

CITY OF LAREDO
CITY COUNCIL MEETING

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

MINUTES

M-97-R-29

AUGUST 25, 1997

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

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

III. ROLL CALL

IN ATTENDANCE:

SAUL N. RAMIREZ, JR.,	MAYOR	
JOSE R. PEREZ, JR.,	COUNCILMEMBER,	DISTRICT I
LOUIS H. BRUNI,		DISTRICT II
ALFONSO I. "PONCHO" CASSO,	"	DISTRICT III
CECILIA MAY MORENO,	"	DISTRICT IV
ELISEO VALDEZ, JR.,	"	DISTRICT V
JOE A. GUERRA,	"	DISTRICT VI
MARIO G. ALVARADO,	"	DISTRICT VII
GUSTAVO GUEVARA, JR.,	CITY SECRETARY	
FLORENCIO PENA,	CITY MANAGER	
JAIME L. FLORES,	CITY ATTORNEY	

ABSENCES:

Motion to excuse Cw. Montalvo due to illness.

Moved : Cm. Perez

Second: Cm. Alvarado

For: 7

Against: 0

Abstain: 0

Motion to waive the regular order of business and move up item X-A(1) for consideration.

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

Against: 0 Abstain: 0

IV. INTRODUCTORY ORDINANCES

2. Authorizing the City Manager to execute a partial release of covenant for the Southgate Subdivision, Unit II-A, Phase II Planned Unit Development. This release will allow the developer to proceed with the sale of lots in this development.

Ordinance Introduction: City Council

V. FINAL READINGS

Motion to waive the final reading of ordinance(s) #97-O-189, #97-O-190, #97-O-191, #97-O-192, #97-O-193, and #97-O-194.

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

Against: 0 Abstain: 0

3. 97-O-189 Authorizing the City Manager to execute a lease with Dynair CFE Services, Inc., for approximately 416 square feet constituting Building #168.
1. Lease term is for one (1) year commencing May 1, 1997 and ending April 30, 1998 and be extended for one (1) year ending April 30, 1999.
 2. Monthly rent shall be \$425.00 and will be adjusted annually during the primary and extension term of this lease according to changes in the Consumer Price Index. Previous monthly rent was \$369.51. Leased premises are used for air freight operations. (City Council)

Motion to approve Ordinance #97-O-189.

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

Against: 0 Abstain: 0

4. 97-O-190 Closing as a public easement a 513.1 square foot parcel of land, more or less, out of the 1000 Block of Baltimore Street between Flores and San Agustin Avenues and the 3500 Block of Flores Avenue between

Baltimore and Lafayette Streets, said parcel of land being encroached by the improvements of the abutting property being Lot 2, Block 901, Western Division, being more particularly described by metes and bounds, and authorizing the sale of the "surface only" of said parcel of land at the adjusted fair market value of \$1,026.20, and authorizing the City Manager to execute all necessary documents to effectively convey fee simple title to Victor Alvarez and wife Sara A. Alvarez and Irene R. Sanchez, a single woman. (City Council)

Motion to approve Ordinance #97-O-190.

Moved : Cm. Perez

Second: Cm. Alvarado

For: 7 Against: 0 Abstain: 0

5. 97-O-191 Closing as a public easement a 465.28 square foot parcel of land, more or less, out of the 1800 Block of Logan Avenue between Guerrero and Lane Streets, said parcel of land being encroached by the improvements of the abutting property being Lot 7, Block 250, Eastern Division, being more particularly described by metes and bounds, and authorizing the sale of the "surface only" of said parcel of land at the adjusted fair market value of \$697.92, and authorizing the City Manager to execute all necessary documents to effectively convey fee simple title to Adelina de Leon and Virginia A. Gonzalez. (City Council)

Motion to approve Ordinance #97-O-191.

