

CITY OF LAREDO  
LAREDO, TEXAS  
REGULAR CITY COUNCIL MEETING  
2400 SAN BERNARDO AVENUE  
CIVIC CENTER CONFERENCE ROOMS 1 & 2  
6:00 P. M.

AGENDA NO: M89-R-01 Minutes DATE: JANUARY 3, 1989

I. MAYOR TO CALL THE MEETING TO ORDER.

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

II. ROLL CALL

IN ATTENDANCE:

- ALDO TATANGELO, MAYOR (Arrived at 6:10 p.m.)
- SANTOS BENAVIDES, COUNCILMEMBER, DISTRICT I
- JACINTO P. JUAREZ, " " " II
- SAUL N. RAMIREZ, JR., " " " III
- MARGARITO BENAVIDES, JR., " " " IV
- BLAS CASTANEDA, " " " V
- DAVID R. CORTEZ, " " " VI
- HECTOR J. LIENDO, " " " VII
- CONSUELO "CHELO" MONTALVO, " " " VIII
- HORTENCIA C. GONZALEZ, CITY SECRETARY
- FLORENCIO PENA, ACTING CITY MANAGER
- ANTHONY McGETTRICK, CITY ATTORNEY

III. APPROVAL OF THE MINUTES:

- (087.1) REGULAR CITY COUNCIL MEETING: DECEMBER 19, 1988
- SPECIAL MEETING COMMITTEE OF THE WHOLE: DECEMBER 22, 1988

Motion to approve: Juarez  
 Second: Montalvo  
 For: 7 Against: 0 Abstain: 0

IV. COMMUNICATIONS

There were no Communications reported.

V. RETIREMENTS:

- (104.1) Recognition of the following City Employees:
  1. Mr. Luciano Guajardo be honored on his retirement on December 31, 1988, after 37 years of service with the Laredo Public Library.

Mayor Pro-Tem Saul N. Ramirez, Jr. presented a plaque to Mr. Luciano Guajardo in recognition of his 37 years of service as Director of the Laredo Public Library.

- (242.1) 2. Mr. Domingo Herrera be honored on his retirement on December 31, 1988 after 29 years of service with the Water & Sewer Department.

Mr. Herrera was unable to be present and the plaque will be delivered to him.

3. Mr. Eligio Moreno be honored on his retirement on December 31, 1988, after 10 years of service with the Public Works Department.

Mr. Moreno was unable to be present, therefore, the plaque will be delivered to him.

4. Mr. Marvin Townsend be honored on his retirement as the City of Laredo's first City Manager for the past 6 years.

Due to Mr. Townsend's expected absence from the City on this day, the plaque was previously presented to him by Mayor Tatangelo.

5. Mr. Victor Luis Garcia be honored on his retirement from the City of Laredo's Police Department after 14 years dedicated service to law enforcement, the last 10 of which were served as Chief of Police.

Mr. Garcia was unable to be present, therefore, the plaque is to be delivered to him.

(NOTE: Mayor Aldo Tatangelo arrived at this time.)

#### VI. RECOGNITIONS/APPRECIATIONS

- (282.1) Recognition of Mr. Cash Asmussen for being renowned as one of the world's best professional horse racing jockeys and designating him as an Ambassador of Goodwill for the City of Laredo.  
(Cm. Saul N. Ramirez, Jr.)

Mayor Aldo Tatangelo presented a Resolution to Mr. Cash Asmussen.

Mr. Cash Asmussen thanked the Mayor and City Council for recognizing him as an Ambassador of Goodwill for the





expressed their concerns mainly with the ETJ rules and regulations.

(2259.1) Mrs. Rosie Centeno Hinojosa, County Commissioner, represented area residents, voiced concerns with families who have no electrical services as well as spoke in opposition of proposed annexation further indicating that legal filings of plats with the County was to be carried out by the developers thus bringing area into compliance.

(3110.1) Mr. Richard Haynes, Developer, stated that getting the Rio Bravo and El Cenizo Subdivisions into the ETJ is going to cause problems. There are 1,200 lots in Rio Bravo of which 600 have homes, the other 600 lots do not have homes, but have been paying for the lot for the last 4 or 5 years. Foundations and plumbing are in place on 125 or 150 of the 600 lots but they have no electrical connections. Mr. Haynes further stated that the present water plant has a capacity of 500,000 to 600,000 gallons, but will double the capacity to 1,000,000 within the next 12 months.

Mr. Juan Idrogo, El Cenizo resident, spoke in favor of the annexation, and which expression caused a majority of the persons present to become unruly.

(210.2) Motion that if anyone continues to make a disturbance, that the Police Chief escort that individual out of the building, and that if this crowd continues to be rowdy that the room be cleared and persons wishing to address City Council line up at the door and come in one by one: Cortez

Second: Ramirez, Jr.

