.00 per hour):
 - * §501 (c) (3): Corporations, funds or foundations organized exclusively for religious, charitable, scientific for public safety, literary or educational purposes, or to foster national or international sports competition, or the prevention of cruelty to animals or children.
 - * §501 (c) (4): Civic league, an organization not organized for profit, but operated exclusively for the promotion of social welfare.
 - * §501 (c) (6): Business league, chamber of commerce, real estate board, board of trade, professional football league, not organized for profit.
- C. City of Laredo departments, other local, state and federal government bodies, school districts, colleges and universities would be charged the base rate. (currently, \$50.00 per hour)
- D. Conventions and events promoted and underwritten through the Laredo Convention and Visitors Bureau would be charged at 80% of the base rate. (Current charge would be \$40.00 per hour); providing for publication and effective date.
(City Council)

Motion to approve #97-O-097.

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

- 9. 97-O-098 Ordinance amending the City of Laredo's 1996-1997 Annual Budget by increasing the PAC Fund Revenues by \$300,000.00 and appropriating \$300,000.00 to the public access capital outlay line item to be used for purchasing of equipment for the new public access building.
 (City Council)

Motion to approve #97-O-098.

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

V. RESOLUTIONS

- 10. 97-R-046 Confirming the appointment by the City Manager of the three members of the Fire Fighters' and Police Officers' Civil Service Commission of the City of Laredo.

Motion to amend the resolution by changing the expiration terms for Raul Garcia from January 31, 1998 to April 28, 1998; Eduard Sherwood from January 31, 1999 to April 28, 1999; and Joaquin Romero from January 31, 2000 to April 28, 2000.

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

Motion confirming the appointment by the City Manager of members of the Fire Fighters' and Police Officers' Civil Service Commission of the City of Laredo as follows:

Raul Garcia to serve one year from April 29, 1997 to April 28, 1998.

Edward Sherwood to serve two years from April 29, 1997 to April 28, 1999.

Joaquin Romero to serve three years from April 29, 1997 to April 28, 2000.

Moved : Cm. Perez
Second: Cw. Moreno
For: 7 Against: 0 Abstain: 0

VI. MOTIONS

11. Awarding a professional service contract between the Laredo Urban Transportation Study and Rust Lichliter/Jameson for professional services in the development of a Hazardous Cargo Community Risk Assessment and Route Alternative analysis by and through the City Manager of the City of Laredo, Texas in the aggregate amount of \$30,000.00. Funding is appropriated under a Section 112 grant.

Motion to approve.

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

12. Authorizing the City Manager to accept and execute a 1996-1997 urbanized area formula program grant (No. TX-90-X406) from the Federal Transit Administration in the maximum amount of \$2,370,312.00 (Federal Share); and providing for grant funds to be deposited in the Mass Transit Department accounts.

Motion to approve.

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

VII. CITY MANAGER'S REPORT

13. Request for City Council confirmation of City Manager's recommendation for appointment and employment to the position of Laredo Chief of Police. The City Manager has interviewed the four final candidates. They are Richard Clark, Agustin Dovalina, Stephen Garza and E.J. Laurel.

Motion to table until October 1st and to maintain status quo.

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

Against: 0 Abstain: 0

Motion to reconsider the tabling for discussion.

Moved : Cm. Casso
Second: Cm. Guerra
For: 3
Cm. Bruni
Cm. Casso
Cm. Guerra

Against: 4 Abstain: 0
Cm. Perez
Cw. Moreno
Cm. Valdez
Cw. Montalvo

Note: Verbatim is attached.

VIII. COMMUNICATIONS

Florencio Peña, City Manager, announced that he had received a phone call from Arquitecto Antonio Fuentes Flores who is representing the candidate for the position of Governor of Nuevo Leon, Fernando Clareond, Partido De Accion Nacional (PAN). They have asked that the City Council be invited to attend a meeting on the Colombia side of our Solidarity Bridge to review and have an exchange of ideas on plans and programs for the future development of the Solidarity Bridge. There will be a city bus available to take the group to the bridge at 6:00 p.m. on Tuesday, May 6.