Moved : Cm. Perez

Second: Cm. Alvarado

For: 7 Against: 0 Abstain: 0

6. 97-O-192 Authorizing the establishment of a limited-time deferred payment plan for delinquent customers of the utilities department who declare themselves willing but unable to pay the full balance on their account, citing hardship, or extraordinary circumstances. (Joe A. Guerra)

Motion to approve Ordinance #97-O-192.

Moved : Cm. Perez
Second: Cm. Alvarado
For: 7 Against: 0 Abstain: 0

- 7. 97-O-193 Authorizing the Utilities Department to refuse service to individuals or business entities who owe prior balances for services received and who attempt to open an account under a different name or location for the purpose of avoiding payment of said rendered services; providing for effective date and publication. (Joe A. Guerra)

Motion to approve Ordinance #97-O-193.

Moved : Cm. Perez
Second: Cm. Alvarado
For: 7 Against: 0 Abstain: 0

- 8. 97-O-194 Ordinance amending the Capital Grant TX-90-X374 budget line item Bus Purchases; from \$900,000.00 to \$983,481.00; appropriating unused FY 95-96 federal operating funds in the amount of \$66,785.00 and applying previously appropriated transit sales tax funds for bus purchases, in the amount of \$16,696.00, to serve as the 20% match. (City Council)

Motion to approve Ordinance #97-O-194.

Moved : Cm. Perez
Second: Cm. Alvarado
For: 7 Against: 0 Abstain: 0

VI. RESOLUTIONS

- 9. 97-R-087 Authorizing the City Manager of the City of Laredo to submit a grant application to the Texas Preservation Trust Fund of the Texas Historical Commission in the amount of \$66,666.00; and authorizing the City Manager to execute the necessary documents.

Motion to approve Resolution #97-R-087.

Moved : Cm. Perez
Second: Cm. Alvarado

For: 7 Against: 0 Abstain: 0

VII. MOTIONS

10. Authorizing the City Manager to request proposals for engineering and/or planning of projects to be funded through the 23rd Action Year (AY) Community Development Block Grant (CDBG) in anticipation of funding to be made available October 1, 1997 by the U.S. Department of Housing and Urban Development (HUD). Proposals will be sought for the following projects:

1. Gallagher Street Improvements
2. Zacate Creek Beautification Project
3. Sidewalk Program
4. Tinaja/Chacon Pilot Channel, Phase I
5. Paving Project 61 Engineering
6. El Portal Riverfront Feasibility Study

Motion authorizing the City Manager to request proposals for engineering and/or planning of projects to be funded through the 23rd Action Year (AY) Community Development Block Grant (CDBG) in anticipation of funding to be made available October 1, 1997 by the U.S. Department of Housing and Urban Development (HUD). Proposals will be sought for the following projects:

1. Gallagher Street Improvements
2. Zacate Creek Beautification Project
3. Sidewalk Program
4. Tinaja/Chacon Pilot Channel, Phase I
5. Paving Project 61 Engineering
6. El Portal Riverfront Feasibility Study

Moved : Cm. Perez
Second: Cm. Valdez

For: 7 Against: 0 Abstain: 0

11. Approval of construction plans and specifications and authorization to advertise for bids for the Laredo Health Department Canopy for Perimeter of W.I.C. Building located at 2600 Cedar Avenue with tentative award September 22, 1997. Funding is available in the Capital Improvement Fund Health Department Canopy Account.

Motion to approve.

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

Against: 0 Abstain: 0

12. Approval of the construction plans and specifications and authorization to advertise for bids for the Azteca Neighborhood Park and Parking Lot Improvements with tentative award on September 22, 1997. Funding is available in community development CDBG Azteca Park.

Motion to approve.

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

Against: 0 Abstain: 0

VIII. CITY MANAGER'S REPORT

13. Authorizing the City Manager to submit a proposal to the Federal Aviation Administration (FAA) to reimburse the City Airport Fund a monthly amount of \$18,962.25 or \$227,547.00 for FY 1997/98 for air traffic control services at Laredo International Airport. Air traffic control services for FY 1997/98 are budgeted at \$280,000.00. FAA funding represents approximately 81 percent of the total cost to operate the air traffic control tower.