For: 8

Against: 0

Abstain: 0

Ms. Gomez, resident of El Cenizo, as well as Mr. Juan Gonzalez, Rio Bravo Subdivision, spoke against annexation.

Councilman Ramirez, Jr. clarified that Rio Bravo and El Cenizo are not being proposed for annexation.

Councilman Cortez requested that County Commissioner Rosie Centeno Hinojosa, Mr. Richard Haynes and any Rio Bravo or El Cenizo resident get together and submit in writing their concerns to City Council so that the City may also answer them in writing.

Motion to close the Public Hearing and call a Special Meeting on January 9, 1989 at 6:00 P.M. to introduce the ordinance

and that on January 9, 1989 a legal opinion be included as to how indefinite this action may be before final action is taken: Cortez

Second: Ramirez, Jr.

For: 6 Against: Juarez & Liendo Abstain: 0

D. On the proposed assessments for Project 21 Paving (2165.2) Assessment Project for the following streets:

| Name                       | From        | To          | Blocks        |
|----------------------------|-------------|-------------|---------------|
| Guatemozine                | Lexington   | McClelland  | 5             |
| McPherson                  | Guatemozine | Cortez      | 1             |
| Hendricks                  | Chacon      | Market      | 5             |
| Cortez                     | Logan       | Hendricks   | 2             |
| Tilden                     | Cortez      | Guatemozine | 1             |
| Chacon                     | Hendricks   | Stone       | 3             |
| McPherson                  | Chacon      | Willow      | 1             |
| Stone                      | Gates       | Aldama      | 8             |
| Loring                     | Gates       | Wooster     | 2             |
| Wooster                    | Stone       | Loring      | 1             |
| Marion                     | Stone       | Meadow      | 3             |
| Gates                      | Loring      | Seymour     | 1             |
| Milk                       | Meadow      | Mendiola    | 1             |
| Buena Vista                | Mercer      | Gates       | 3             |
| Urbahn                     | Green       | Wooster     | 2             |
| Piedra China               | Urbahn      | Malinche    | 1             |
| Curb/Gutter                |             |             |               |
| Piedra China               | Stone       | Meadow      | 3             |
| TOTAL .....                |             |             | 43            |
| City's Share.....          |             |             | \$ 591,530.71 |
| Assessments.....           |             |             | 189,964.76    |
| Low Bid (Paving Only)..... |             |             | 781,495.47    |

1. ORDINANCE

CLOSING THE HEARING ON THE PROJECT 21 PAVING ASSESSMENT STREET IMPROVEMENTS PROJECT AND FIXING A LIEN AND CHARGE.

2. A contract be awarded the low bidder, Ray Faris, San Antonio, for \$845,777.25. The work includes 43 blocks of paving, 5300' of 6" pvc water main, 5 fire hydrants, 202 new water service lines, and a small amount of sanitary sewer and drainage improvements. The other bids were:

|                                  |               |
|----------------------------------|---------------|
| Olmos Equipment, San Antonio ... | \$ 850,474.00 |
| Libcon, Laredo.....              | 879,084.50    |

Mr. Amador Escudero, City Engineer, explained the pro-

posed assessments, and Ms. Frances Villarreal, Appraiser, described her findings on Project 21.

Ms. Diamantina Flores Pena, area resident, asked for consideration with the assessment charges.

Motion to approve the assessment roll and award the contract to the lowest bidder, Ray Faris: Ramirez, Jr.  
 Second: S. Benavides  
 For: 8                      Against: 0                      Abstain: 0

Ordinance Introduction: Ramirez, Jr.

Motion to close the Public Hearing(s): Cortez  
 Second: M. Benavides, Jr.  
 For: 8                      Against: 0                      Abstain: 0

#### VIII. PRESENTATIONS

Requests from the Mayor and Councilmembers for discussion and possible action:

- (1490.3) A. 1. Discussion on the affordable housing issue.  
 (Mayor Aldo Tatangelo)  
 (Tabled item from 12/19/88)

Motion to table to the next meeting: Ramirez, Jr.  
 Second: S. Benavides  
 For: 8                      Against: 0                      Abstain: 0

- (1523.3) 2. Consideration that surplus equipment (possibly old ambulance) be transferred to Sister City of Tlahualilo, Durango, Mexico.

Motion to approve: Ramirez, Jr.  
 Second: S. Benavides  
 For: 8                      Against: 0                      Abstain: 0

- (1490.3) B. Request from Cm. Hector J. Liendo:  
 1. Presentation by Mr. Alfonso Manzera regarding over loaded truck traffic incoming from Mexico.  
 (Tabled from 12/05/88 & 12/19/88 Council meetings.)