Cm. Valdez announced that May 1st is the National Day of Prayer and invited the Mayor and Council and community to participate at 12:45 p.m. at City Hall.

IX. CITY COUNCIL DISCUSSION AND PRESENTATION

14. Requests by Mayor and City Councilmembers for discussion and presentation.

A. Requests by Mayor Saul N. Ramirez Jr.

1. Discussion and possible action concerning the sale of fifteen replacement vehicles to our Sister City of Nuevo Laredo, Tamps., as follows:

Vehicle

- a) 1989 Ford Taurus 4 door
- b) 1989 Ford LTD 4 door
- c) 1989 Ford Cargo Van 4 door
- d) 1989 Ford Pickup F-150
- e) 1989 Ford LTD 4 door

- f) 1986 Ford Taurus 4 door
- g) 1986 Ford 1/2 Ton Pickup
- h) 1977 Chev. winch Truck C-65
- i) 1990 Chev. Pickup C-10
- j) 1989 Chev. Ext. Pickup C-10
- k) 1992 Ford Crown Victoria 4 door
- l) 1993 Ford Crown Victoria 4 door
- m) 1993 Ford Crown Victoria 4 door
- n) 1993 Ford Crown Victoria 4 door
- o) 1993 Ford Crown Victoria 4 door

Motion to approve.

Moved : Cm. Perez

Second: Cm. Bruni

For: 7

Against: 0

Abstain: 0

The book values as reported by Abelardo Medellin from Fleet Management through Joe Guerra, Public Works Director, are as follows:

| | <u>Book Value</u> |
|------------------------------------|-------------------|
| a) 1989 Ford Taurus 4 door | 2000.00 |
| b) 1989 Ford LTD 4 door | 2500.00 |
| c) 1989 Ford Cargo Van 4 door | 2500.00 |
| d) 1989 Ford Pickup F-150 | 2000.00 |
| e) 1989 Ford LTD 4 door | 2500.00 |
| f) 1986 Ford Taurus 4 door | 2000.00 |
| g) 1986 Ford 1/2 Ton Pickup | 2000.00 |
| h) 1977 Chev. winch Truck C-65 | 3000.00 |
| i) 1990 Chev. Pickup C-10 | 5000.00 |
| j) 1989 Chev. Ext. Pickup C-10 | 4000.00 |
| k) 1992 Ford Crown Victoria 4 door | 3050.00 |
| l) 1993 Ford Crown Victoria 4 door | 4250.00 |
| m) 1993 Ford Crown Victoria 4 door | 4150.00 |
| n) 1993 Ford Crown Victoria 4 door | 4150.00 |
| o) 1993 Ford Crown Victoria 4 door | 4150.00 |

B. Requests by Councilmember Jose R. Perez Jr.

1. Request for Executive Session to be conducted pursuant to Section 551.074 of the Texas Government Code to deliberate the appointment and employment of the Chief of Police. The City Manager has interviewed the four final candidates. They are Richard Clark, Agustin Dovalina, Stephen Garza and E.J. Laurel.

Motion to table indefinitely.

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

Against: 0

Abstain: 0

2. Presentation by the Sylvia Bruni representative for Laredo Commission for Women regarding the criterion for selection of a new Police Chief.

Ms. Sylvia Bruni requested if council should include as a criteria in the selection of the new police chief a specific work plan addressing domestic violence.

Cm. Guerra commented that one of the candidates that Mr. Peña was recommending happens to be a board member of the Stop Child Abuse and Neglect and this is one of his priorities.

C. Requests by Councilmember Louis H. Bruni

1. Discussion and possible action regarding the placement of Ponderosa Street into the city's current paving program.

Cm. Bruni stated that there seems to be four or five blocks in Ponderosa that are in poor shape which are in desperate need of repairs. There might be some kind of under line problem that is causing this problem. He also added that complaints have been received that tractor trailers are starting to use Ponderosa.