Motion to approve.

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

Against: 0 Abstain: 0

14. Request the City Council Ad Hoc Committee to select a date to meet with staff to discuss and recommend a possible pay plan revision for fiscal year 1997/98.

Mayor Ramirez announced that it was the consensus of the City Council to set the date of September 8th at 5:30 p.m.

15. Request for Executive Session as authorized by Section 551.072 of the Texas Government Code, to deliberate a proposed exchange of land between the United States Federal Government and the City of Laredo, for the local United States Federal Courthouse Building being described as All of Block 140, Western Division, and located at 1300 Matamoros, for that section of the 1000 Block of Salinas Avenue between Washington and Victoria Streets.

Motion to go into Executive Session as authorized by Section 551.072 of the Texas Government Code, to deliberate a proposed exchange of land between the United States Federal Government and the City of Laredo, for the local United States Federal Courthouse Building being described as All of Block 140, Western Division, and located at 1300 Matamoros, for that section of the 1000 Block of Salinas Avenue between Washington and Victoria Streets.

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

Against: Abstain: 0

After executive session Mayor Ramirez announced that no formal action was taken.

16. Request for Executive Session as authorized by Section 551.072 of the Texas Government Code to deliberate land acquisition relating to the Laredo Northwest International Bridge (4th Bridge) to be located on Farm Road 1472.

Motion to go into Executive Session as authorized by Section 551.072 of the Texas Government Code to deliberate land acquisition relating to the Laredo Northwest International Bridge (4th Bridge) to be located on Farm Road 1472.

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

Against: 0 Abstain: 0

After Executive Session Mayor Ramirez announced that no formal action was taken.

17. Request for Executive Session as authorized by Section 551.072 of the Texas Government Code to deliberate the possible acquisition of property at the northwest and southwest corners of FM 3464 and IH-35.

Motion to go into Executive Session as authorized by Section 551.072 of the Texas Government Code to deliberate the possible acquisition of property at the northwest and southwest corners of FM 3464 and IH-35.

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

Against: 0 Abstain: 0

After Executive Session Mayor Ramirez announced that no formal action was taken.

IX. COMMUNICATIONS

A. Recognizing the hard work and dedication the following individuals provided to the City of Laredo in the development of the City's Hazardous Materials (HAZMAT) Ordinance:

1. Prof. Monica Schurtman
Immigration and Human Rights Clinic
St. Mary's University School of Law
2. Phillip Doyle
Student Attorney
St. Mary's University School of Law
3. Fr. John Moder
President
St. Mary's University
4. Barbara Aldave
Dean, School of Law
St. Mary's University
5. Frank Cardenas
HazMat Inspector

Mayor Ramirez recognized the above mentioned individuals with the exception of Father John Moder who was not present and presented them with plaques in recognition for their hard work and vision on an effective Haz-Mat ordinance.

b. Cm. Alvarado stated he had a discussion with Gilbert Segovia of El Metro and the Chairperson of the Traffic/Transportation Committee who stated there were concerns and recommendations made by the Traffic/Transportation that were forwarded to Mr. Segovia which were in turn forwarded to the City Manager. The concerns are the truck traffic on IH-35. The recommendations made by the Traffic & Safety Committee were done hoping to get some options that Council and staff can be instructed to look at, to facilitate those problems.

Mayor Ramirez stated they will hear recommendations, take them under advisement and asked that Cm. Alvarado sponsor the item for next agenda.

Mr. Humberto Gonzalez, member of the Traffic/Safety Committee stated that they have had meetings with the Police Department discussing the issue to curve the problems on IH-35, but that

the recommendations have not been taken seriously. Several recommendations made include:

- (1) Installing a camera on one of the overpasses so that they can see some of these tractor trailers crossing over or cutting line.
- (2) Sometimes the problems persist because PD does not have the ample manpower. The board recommended that PD go into a quick solution program which entails the hiring off duty police officers to have a detail at I-35 from 3:30 p.m. to 12:00 a.m. which is the time of congestion at IH-35.
- (3) If they can come to an understanding between City Council and the Police Department to where they can set up a program to let the Police Department hire these personnel for 60 to 90 days to see how it works, he believes that some of these problems will be eliminated.