Motion to table to the next meeting: Ramirez, Jr.  
 Second: S. Benavides  
 For: 8                      Against: 0                      Abstain: 0

- (1490.3) C. Request from Cm. Jacinto P. Juarez:  
 1. Status report on our latest Tracor proposal.  
 2. Discussion concerning the operating procedures

followed by the Catholic Cemetery.

3. Paving Milmo Avenue adjacent to Red Line Burger.
4. Action to request that the Planning and Zoning Commission review the appropriate ordinance that controls mini carnivals within the City.

(Items tabled from 12/19/88)

Motion to table to the next meeting: Ramirez, Jr.

Second: S. Benavides

For: 8

Against: 0

Abstain: 0

(1490.3) D. Request from Cm. Santos Benavides:

1. Report on sewer problem at Gates and 400 South Meadow.
2. Status report on the requested and approved street lights on the 1987-88 Budget for the south area.
3. Request on petition by 3 Point Neighborhood regarding traffic lights at Chacon Street and Zapata Highway.

(Items tabled from 12/19/88)

Motion to table to the next meeting: Ramirez, Jr.

Second: S. Benavides

For: 8

Against: 0

Abstain: 0

IX. REPORTS. It is recommended that:

- (1588.3) A. Bids be received January 31, 1988 for 4 removable canvas canopies for Los Dos Laredos Riverfront Development Project. One canopy is 25' x 25' square and the other 3 are 30' x 30' octagon. This project is being financed by an Economic Development Administration grant and the bridge fund.

Motion to approve: Ramirez, Jr.

Second: S. Benavides

For: 8

Against: 0

Abstain: 0

- B. Bid specifications for garbage trucks be amended by deleting the requirement of a performance deposit and the date of receiving bids be changed to January 10, 1989. As approved on December 5, 1988, the specifications required a 2% performance deposit. Since garbage trucks are not paid for until accepted by the City, this guarantee was only intended to offset the cost of readvertising and the resulting delay in delivery. Since the bidders simply add this cost to their bid, City would be paying the interest on \$300,000 to \$325,000 for 6 to 9 months or about \$3,000 extra for





stop work on Zaragoza Street  
 from San Enrique to San Pablo  
 and on Grant Street from San  
 Enrique to San Eugenio..... 557.50  
 (d) Resetting hubs (grades) on streets  
 where hubs were destroyed by  
 utilities, traffic, or vandalism,  
 approximately 18 blocks..... ~~1,140.00~~  
 Total ..... \$ 3,622.71

Motion to approve: Ramirez, Jr.  
 Second: Montalvo  
 For: 7                      Against: Liendo                      Abstain: 0

(1637.3) F. Final acceptance of El Cuatro Pit Drainage and Street  
 Improvements be authorized, the final quantity vari-  
 ation change order of \$831 be approved and payment of  
 the retainage (\$5,000) and the final change order be  
 authorized (\$5,831). Acceptance was authorized on  
 December 19, 1988 except for punch list items (\$5,000)  
 and final measurements for the closeout change order.

Motion to approve: Montalvo  
 Second: Cortez  
 For: 8                      Against: 0                      Abstain: 0

(1643.3) G. Bids be received February 7, 1989 for an annual service  
 contract for Groundwater, Soil and Injected Sludge  
 Chemical Analysis at the South Laredo Sewage Treatment  
 Plant.

The Sewer Department will collect samples of  
 sludge, soil and ground water and send the samples to  
 the contractor for testing. A total of 96 samples will  
 be taken during the next 12 months.

Motion to approve: Juarez  
 Second: S. Benavides  
 For: 8                      Against: 0                      Abstain: 0

(1648.3) H. Design Group International be employed to prepare plans  
 and specifications for re-roofing the following  
 buildings at the Airport:

| BUILDING | TENANT OR USE                | SQUARE FEET |
|----------|------------------------------|-------------|
| #132     | International Arrival Bldg.  | 5,515       |
| #134     | County Tax Office            | 21,461      |
| #146     | Tracor - Maher at Pappas     | 5,428       |
| #158     | Fire Station and Maintenance | 13,222      |

|       |                     |        |
|-------|---------------------|--------|
| #1336 | Topaz - 3912 Jarvis | 9,780  |
|       |                     | -----  |
|       | Total               | 55,406 |
|       |                     | =====  |

The proposed architectural services fee is not to exceed \$13,425. The estimated cost of re-roofing is anticipated to be between \$150,000 and \$175,000.

Councilman Cortez requested the attendance record of members of the Airport Advisory Board.