Rogelio Rivera, Engineering Director, stated that coming south from Calton the western half of that street seems to have been torn up with heavy weight traffic. They have looked at the under line problem and the possibility that there might be a water/sewer break line breakage, but Mr. Roman states that water/sewer lines do not run along Ponderosa, but rather cross the street. The other thing probably would be that either there might be a drainage problem that when it rains, the water stays within those bounds of the street areas. There might be some kind of ponding either from the watering of lawns or from water not draining properly to the valley gutters. They will continue investigating and take elevations along the stretch that is torn up. He thinks it does require a reconstruction of some type.

Motion to instruct staff to bring back their recommendation with cost estimates for the next council meeting.

Moved : Cm. Bruni

Second: Cm. Perez

For: 7

Against: 0

Abstain: 0

2. Discussion and possible action regarding the wastewater problems at the 400 block of Ponderosa Street.

Note: This item was combined with item #1.

3. Discussion and possible action regarding the placement of a barricade or similar device in order to prevent vehicles from accessing Casa Blanca Road from Clubview Drive.

Cm. Bruni stated there is an ongoing problem there, it seems that every time a barricade is placed there it only lasts a week and is torned down. The residents on Clubview Drive are upset that this intersection is being used to access Casa Blanca Road and there is traffic late at night that is coming out of Casa Blanca Road and making a short cut into this area.

Mr. Luis Landin said he contacted the property owner because they come from the Casa Blanca Road into his property, they have installed barricades, they keep breaking them. They have put dirt, now they are going around the dirt. He will contact the property owner and suggest that he put some kind of cable or see what can be done to keep them out of the property.

Cm. Bruni requested a timeline date and that it be brought at our next council meeting as an action item.

D. Requests by Councilmember Alfonso "Poncho" Casso

1. Discussion and possible action regarding the creation of a committee to study and make recommendations to streamline the permit process.

Cm. Casso suggested that a committee be formed to study the whole permit process to become more competitive in the market. He added that he would like to see a committee of developers, builders, realtors, engineers, etc. to get more input from the public to see how they can streamline that process. He suggested that council name the members and have them come back to council and then have public hearings.

Motion to place the item in the agenda for the May 15th meeting to name the Ad Hoc Committee members and at that time, charge the committee with a time certain as to the work that needs to be done and when they would like them to report back to council.

Moved : Cm. Casso
 Second: Cm. Guerra
 For: 7

Against: 0 Abstain: 0

2. Discussion and possible action regarding the preparation of a 50 year lease with the childrens museum.

Cm. Casso asked that this lease be placed on the fast track so that the childrens museum organization can start getting their donations.

The City Attorney will prepare the lease by the May 5th meeting.

Motion to reaffirm our commitment to work with the Laredo Children's Museum to provide them with the necessary land to construct their new facility adjacent to our future library site.

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

Against: 0 Abstain: 0

3. Discussion and possible action regarding the reorganization of the Utilities Collections Division and Tax Division.

Florencio Peña, City Manager, gave the following report:

Issue 1

Customer service is poor and often do not know whether to go to the Tax Department or the Utilities Department to resolve a problem. At times the City Manager's Office has interceded in resolving the customer's problem.

Goal

This proposed reorganization will place clear accountability for all aspects of the Utility billing, meter reading and customer service with the Utilities Director. Customers who have a problem related to "any aspect of their Utility Services will be assisted by the proposed Utilities Department Utility Billing Division. The Tax Department

will continue to perform "collections" functioning as a payment station.

Issue 2

Since the reorganization in 1991, a significant number of discrepancies in the billing function have been reoccurring. Of major concern to City Management are the numerous accounts which have continued to receive services without being billed, thus, resulting in a significant loss of revenues in the water and sewer funds and the general fund since garbage fees are billed and collected via the utility bills. The loss of funds is being attributed to accounts which are not being billed.

Goal

The proposed organization will establish an organizational structure within the Utilities Department that has clearly defined functions of 1.) customer service, 2.) utility billing, and 3.) meter reading. A supervisor will be assigned to each function and will be directly responsible for ensuring that discrepancies are not reoccurring and that they are resolved in a timely manner.

Issue 3

Numerous complaints have been received from builders and property owners indicating that service connects and disconnects are not being performed on a timely basis.