Mayor Ramirez asked Cm. Alvarado to sponsor this item for recommendations from staff for the next council meeting.

Police Sgt. Jose Jalomo reported that they are having a hard time in keeping trucks in line due to the lack of officers.

X. CITY COUNCIL DISCUSSION AND PRESENTATION

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

A. Requests by Mayor Saul N. Ramirez, Jr.

1. Nominating:

Pete Saenz
Arturo Santos
Rene Herrera
Jose Lara
Bobbie Martinez

to the Laredo Affordable Housing Board.

Motion confirming the nominations.

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

Against: 0 Abstain: 0

XI. PUBLIC HEARINGS

- 19. Public hearing concerning the application by Manuel Vera and Son authorizing the issuance of a Special Use Permit for sand and gravel sales/storage, on Lot 7, Block 2003, South Laredo Industrial Park, located at 2010 Rotary Street. The Planning and Zoning Commission recommends approval of this Special Use Permit.

INTRODUCTION OF AN ORDINANCE

Ordinance authorizing the issuance of a Special Use Permit for sand an gravel sales/storage, on Lot 7, Block 2003, South Laredo Industrial Park, located at 2010 Rotary Street; providing for publication and effective date.

Motion to open the public hearing.

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

Against: 0 Abstain: 0

Keith Selman, Planning Director, made the presentation before the council.

There was no public input.

Motion to close the public hearing and introduce the ordinance.

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

Against: 0 Abstain: 0

Ordinance Introduction: Cm. Perez

- 20. Public hearing concerning the application by Daniel Garcia amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 1, 2 and 3, Block 204, Eastern Division, located at 1502 S. Zapata Hwy., from B-3 (Community Business District) to B-4 (Highway Commercial District). The Planning and Zoning Commission recommends approval of this zone change.

INTRODUCTION OF AN ORDINANCE

Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 1, 2 and 3, Block 204, Eastern Division, located at 1502 S. Zapata Hwy., 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. Perez

Second: Cm. Bruni

For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Perez

Second: Cm. Guerra

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Perez

- 21. Public hearing concerning the application by Jose De Jesus Raygoza amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 6, Block 1597, Eastern Division, located at 2606 Cross Street, from R-2 (Multi-Family Residential District) to R-3 (Mixed Residential District). The Planning and Zoning Commission recommends approval of this zone change.

INTRODUCTION OF AN ORDINANCE

Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 6, Block 1597, Eastern Division, located at 2606 Cross Street, from R-2 (Multi-Family Residential District) to R-3 (Mixed Residential District).

Motion to open the public hearing.

Moved : Cm. Perez

Second: Cm. Bruni

For: 7

Against: 0

Abstain: 0

Mr. Juan Barrera stated that he was against the rezoning change.

Motion to close the public hearing and introduce the ordinance.

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

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Perez

- 22. Public hearing concerning the application by Elodia Chapa amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 4, Block 1750, Eastern Division, located at 2919 Cross Street, from R-2 (Multi-Family Residential District) to R-3 (Mixed Residential District). The Planning and Zoning Commission recommends approval of this zone change.

INTRODUCTION OF AN ORDINANCE

Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 4, Block 1750, Eastern Division, located at 2919 Cross Street, from R-2 (Multi-Family Residential District) to R-3 (Mixed Residential District).

Motion to open the public hearing.

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

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance.

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

Against: 0

Abstain: 0

Ordinance introduction: Cm. Perez

- 23. Public hearing concerning the application by Reno Sand and Gravel, Irma Garcia authorizing the issuance of a Special Use Permit for sand and gravel sales/storage, on Lot 1, Block 1, Northeast Complex, located at 1319 Muller Road. The Planning and Zoning Commission recommends approval of this Special Use Permit.