- (1712.3) I. An addendum be approved to the plans and specifications for the Tapeyste-Gustavus Voluntary Street Improvements (Project 22) to delete 375 feet of 24" storm sewer along Price Street and related inlets, catch basins and downstream ditch excavation because the owners of the downstream land prefer to surface drain the water and therefore, are not agreeable to dedicating the required drainage easement. The estimated cost of the project will be reduced approximately \$25,000 by this revision.

Motion to approve: Ramirez, Jr.  
 Second: Juarez  
 For: 8                      Against: 0                      Abstain: 0

- (1842.3) J. Contract be approved with Soft Body Armor Vests from GT Distributors, Austin, Texas for \$18,926.44. Six bids were received for 27 or 68 vests. Three bids were not considered because they did not submit a performance deposit. Low bidder, Nicolas Hernandez, representing Armor of America, submitted a vest that was not listed on the National Institute of Justice Standard 101.03 for compliance as a threat level II body vest. Compliance with this standard was listed in our specifications as a requirement.

The Police Department has \$19,000.00 allocated for the purchase of body vest. The bid price of \$278.33 per vest allows for the purchase of 68 vests.

Motion to approve: Liendo  
 Second: Ramirez, Jr.  
 For: 8                      Against: 0                      Abstain: 0

- (3010.2) K. Contract be considered for \$15,000 with the Laredo Regional Food Bank to operate and maintain a food distribution center for various non-profit organizations



|                          |              |
|--------------------------|--------------|
| 5. Public Access Channel | 380.00       |
| 6. West Martin Field     | 204.64       |
|                          | -----        |
| Total                    | \$ 41,404.97 |
|                          | =====        |

Motion to table to the next meeting: Cortez

Second: Liendo

For: 8                      Against: 0                      Abstain: 0

(2071.3) M. Attorney Mark Willett be employed to continue representing the City's Transit System in following cases: Miller v. Transit Management Company of Laredo, et al, and Hernandez v. Laredo Municipal Transit System et al, in 49th District Court. The insurance company for the City's Transit System National Mutual Fire Insurance Company, has failed and is in receivership. Retention of Mr. Willett, who has been handling these cases for National Mutual, will provide continuity and minimize the City's cost.

Motion to approve and that a letter be sent to the Management Company requesting that they absorb the additional costs: Cortez

Second: Ramirez, Jr.

For: 8                      Against: 0                      Abstain: 0

(2263.3) N. Bids be received January 31, 1989 for the following vehicles:

|                      |                       |                         |
|----------------------|-----------------------|-------------------------|
| SECTION I            | 1/2 TON PICKUP TRUCKS |                         |
| Sewer - Collection   | 2                     | Airport - Admin 1       |
| Sewer - Treatment    | 1                     | Airport - Bldg Maint. 1 |
| Water - Admin        | 1                     | Airport - Grounds 1     |
| Water - Distribution | 1                     | Pub. Wks - Bldg Rehab 1 |
| Health - Environment | 1                     | Insurance - Safety 1    |
|                      |                       | -----                   |
|                      | Total                 | 11                      |

|                       |                                   |   |
|-----------------------|-----------------------------------|---|
| SECTION II            | 1/2 TON PICKUP WITH EXTENDED CABS |   |
| Engineering - Constr. | 2                                 |   |
| Parks                 | 2                                 |   |
|                       | Total                             | 4 |

|                      |                 |  |
|----------------------|-----------------|--|
| SECTION III          | MID-SIZE SEDANS |  |
| Engineering - Admin  | 1               |  |
| Public Works - Admin | 1               |  |
| Fire Dept.           | 3               |  |



(529.3) P. Recommendation regarding award of contract for Ready Mix, Asphalt - Pre-coated Aggregate and flexible Base (caliche). This matter was withdrawn from the December 19, 1988 meeting. A questionnaire was prepared for each bidder requesting legal and financial information of the company. This information was not available at the time of preparation of this agenda.

Ms. Gloria B. Solis, President of Bravo Materials, debated that she was the low bidder.

(565.3) Motion to go into Executive Session pursuant to Article 6252-17, Section 2(E) of the Texas Civil Statute: Cortez  
 Second: M. Benavides, Jr.  
 For: 8                      Against: 0                      Abstain: 0

(584.3) On their return, Councilman Saul N. Ramirez, Jr. announced that no action was taken.

(607.3) Councilman Ramirez, Jr. also addressed a letter from Mr. Jimmy Sandoval, Attorney, which states that Bravo Materials, Inc. only owes the 1988 City taxes.

Acting City Manager Florencio Pena stated that a pre-judgement was signed by the Attorney for Bravo Materials and a determination made that in fact Bravo Materials was delinquent and the City's specifications require that in order to do business with the City no taxes be due. Therefore, Bravo Materials was disqualified and staff recommended the second lowest bidder City Ready Mix (\$119,200 contract).