Goal

The proposed reorganization of the Utility Billing system will streamline field operations. The disconnect and reconnect field operation procedures will be modified to enable meter servicemen to complete work orders promptly. Improved communication between the office staff and field employees will enable the City to perform disconnects and reconnects promptly and efficiently to reduce the number of days from the date of the customers request to perform disconnects and reconnects to the date the work order is completed.

Issue 4

Improvement is needed in the area of meter reading to ensure

that all meters are identified, included in the Utility Billing database and read every cycle route. The Water Audit preliminary findings and the Non-deposit program have supported that this weakness is of great concern.

Goal

Through coordinated efforts within the Utilities Department, cycle routes will be evaluated and revised as needed to ensure that all meter are identified and read every month. Utility billing exception reports will be used to ensure the discrepancies resulting from deficient meter readings are resolved promptly as possible to minimize revenue losses.

Issue 5

Some active delinquent customer are not being terminated in accordance with procedure, therefore, these customers continue to receive services. Internal Audit findings identified an increase of 28% in the total dollar value of **active** delinquent customer accounts 120 days past due. This problem appears to be related to an ineffective connect and disconnect system.

| | <u>February 1996</u> | <u>March 1997</u> | |
|--------------|----------------------|-------------------|--------------|
| Water | \$171,418 | \$213,487 | 24.5% |
| Sewer | 178,303 | 238,505 | 33.8% |
| Garbage | <u>87,546</u> | <u>\$110,136</u> | 25.8% |
| Total | \$437,267 | \$562,128 | 28.6% |

Goal

This reorganization will enforce existing controls, therefore, minimizing the number of active customer accounts, that are over 120 days delinquent. Thus, reducing the risk of customer defaulting in an amount that exceeds their \$100.00 deposit.

Issue 6

Finding related to 1.) accounts not being billed. 2.) delinquent accounts not being disconnected in accordance with policy and 3.) not securing initial meter reads for newly initiated accounts were identified in the Fiscal Year 1994-1995 external audit. The audit comments suggested that procedures for new accounts and billing could be

strengthened.

A Tax Department Utilities Division internal audit was performed in March 1996 which identified 10 areas which required strengthening. The follow-up audit currently being completed indicates that only 2 of the 10 areas have been improved.

Goal.

As part of the reorganization more detailed attention to systems and procedures will be applied to ensure:

- 1) that customer accounts are set up properly with all appropriate charges,
- 2) that new accounts are included in the billing system in a timely manner,
- 3) that delinquent accounts are terminated within the established city policy to minimize default and uncollectible accounts.
- 4) field operations for connects and disconnects are timely and well coordinated so that the appropriate customer account action is promptly taken.

Mayor Ramirez asked if we would still be doing collections at the tax office. He asked if his recommendation is to moved billing back to the Utilities Department at the airport.

Mr. Peña answered that the Meter Readers would be the only employees that would physically be moved from city hall.

Mayor Ramirez questioned, if a customer has questions in the billing would they still report them to city hall?

Mr. Peña answered yes, the customer service person will be here and their questions will be answered, but that person reports to the Utilities Director.

Cw. Moreno was concerned with the additional cost that will be incurred.

Mr. Roman stated it is unavoidable to reorganize the structure, that regardless whether it stays here or not they need the cost for reorganizing and staffing.

Mr. Peña stated that the way it is structured right now is all within the current budget.

Mayor Ramirez asked that the City Manager come back with a recommendation to start off with the things like the meter readers, shifting them over and distributing their oversight to the current supervisor that exists in utilities. That he also perhaps go into reorganizing the structure to allow utilities to have a more direct say in connects and disconnects during the billing cycles and see how that can be worked into the system to let utilities pick up more of the slack that we are running into.

He added he hears Mr. Roman saying there is a problem, and Mrs. Colon is saying that there is a problem, why not get the two department heads to see how they can better structure their operations and divide what needs to be divided.

Cw. Montalvo suggested that employees should be cross trained for tax and collecting utilities.

Cm. Casso stated he agrees on the separation, but provided that it does not cost more money during the rest of this fiscal year. They will then go to the budget workshops and rehash the entire issue, he wants to see the results in three or four months to see if it works.