INTRODUCTION OF AN ORDINANCE

Ordinance authorizing the issuance of a Special Use Permit

for sand and gravel sales/storage, on Lot 1, Block 1, Northeast Complex, located at 1319 Muller Road; providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Perez

Second: Cm. Bruni

For: 7

Against: 0

Abstain: 0

Ms. Veronica Garcia, representing Reno Gravel, stated that they purchased the building for the purpose of have better mobility with the trucks and asked that council favors the zone change request.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Bruni

Second: Cm. Valdez

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Bruni

24. Public hearing concerning the application by Adolfo Gonzalez, amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 7 and 8, Block 697, Eastern Division, located at 1219 Chihuahua Street, from R-O (Residential/Office District) to B-1 (Limited Business District). The Planning and Zoning Commission recommends approval of this zone change.

INTRODUCTION OF AN ORDINANCE

Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 7 and 8, Block 697, Eastern Division, located at 1219 Chihuahua Street, from R-O (Residential/Office District) to B-1 (Limited Business District). Providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Guerra

Second: Cm. Alvarado

For: 7

Against: 0

Abstain: 0

Ron Whitehawk, representing Mr. Adolfo Gonzalez, passed a petition to council favoring the zone change request.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Casso

Second: Cm. Alvarado

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Casso

25. Public hearing concerning the application by Myrna I. Sanchez, amending the Zoning Ordinance (Map) of the City of Laredo by rezoning all of Block 53, Calton Gardens Subdivision, located at 5400 Springfield Avenue, from R-3 (Mixed Residential District) to B-3 (Community Business District). The Planning and Zoning Commission recommends approval of this zone change.

INTRODUCTION OF AN ORDINANCE

Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning all of Block 53, Calton Gardens Subdivision, located at 5400 Springfield Avenue, 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. Perez

Second: Cw. Moreno

For: 7

Against: 0

Abstain: 0

Ron Whitehawk, representing the developers, spoke in favor of the zone change request.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Guerra

Second: Cm. Bruni

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Guerra

26. Public hearing concerning the application by Jose De Hoyos, amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 5 and 6, Block 1067, Western Division, located at 1020 Tacuba Street, from R-3 (Mixed Residential District) to B-1 (Limited Business District). The Planning and Zoning Commission recommends approval of this zone change.

INTRODUCTION OF AN ORDINANCE

Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 5 and 6, Block 1067, Western Division, located at 1020 Tacuba Street, 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: Cm. Bruni

For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Alvarado

Second: Cm. Bruni

For: 6

Against: 0

Abstain: 0

Mayor Protem Perez was chairing the meeting.

Ordinance Introduction: Cm. Alvarado

- 27. Public hearing amending Section 24.77.1 of the Laredo Development Code relating to permitted lot dimensions in certain districts, decreasing the allowable lot area in the R-1A (Single Family Reduced Area District) from 4500 square feet to 3700 square feet, reduce the frontage requirement for R-1A from 42 feet to 37 feet, deleting lot depth requirements in AG, R-1, R-1A, R-2, RS, R-O, and B-1 districts, providing minimum lot area requirements for lots intended for non-service oriented uses such as communication towers and off-premise signs, and providing for the staggering of side lot lines in R-1, R-1A, R-1MH, R-2, R-3, and R-0 developments; providing for publication and effective date.

INTRODUCTION OF AN ORDINANCE

Ordinance amending Section 24.77.1 of the Laredo Development Code relating to permitted lot dimensions in certain districts, decreasing the allowable lot area in the R-1A (Single Family Reduced Area District) from 4500 square feet to 3700 square feet, reduce the frontage requirement for R-1A from 42 feet to 37 feet, deleting lot depth requirements in AG, R-1, R-1A, R-2, RS, R-O, and B-1 districts, providing minimum lot area requirements for lots intended for non-

service oriented uses such as communication towers and off-premise signs, and providing for the staggering of side lot lines in R-1, R-1A, R-1MH, R-2, R-3, and R-0 developments; providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Bruni
 Second: Cm. Alvarado
 For: 6 Against: 0 Abstain: 0
 (Mayor Protem Perez was chairing the meeting)

Mr. Steve Snow spoke in favor of the depth change provisions.