Mr. Anthony McGettrick, City Attorney, explained that there is a decree Judgement dated March 4, 1988, Cause No. 9783, County Court at Law, State of Texas, et al, vs. Bravo Materials, Inc. In said Judgement, Bravo Materials agreed to pay \$300.00 a month to be divided in percentages between the City of Laredo, United Independent School District and the County of Webb.

(819.3) Ms. Gloria B. Solis, Bravo Materials, stated that she has an agreement to pay taxes and was not aware of this judgement.

Motion to approve and award contract to the second lowest bidder (City Ready Mix): Cortez

Second: Ramirez, Jr.

For: 5\*      Against: Juarez      Abstain: Castaneda & S. Benavides      & M. Benavides, Jr.

\* Mayor Aldo Tatangelo voted in the affirmative.

(1170.3)

Acting City Manager Florencio Pena stated that on the Pre-coated Aggregate - #5 and #3 - total contract \$9,800.00. Bravo Materials bid on Pre-coated Aggregate was for \$5,000.00, but since they were disqualified the bid be awarded to Leyendecker Materials, Inc. for \$9,800.00.

Motion to approve and award contract to the second lowest bidder (Leyendecker): Montalvo

Second: Liendo

For: 6      Against: Santos      Abstain: Margarito Benavides      Benavides, Jr.

Mr. Florencio Pena, Acting City Manager, also recommended that the contract for Flexible Base for Caliche be awarded to Mr. Jere Leyendecker in the amount of \$170,500.00.

Motion to approve and award the contract to Mr. Jere Leyendecker: Juarez

Second: M. Benavides

For: 7      Against: 0      Abstain: Castaneda

(2708.3)

Q. Change order No. 2 be approved for \$23,457 with Leyendecker Construction, Inc. for the Public Library Expansion Project. The existing roof is seriously deteriorated causing water leaks throughout the library. This change order provides for complete re-roofing. The contract time will be extended 14 calendar days. This project is being funded by \$400,000 of General Obligation Bonds. The amount encumbered, including this change order and the architectural contract is \$350,822. The balance \$49,178 is scheduled to be used for books, shelves and furniture needed for the expansion.

Motion to approve: Ramirez, Jr.

Second: S. Benavides

For: 8      Against: 0      Abstain: 0



X. FINAL READING ORDINANCE(S)

(2292.3) Motion to waive the Final Reading of Ordinance(s)  
 Nos. 89-0-01, 89-0-02, 89-0-03, 89-0-04, 89-0-05,  
 89-0-06, 89-0-07, 89-0-08, 89-0-09, 89-0-10, 89-0-11,  
 and 89-0-12: Ramirez, Jr.  
 Second: Cortez  
 For: 8                      Against: 0                      Abstain: 0

(2314.3) A. AMENDING THE ZONING MAP OF THE CITY ZONING ORDINANCE  
 OF THE CITY OF LAREDO BY CHANGING FROM B-3 (GENERAL  
 BUSINESS DISTRICT) TO R-3 (MIXED RESIDENTIAL DISTRICT)  
 THE FOLLOWING DESCRIBED PROPERTY LOCATION:  
 LOT 7, BLOCK 758-A, EASTERN DIVISION.  
 ORDINANCE INTRODUCTION: Cm. Consuelo Montalvo  
 ORDINANCE NO. 89 0 01

Motion to approve: Ramirez, Jr.  
 Second: Cortez  
 For: 8                      Against: 0                      Abstain: 0

B. AMENDING THE ZONING MAP OF THE CITY ZONING ORDINANCE  
 OF THE CITY OF LAREDO BY CHANGING FROM AG (AGRICULTURAL  
 DISTRICT) TO M-1 (LIGHT MANUFACTURING DISTRICT) THE  
 FOLLOWING DESCRIBED PROPERTY LOCATION:  
 SHARE #5, OUT OF TRACT 2, FORCION 22, ABSTRACT 277.  
 ORDINANCE INTRODUCTION: Cm. David R. Cortez  
 ORDINANCE NO. 89 0 02

Motion to table to the next meeting: Ramirez, Jr.  
 Second: Cortez  
 For: 8                      Against: 0                      Abstain: 0

Motion to reconsider Ord. #89-0-02: Ramirez, Jr.  
 Second: Cortez  
 For: 8                      Against: 0                      Abstain: 0

Motion to approve Ord. #89-0-02: Juarez  
 Second: Ramirez, Jr.  
 For: 8                      Against: 0                      Abstain: 0

C. AMENDING THE ZONING MAP AND COMPREHENSIVE PLAN OF THE  
 CITY OF LAREDO TO PROVIDE FOR THE ZONING OF THE TRACT  
 KNOWN AS TEJAS INDUSTRIAL PARK UNITS I, II, AND III  
 AND ADJOINING AREA ANNEXED INTO THE CORPORATE LIMITS  
 OF THE CITY OF LAREDO ON NOVEMBER 21, 1988 BY ORDINANCE  
 88 0 140; PROVIDING FOR EFFECTIVE DATE.  
 ORDINANCE INTRODUCTION: Cm. David R. Cortez  
 ORDINANCE NO. 89 0 03

Motion to approve: Ramirez, Jr.