Mrs. Colon explained the process that they have gone through since 1988 when the departments were combined they went from 27,000 to 40,000, a period of fast growth, which means a big load on their tax. She requested an opportunity to work a good workable system.

Motion to proceed with the condition that no additional monies will be incurred within the current budget and that it be duly noted that this is only temporary until the end of this fiscal year and it expires or gets ratified by council during the next budget.

Moved : Cm. Casso
Second: Cm. Valdez
For: 7

Against: 0 Abstain: 0

4. Discussion and possible action regarding the Wrecker Service Ordinance.

Cm. Casso stated he understands there is a rotation list by which the wrecker service companies operate. One of his constituents had a concern in reference to the way this

system works. He said that from April 14th through April 20th D.F. Gonzalez Towing was on the list for towing that week and they were by passed by seven different wrecker companies. The business was given to Orozco Wrecker. It is his understanding that there were 30 stolen vehicles that came from Mexico and were given to Orozco Wrecker to bring from Mexico to U.S. and wanted to know why?

Interim Police Chief Dovalina stated he was correct, Gonzalez Wrecker Service was on duty on that particular week. He explained that the Mexican Judicial Police made contact with our Police Division Commander of Detectives in reference to the return of these stolen vehicles from Nuevo Laredo into U.S. Apparently, the Judicial Police had been contacted by the Mexican Wrecker service, by a business named Mora Wrecker Service. The wrecker service owner had made contact, with the Mexican State Judicial Police and at the same time they had contacted this particular wrecker service, Orozco Wrecker Service and made arrangements with them directly about the actual return of these vehicles. They were informed that the arrangements had already been made, the lieutenant was informed that this particular wrecker service was on call that particular week, however they were faced with the possibility that because the arrangements had already been made with the wrecker service on this side that transfer of vehicles over to the U.S. would not occur. They were faced with the dilemma of either going ahead and following it thru with the actual wrecker service that was on call or receiving the actual stolen vehicles. So they decided to go ahead and let this particular arrangement follow thru so that they could have the return of these vehicles.

Cm. Casso wanted to know what will be done to prevent this from happening in the future.

Mr. Dovalina answered they have been informed that they will go ahead and use the wrecker service that is on rotation or on call on that particular week.

Cm. Guerra spoke concerning wrecker service charges. He said he had received calls from several wrecker service operators that are alleging that the rates they can charge according to our ordinances are to low.

Mr. Dovalina stated that charges have not been raised since 1985.

Cm. Guerra requested that this item be placed on the agendas regarding wrecker charges for the next meeting.

D.F. Gonzalez spoke in reference to the ordinance enforcement and compliance, said that the other companies are aware of the rotation list that they abide by it. He asked that council look into it.

Mayor Ramirez stated ordinance is at the Legal Department, public hearings will be held in reference to this ordinance and will be brought before council.

Cw. Moreno asked that the wrecker services be advised as to when the public hearing will be held.

5. Discussion and possible action regarding the number of required parking spaces in commercial establishments.

Cm. Casso stated that he has received numerous calls that the ordinance is not being enforced and wants feedback from staff as to what can be done.

Benny Salinas, Building Director, explained the parking requirements which he states depends on the use of the commercial establishment and that our requirements are very minimum.

Cm. Casso stated he will let Mr. Salinas know some specific sites where there are parking problems because he thinks that Planning and Zoning is going to have to revisit the issue because it is becoming a problem in the Heights area.

Cw. Moreno asked that they also look into the parking problems in one of the clinics around Cedar.

X. PUBLIC HEARINGS

15. Public hearing concerning the application by Roberto Alvarez, amending the zoning ordinance (Map) of the City of Laredo by rezoning Lot 7, Block 1744, Eastern Division, located at 2806 Cross Street, from R-2 (Multi-Family District) to R-3 (Mixed Residential District); and that an ordinance be introduced. The Planning and Zoning Commission recommends approval of the zone change.