Cm. Casso was opposed to diminishing the standard without further study.

Motion to close the public hearing, defer this item for the next council meeting, break up the items, and bring bring back with recommendations.

Moved : Cm. Perez
 Second: Cm. Valdez
 For: 7 Against: 0 Abstain: 0

28. Public hearing concerning the application by East House Properties, Danny Wyers amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 1.8117 acres, as further described by metes and bounds, located on the west side of Remington Drive, south of US 59, from R-1 (Single Family Residential District) and B-3 (Community Business District) to R-1A (Single Family Reduced Area District) Planned Unit Development. The Planning and Zoning Commission recommends approval of this zone change.

INTRODUCTION OF AN ORDINANCE

Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 1.8117 acres, as further described by metes and bounds, located on the west side of Remington Drive, south of US 59, from R-1 (Single Family Residential District) and B-3 (Community Business District) to R-1A (Single Family Reduced Area District) Planned Unit Development; providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Perez
 Second: Cm. Bruni

District) to R-1A (Single Family Reduced Area District), Planned Unit Development. Providing for publication and effective date.

Motion to open the public hearing.

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

Against: 0 Abstain: 0

Mr. Steve Snow spoke in favor.

Motion to close the public hearing and introduce the ordinance.

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

Against: 0 Abstain: 0

Ordinance Introduction: Cm. Alvarado

- 30. Public hearing amending the City of Laredo's FY 1996-97 budget by transferring \$485,000.00 from General Fund to Capital Improvement Fund, and authorizing the City Manager to amend budget for proposed FY 97-98 projects that can be funded in the current fiscal year through line-item savings. publication and effective date.

INTRODUCTION OF AN ORDINANCE

Ordinance amending the City of Laredo's FY 1996-97 budget by transferring \$485,000.00 from General Fund to Capital Improvement Fund, and authorizing the City Manager to amend budget for proposed FY 97-98 projects that can be funded in the current fiscal year through line-item savings.

Motion to open the public hearing.

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

Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Perez
Second: Cm. Bruni

For: 7

Against: 0

Abstain: 0

M97-R-29(S)

SUPPLEMENTAL AGENDA

AUGUST 25, 1997

X. CITY COUNCIL DISCUSSION AND PRESENTATION

B. Requests by Councilmember Joe A. Guerra

1. Discussion and possible action to direct staff to amend Ordinance No. 94-O-077 which authorizes the issuance of a special use permit for a gas extraction facility for a .86 acre tract out of Porcion 25, Abstract 50, located at the northeast corner of McPherson Road and Del Mar Boulevard, by amending the provision for the placement of structures located within the proximity of the well-head from 250 feet to 100 feet.

Florencio Peña, Interim City Manager, stated that this item was brought to their attention late last week and in order to facilitate the approval process they were able to get it done and placed in conjunction with Cm. Guerra to get it in the agenda. He informed Cm. Guerra that they would meet with the legal staff before the meeting to determine what would be the proper process to get this permit reviewed. He added that it has been determined by legal staff that the zoning change process will be required, so they will have to go back to the Planning and Zoning Commission and go through the normal hearing process.

Mr. Keith Selman explained that there is a provision on their special use permit that prohibits any structure to be within 250 ft. of the well-head, this became acute when they were platting the property. They have some contracts to build and contract on the site. They feel it is an encumbrance on the site to have this 250 ft. setback provision as a radius around the well-head.

Mayor Ramirez stated he has no problems with the request if it is one that by reducing this area they are going to implement higher standards of safety that will have to be put in place in lieu of this 250 feet.