Second: Cortez

For: 8                      Against: 0                      Abstain: 0

- D. AMENDING THE ZONING MAP AND COMPREHENSIVE PLAN OF THE OF THE CITY OF LAREDO TO PROVIDE FOR THE ZONING OF THE TRACT KNOWN AS KILLAM FTZ ANNEXED INTO THE CORPORATE LIMITS OF THE CITY OF LAREDO ON NOVEMBER 21, 1988 BY ORDINANCE NO. 88 0 141; PROVIDING FOR EFFECTIVE DATE. ORDINANCE INTRODUCTION: Cm. David R. Cortez  
ORDINANCE NO. 89 0 04

Motion to approve: Ramirez, Jr.

Second: Cortez

For: 8                      Against: 0                      Abstain: 0

- E. AMENDING THE ZONING MAP OF THE CITY ZONING ORDINANCE OF THE CITY OF LAREDO BY CHANGING FROM R-3 (MIXED RESIDENTIAL DISTRICT) TO R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT) FOLLOWING DESCRIBED PROPERTY LOCATION. Blocks 110, 111, 112, 123 (LOTS 1 TO 4) 419, 420, 421, 480, AND 495 EASTERN DIVISION

This recommendation of the Planning Commission was approved by City Council motion on November 21, 1988. The property involved is:

- a. From Taylor to Eistetter Street between Maryland and Springfield Avenues.
- b. From San Carlos to Bustamante Streets between Maryland and Tilden Avenue.
- c. From Lexington to Logan Avenues between San Pedro and San Carlos Street's and the 1/2 block on the south side of San Pedro Street between Lexington and Cedar Avenues.

ORDINANCE NO. 89 0 05

Motion to approve: Ramirez, Jr.

Second: Cortez

For: 8                      Against: 0                      Abstain: 0

- F. AMENDING CHAPTER 28 (STREETS, SIDEWALKS AND PUBLIC PLACES) OF THE CODE OF ORDINANCES BY REPEALING AND DELETING THE RECENTLY ADDED SECTION 28-2 AND BY ADDING A NEW ARTICLE IV TO THE CHAPTER WHICH ADDRESSES THE COMMERCIAL USE OF STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, AND WHICH ADDS THE FOLLOWING: SECTION 28\_100 TO PROHIBIT THE USE OF STREETS, SIDEWALKS AND OTHER PUBLIC PLACES,

AND WHICH ADDS THE FOLLOWING: SECTION 28-100 TO PROHIBIT THE USE OF STREETS, SIDEWALKS, AND PUBLIC PLACES FOR COMMERCIAL PURPOSES UNLESS AUTHORIZED BY ORDINANCE AND PROVIDING FOR PENALTY; SECTION 28-101 TO CREATE AN EXCEPTION TO THE PROHIBITION AGAINST VENDING ON PUBLIC PROPERTY IF A PERSON HAS A PERMIT; SECTION 28-102, DEFINITIONS; SECTION 28-103 SPECIFYING THREE CATEGORIES OF PERMITTED VENDING; SECTION 28-104, SETTING REQUIREMENTS FOR ALL PERMIT CATEGORIES; SECTION 28-105, SETTING REQUIREMENTS FOR VENDING PERMITS IN THE CENTRAL BUSINESS DISTRICT; SECTION 28-106 SETTING REQUIREMENTS FOR STREET VENDOR'S PERMITS OUTSIDE THE CENTRAL BUSINESS DISTRICT; SECTION 28-107 SETTING REQUIREMENTS FOR SPECIAL EVENT VENDOR'S PERMIT; SECTION 28-108 SETTING FORTH REQUIREMENTS FOR ALL APPLICATIONS FOR PERMITS; AND SECTION 28-109 SETTING FORTH CONDITIONS FOR REVOCATION, PROVIDING FOR PUBLICATION AND PROVIDING FOR EFFECTIVE DATE.

ORDINANCE INTRODUCTION: Mayor Aldo Tatangelo, Mayor  
Pro Tem Saul N. Ramirez, Jr.,  
Cm. Consuelo Montalvo

ORDINANCE NO. 89 0 06

Motion to approve: Ramirez, Jr.