INTRODUCTION OF AN ORDINANCE

Ordinance amending the zoning ordinance (Map) of the City of

Laredo by rezoning Lot 7, Block 1744, Eastern Division, located at 2806 Cross Street, from R-2 (Multi-Family District) to R-3 (Mixed Residential District); providing for publication and effective date.

Motion to open the public hearing.

Moved : Cw. Montalvo

Second: Cm. Perez

For: 7

Against: 0

Abstain: 0

Keith Selman from the Planning Staff made the presentation before the council.

There was no public input.

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

Moved : Cm. Perez

Second: Cw. Montalvo

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Perez

- 16. Public hearing concerning the application by Gerardo Gutierrez, authorizing the issuance of a Conditional Use Permit for used auto sales on Lot 5, Block 1950, Eastern Division, located at 3117 Clark Boulevard; and that an ordinance be introduced. Planning and Zoning Commission recommends approval of the Conditional Use Permit. Staff recommends denial of this Conditional Use Permit.

INTRODUCTION OF AN ORDINANCE

Ordinance authorizing the issuance of a Conditional Use Permit for used auto sales on Lot 5, Block 1950, Eastern Division, located at 3117 Clark Boulevard; providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Perez

Second: Cm. Bruni

For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing; concur with staff and override Planning and Zoning and deny the Conditional Use Permit.

Moved : Cm. Bruni

Second: Cm. Perez

For: 6

Against: 0

Abstain: 0

Cm. Casso was not present to vote.

17. Public hearing concerning the application by Roberto Magallanes, amending the zoning ordinance (Map) of the City of Laredo by rezoning Lot 9, Block 623, Eastern Division, located at 520 McPherson Avenue, from M-1 (Light Manufacturing District) to R-3 (Mixed Residential District); and that an ordinance be introduced. The Planning and Zoning Commission recommends approval of the zone change.

INTRODUCTION OF AN ORDINANCE

Ordinance amending the zoning ordinance (Map) of the City of Laredo by rezoning Lot 9, Block 623, Eastern Division, located at 520 McPherson Avenue, from M-1 (Light Manufacturing District) to R-3 (Mixed Residential District), providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Perez

Second: Cw. Montalvo

For: 6

Against: 0

Abstain: 0

Cm. Casso not present.

There was no public input.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Guerra

Second: Cw. Montalvo

For: 5

Against: 0

Abstain: 0

Cm. Casso and Cm. Bruni were not present.

Ordinance Introduction: Cm. Guerra

18. Public hearing concerning the application by Texas Mexican Railway Company, AFI Whse., authorizing the issuance of a Conditional Use Permit for warehousing of bagged sand on 15,940 square feet of the north 1/2 of the Texas Mexican

Railway Company Right-of-Way through Block 1082, Eastern Division, as further by metes and bounds, located at 701 Buena Vista Avenue. The Planning and Zoning Commission recommends approval of the Conditional Use Permit.

INTRODUCTION OF AN ORDINANCE

Authorizing the issuance of a Conditional Use Permit for warehousing of bagged sand on 15,940 square feet of the North 1/2 of the Texas Mexican Railway Company Right-of-Way through Block 1082, Eastern Division, as further described by metes and bounds, located at 701 Buena Vista Avenue; providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Perez

Second: Cw. Moreno

For: 6

Against: 0

Abstain: 0

Cm. Casso was not present.

There was no public input.

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

Moved : Cm. Perez

Second: Cw. Montalvo

For: 5

Against: 1

Abstain: 0

Cw. Moreno

Ordinance Introduction: Cm. Perez

- 19. Public hearing concerning the application by Irma A. Garcia, amending the zoning ordinance (Map) of the City of Laredo by rezoning the south 1/2 of the southwest 1/4 of Block 40, Calton Garden Subdivision, located at 4601 San Francisco Avenue, from R-3 (Mixed Residential District) to B-1 (Limited Business District); and that an ordinance be introduced. The Planning and Zoning Commission recommends approval of the zone change.