Cm. Bruni stated for the record, "that since Enron has purchased this whole field from Amaco there is about maybe 100 wells in that field. That particular location has

two...right directly across from that location there is also two other wells..and Enron has spoken to our office and has related to us that they plan on reworking in possibly deeping those wells and certainly we work in those wells to try and recomplate at a shallow zone. So they're in the process of having heavy equipment move on top of those wells and either deepen with a rig or rework with a work over rig. In the process of reworking these wells, entails the removal of that well-head equipment and then they go in there with a blow out preventor and set it up on top of that equipment. They go in there to try and kill the well with drilling fluids so they don't have a blowout like what happened in Pearsal as they saw in the news media. There was a tremendous blowout in Pearsal it took many weeks to extinguish, that is also possible when you rework wells. Blowouts have occurred during the reworking process of these wells and I don't think it would be in the best interest of this City Council to allow the encroachment on these particular well-heads that are inside our city limits. It is an issue of great concern for the safety of the residents and the citizens of the City of Laredo and of the children that they not be allowed within a certain amount of feet of these installations. I think it would behoove this council as to how the Mayor stated, to study this issue carefully... study this issue to make sure that more security is beefed up or the additional enclosures are beefed like the second well and not like the first well. What we don't want is to have some tragedy there because the developer knew going that into this process of drilling and completing that he'd be ripping the benefits, the royalties coming out of this well. These wells usually have a life span of 10 years once the well finishes producing gas, the oil companies go in there and shoot cement into the formations on their surface casing so that any lingering gas cannot escape, once that is done a concrete slap or establishment can be placed." He added he has spoke to some attorneys and the liability would fall under the developer, the oil company and this City Council both officially and on their official capacity." He concluded by saying that to have a fast food restaurant or a convenient store, the building itself, the wall itself 100 feet from the structure is totally unacceptable.

Cm. Casso questioned what is the legality regarding the shut down of those wells? Lets say 100 feet is not safe, why is 200 feet any safer than 100 feet? Can the city right now actually shut those well down or not?

Jaime Flores, City Attorney, stated that the City Manager, the Planning Staff and himself got together to look at those issues and to put it frankly, they really don't feel that they have the expertise to proceed with requesting any kind of request to instruct staff to amend the ordinance. The recommendation he would suggest would be to go slow on this issue, and take a look at all the safety issues and concerns with regards to what specifically would take to tap the casings. He added he does not have the expertise in any of those areas.

Cm. Casso asked that they do look at the legal issues, but to also look at the continuation of growth.

J.C. Trevino III, attorney for the developer, stated that right now the special use permit in effect addresses the 250 ft. setback for the back well only, not the front well and there was not a special use permit for that front well. That well has no radius or no setbacks and that is the one that needs to be addressed, but in reference to Cm. Bruni's comments they might as well address both of them and try to satisfy the city and Cm. Bruni's concerns. They will work with staff, the oil company, legal staff, and City Council and perhaps come up with something that satisfies everyone.

Cm. Bruni stated for the record that Enron is not happy with the 100 ft.

Motion to send this item to P&Z at their following meeting to meet all posting requirements and upon review and recommendation that it be sent to the Ad Hoc Drilling Committee.

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

Against: 0

Abstain: 0

XII. ADJOURNMENT


Motion to adjourn. Time: 8:35 p.m.

Moved : Cm. Perez

Second: Cm. Bruni

For: 7

I HEREBY CERTIFY THAT THE ABOVE MINUTES CONTAINED IN PAGES 01 TO 23 ARE TRUE, COMPLETE, AND CORRECT PROCEEDING OF THE CITY COUNCIL MEETING HELD ON THE 25TH DAY OF AUGUST, 1997. A CERTIFIED COPY IS ON FILE AT THE CITY SECRETARY'S OFFICE.


GUSTAVO GUEVARA, JR.
CITY SECRETARY

Minutes approved : September 29, 1997