Second: Cortez

For: 8

Against: 0

Abstain: 0

- G. AUTHORIZING THE CITY MANAGER TO GRANT A REVOCABLE LICENSE TO CARMEN JACAMAN TO CONSTRUCT/MAINTAIN/ALTER & REPAIR A PORCH, A FENCE AND A SIDEWALK ON 267 SQUARE FEET OF THE PHILADELPHIA STREET RIGHT OF WAY ABUTTING PROPERTY KNOWN AS LOT 7, BLK. 985, WESTERN DIVISION, CITY OF LAREDO, WEBB COUNTY, TEXAS ACCORDING TO A "SURVEY OF ENCROACHMENTS INTO PUBLIC RIGHT OF WAY AT PHILADELPHIA STREET BETWEEN SAN AGUSTIN AVENUE AND SAN BERNARDO AVENUE; PROVIDING FOR EFFECTIVE DATE.

The City Council approved leasing this 267 square feet of Philadelphia Street on a 30 day cancellation basis on September 19, 1988. The area is being used as part of a restaurant operation.

ORDINANCE INTRODUCTION: Cm. Jacinto P. Juarez

ORDINANCE NO. 89 0 07

Motion to approve: Ramirez, Jr.

Second: Cortez

For: 8                      Against: 0                      Abstain: 0

- H. AMENDING ORDINANCE 87 0 189 DATED DECEMBER 5, 1987 BY STRIKING OUT PARCEL NOS. 164 THROUGH 172 ON PAGES 10 & 11 OF ATTACHMENT "A" FOR PROJECT 18 ON SAID ORDINANCE 87 0 189. This ordinance will delete the 4000 Block of Main from Pace to Ugarte streets from the assessment roll for Project 18. This block will be included in Project 24 in 1989.  
ORDINANCE INTRODUCTION: Cm. Hector J. Liendo  
ORDINANCE NO. 89 0 08

Motion to approve: Ramirez, Jr.

Second: Cortez

For: 8                      Against: 0                      Abstain: 0

- I. CLOSING AS A PUBLIC EASEMENT THAT SECTION OF MARTIN AVENUE BETWEEN CHIHUAHUA AND GUADALUPE STREETS, SITUATED IN THE EASTERN DIVISION, CITY OF LAREDO, WEBB COUNTY, TEXAS. After a public hearing on October 20, 1988, the Planning & Zoning Commission recommended the closing. Street will be used by State Department of Highways, as part of the Highway 83 underpass construction and for a concrete lined channel which will also be the outfall for the Tapeyste/ Mier to Chacon Creek 1986 Bond Election drainage project.  
ORDINANCE INTRODUCTION: Cmbrs. Saul N. Ramirez, Jr. & Dr. Jacinto P. Juarez  
ORDINANCE NO. 89 0 09

Motion to approve: Ramirez, Jr.

Second: Cortez

For: 8                      Against: 0                      Abstain: 0

- J. AMENDING CHAPTER 6 OF THE CITY OF LAREDO CODE OF ORDINANCES TO EXPAND THE DEFINITION OF A VICIOUS DOG AND TO CLARIFY THE STEPS NECESSARY TO ENFORCE THE PROHIBITIONS ASSOCIATED WITH THE KEEPING OF A VICIOUS DOG; PROVIDING FOR PUBLICATION THEREOF AND AN EFFECTIVE DATE. This ordinance amendment is proposed in response to recent concerns about pit bulls.  
ORDINANCE INTRODUCTION: All Councilmembers  
ORDINANCE NO. 89 0 10

Motion to approve: Ramirez, Jr.

Second: Cortez

For: 8                      Against: 0                      Abstain: 0

- K. AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE

AMENDMENT TO THE LEASE AGREEMENT DATED NOVEMBER 15, 1977, AND AS AMENDED ON APRIL 7, 1982, BETWEEN THE CITY OF LAREDO, AS LESSOR, AND TESORO SAVINGS AND LOAN ASSOCIATION, AS LESSEE, FOR A 100,000 SQUARE FOOT TRACT OF LAND AT THE AIRPORT. THE AMENDMENT RECOGNIZES AMERICITY FEDERAL SAVINGS BANK AS THE SUCCESSOR TO TESORO SAVINGS AND LOAN ASSOCIATION AND ADDS THE APPROXIMATE 33,195 SQUARE FEET OF ADJACENT LAND AT FAIR MARKET RENTAL RATE. THE REVISED ANNUAL RENT IS \$40,231.98 INCREASED BY \$15,228.12; FROM \$25,003.86. THE ANNUAL RENT SHALL BE INCREASED ANNUALLY BASED ON THE PERCENT CHANGE IN THE CONSUMER PRICE INDEX; PROVIDING FOR EFFECTIVE DATE.

ORDINANCE INTRODUCTION: Cm. Jacinto P. Juarez  
 ORDINANCE NO. 89 0 11

Motion to approve: Ramirez, Jr.