INTRODUCTION OF AN ORDINANCE

Ordinance amending the zoning ordinance (Map) of the City of Laredo by rezoning the South 1/2 of the Southwest 1/4 of Block 40, Calton Garden Subdivision, located at 4601 San Francisco Avenue, from R-3 (Mixed Residential District) to B-1 (Limited Business District); providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Perez

Second: Cw. Montalvo

For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Guerra

Second: Cm. Valdez

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Guerra

- 20. Public hearing concerning the application by Gilberto Salazar, amending the zoning ordinance (Map) of the City of Laredo by rezoning Lot 1, Block 1, Salazar Distribution Center, located at 14002 Mines Road, from B-1 (Limited Business District) to M-1 (Light Manufacturing District); and that an ordinance be introduced. The Planning Zoning Commission recommends approval of the zone change.

INTRODUCTION OF AN ORDINANCE

Ordinance the zoning ordinance (Map) of the City of Laredo by rezoning Lot 1, Block 1, Salazar Distribution Center, located at 14002 Mines Road, from B-1 (Limited Business District) to M-1 (Light Manufacturing District); providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Perez

Second: Cw. Montalvo

For: 7

Against: 0

Abstain: 0

Ron Whitehawk, representing the owners, spoke in favor of the zone change to allow for a truck terminal.

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

Moved : Cw. Montalvo

Second: Cm. Guerra

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: Cw. Montalvo

- 21. Public hearing concerning the application by the Estate of Mike S. Jacaman, Carmen Jacaman, and Independent Executrix, authorizing the issuance of a Conditional Use Permit for a pawn shop on Lot 10, Block 46, Western Division, located at 1019 Farragut Street; providing for publication and effective date. The Planning and Zoning Commission recommends approval of the Conditional Use Permit.

INTRODUCTION OF AN ORDINANCE

Ordinance authorizing the issuance of a Conditional Use Permit for a pawn shop on Lot 10, Block 46, Western Division, located at 1019 Farragut Street; providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Perez

Second: Cm. Bruni

For: 7

Against: 0

Abstain: 0

There was public input.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Perez

Second: Cw. Montalvo

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: Cw. Montalvo

- 22. Public hearing concerning the application by John D. Beckelhymer, authorizing the issuance of a Conditional Use Permit for a jewelry only pawn shop on Lot 4 and the South 8.56 Feet of Lot 3, Block 9, Western Division, located at 1102 Zaragoza Street; providing for publication and effective date. The Planning and Commission recommends approval of the Conditional Use Permit.

INTRODUCTION OF AN ORDINANCE

Ordinance authorizing the issuance of a Conditional Use Permit for a jewelry only pawn shop on Lot 4 and the South 8.56 Feet of Lot 3, Block 9, Western Division, located at 1102 Zaragoza Street; providing for publication and effective date.

Motion to open the public hearing.

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

Against: 0 Abstain: 0

George Becklehymer appeared before the council to answer any questions from the council or public.

Motion to close the public hearing and introduce the ordinance.

Movd : Cw. Montalvo
Second: Cm. Perez
For: 7

Against: 0 Abstain: 0

Ordinance Introduction: Cw. Montalvo

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

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

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

Against: 0 Abstain: 0

- 23. Award of a contract to the Low Bidder, Star Data Systems, San Antonio, Texas, in the amount of \$47,444.00, to provide all required materials and installation of a certified voice and data telecommunications cabling system at the New Laredo Transit Center.

Motion to approve.

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

Against: 0 Abstain: 0

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

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

Against: 0 Abstain: 0

XII. ADJOURNMENT

Motion to adjourn.

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

Against: 0 Abstain: 0

Adjournment time: 7:24 p.m.

I HEREBY CERTIFY THAT THE ABOVE MINUTES CONTAINED IN PAGES 01 TO 25 ARE TRUE COMPLETE AND CORRECT PROCEEDINGS OF THE CITY COUNCIL MEETING HELD ON THE 28TH DAY OF APRIL, 1997. A CERTIFIED COPY IS ON FILE AT THE CITY SECRETARY'S OFFICE.



GUSTAVO GUEVARA, JR.
CITY SECRETARY

Minutes approved on: May 19, 1997

V E R B A T I M

City Council Meeting
April 28, 1997

13. Request for City Council confirmation of City Manager's recommendation for appointment and employment to the position of Laredo Chief of Police. The City Manager has interviewed four final candidates. They are Richard Clark, Agustin Dovalina, Stephan Garza and E.J. Laurel.

Cm. Perez -"Mr. Mayor, I would like to table item number 13 until the first meeting in October."

Mayor Ramirez -"Motion has made, is there a second?"

Cw. Moreno -"Second"

Mayor Ramirez -"Discussion? No discussion. All those in favor say "I"

Councilmembers-"I"

Mayor Ramirez -"All those opposed"

No Answer

Mayor Ramirez -"Motion carries. Tabled till October..when..Councilman?"

Cm. Perez -"The first meeting in October."

Mr. Pena -"Excuse me Mr. Mayor....why October?"

Mr. Pena -"item 13, the City Manager report regarding the appointment of the Chief of Police you want to wanna table until when?"

Mayor Ramirez -"October 1, and that's what's been approved by the council."

Mr. Pena -"I'm sorry...you don't want a recommendation on who the Chief of Police should be until?"

Cm. Perez -"At this time I don't want any

recommendations."

Mayor Ramirez -"So you want the status quo to remain."

Cm. Perez -"Yes"

Mayor Ramirez -"All right, and the motion has carried."

Mr. Pena -"Mr. Mayor I need to have some discussion on this item cause I was prepared to make a recommendation today as you are aware and the recommendation is before City Council."

Mayor Ramirez -"I understand, but the motion to table is a priority motion."

Mr. Pena -"Well..uh..Maybe a priority motion but we need to decide whether or not we're going to begin the recruitment process again..."

Mayor Ramirez -"well...if anybody from the...."

Mr. Pena -"I do have recommendation before the Council and that is to select E.J. Laurel."

Mayor Ramirez -"Let me see if I can get a backup for discussion. The prevailing side was to table is there a motion from the prevailing side to reconsider the tabling of this matter."

Cm. Casso -"Can I make a motion Mr. Mayor."

Mayor Ramirez -"Yeah you voted in favor."

Cm. Casso -"Yeah..I'd like to make a motion so we can get some discussion going."

Mayor Ramirez -"Motion has been made, is there a second?"

Cm. Guerra -"Second Mayor."

Mayor Ramirez -"Second. All those in favor of....."

Cw. Moreno -"What is the motion?"

Mayor Ramirez -"The motion is to reconsider the tabling and opening it up for discussion. Motion has been made and second. All those in favor say "I"."

Councilmembers-"I"

Mayor Ramirez -"Opposed....one, two, three, four...let me see in favor again. One, two, three...motion fails. So we can't have any discussion Mr. Pena, Robert Rules of Order."

Mr. Pena -"But Mr. Mayor maybe Robert Rules but what is unclear to me at the present time is what to do with the position of the Chief of Police."

Mayor Ramirez -"Status quo"

Mr. Pena -"I have my recommendation before the council, you have my recommendation."

Mayor Ramirez -"Lets just say hypothetically, the recommendation does not go through, then you start the procedure all over."

Mr. Pena -"And my recommendation to City Council is that if my recommendation of E.J. Laurel is not accepted by City Council, then I would like to begin the recruitment process over again and move on that position as soon as possible. This position should not be interim much longer it is a critical position for the administration of this city and I would like to fill it as soon as possible."

Mayor Ramirez -"Cm. Perez..."

Cm. Perez -"Mr. Mayor..I already made my motion. The way I stated that's the way I want to keep it for this time."

Mayor Ramirez -"All right. Well...its been uh...it...it..it sticks Mr. Pena. O.k. then we move back next item Councilman."

Cm. Perez -"Yes item...uh..item...one of my items is item B.1."

Mayor Ramirez -"Yes sir, Councilman"

Cm. Perez -"I would like to table indefinitely ...that one too."

Mayor Ramirez -"Motion has been made, is there a second."

Cm. Valdez -"Second"

Mayor Ramirez -"O.k...all those in favor say "I"

Councilmembers -"I"

Mayor Ramirez -"All those opposed say "nay"

NO ANSWER.

Mayor Ramirez -"Motion carries."