Second: Cortez

For: 8                                      Against: 0                                      Abstain: 0

- L. SPRINGFIELD AVENUE BRIDGE AND STREET IMPROVEMENTS DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF CERTAIN STREETS IN THE CITY OF LAREDO, TEXAS; APPROVING THE STREET PAVING ASSESSMENT ROLL AND COST ESTIMATES AS PREPARED BY THE CITY ENGINEER; AND DIRECTING THE CITY SECRETARY TO FILE THIS ORDINANCE WITH THE COUNTY CLERK AS A NOTICE OF ITS ENACTMENT AND ORDERING AND SETTING PUBLIC HEARING ON THE 6TH DAY OF FEBRUARY 1989.

ORDINANCE INTRODUCTION: Cm. David R. Cortez  
 ORDINANCE NO. 89 0 12

Motion to approve: Ramirez, Jr.

Second: Cortez

For: 8                                      Against: 0                                      Abstain: 0

XI. INTRODUCTORY ORDINANCE

- A. AUTHORIZING THE CITY MANAGER TO GRANT A LICENSE TO RIO CITY (2424.3) TERMINAL COMPANY TO PLACE, CONSTRUCT, OPERATE, REPAIR AND MAINTAIN ITS 494 FOOT RAILROAD SPUR TRACK OVER AND ON 2,875.91 SQUARE FEET OUT OF AND PART OF THE COKE STREET PUBLIC RIGHT OF WAY; PROVIDING FOR EFFECTIVE DATE.

This permit or license to use the street right of way for a spur track crossing was authorized by City Council motion on January 18, 1988. Community Development has proposed a one time fee of \$400 since the right of way is already crossed by the Union Pacific mainline and approximately 12 other rail crossings. Rio City has agreed to the \$400 fee.

Ordinance Introduction: Juarez

B. (2426.3) AUTHORIZING THE CITY MANAGER TO GRANT AN EXCLUSIVE CONCESSION TO LAREDO AIR, INC. TO OPERATE A DUTY FREE, TAX FREE, IN-BOND MERCHANDISE STORE AT THE LAREDO INTERNATIONAL AIRPORT AND TO EXECUTE A LEASE AGREEMENT WITH LAREDO AIR INC., FOR APPROXIMATELY 250 SQUARE FEET FLOOR SPACE IN THE TERMINAL BLDG., LOCATED AT 608 FLIGHTLINE AT THE LAREDO INTERNATIONAL AIRPORT CONCESSION AND LEASE TERM IS FOR FIVE YEARS COMMENCING ON JANUARY 1, 1989 AND ENDING DECEMBER 31, 1993, THE ANNUAL FEE FOR SAID CONCESSION AND LEASE SHALL BE AS FOLLOWS:

- 1) JANUARY 1, 1989, TO DECEMBER 31, 1990.... \$6,000 ANNUALLY OR 5% OF THE MONTHLY GROSS RECEIPTS FROM THE OPERATION OF THE CONCESSION, WHICHEVER IS GREATER;
- 2) JANUARY 1, 1991, TO DECEMBER 31, 1993.....\$7,200 ANNUALLY OR 12.5% OF THE MONTHLY GROSS RECEIPTS FROM THE OPERATION OF THE CONCESSION, WHICHEVER IS GREATER.

PROVIDING FOR EFFECTIVE DATE.

This ordinance repeals Ordinance 88 0 154 passed on December 5, 1988 since the earlier concession agreement was never signed and subsequent amendments to this agreement are acceptable.

Ordinance Introduction: Juarez

C. CLOSING AS A PUBLIC EASEMENT THAT SECTION OF SHERMAN AVENUE BETWEEN VIDAURRI AND SANTA ISABEL STREETS IN THE WESTERN DIVISION OF THE CITY OF LAREDO, WEBB COUNTY, TEXAS. After a public hearing held on October 20, 1988 the Planning & Zoning Commission has recommended the closing. This block of Sherman Street is not open to traffic.

Ordinance Introduction: Liendo, S. Benavides and Cortez

D. (2445.3) AUTHORIZING THE CITY MANAGER TO GRANT AN EXCLUSIVE CONCESSION TO HENRY LUNA TO OPERATE THE CONCESSION STAND AT BENAVIDES SOFTBALL PARK, AND TO EXECUTE A CONTRACT WITH HENRY LUNA FOR THE OPERATION OF THE CONCESSION STAND AT BENAVIDES SOFTBALL PARK; THE CONCESSION IS FOR A TERM OF SEVEN MONTHS COMMENCING ON APRIL 1, 1989 AND ENDING ON OCTOBER 31, 1989. THE MONTHLY CONCESSION FEE IS \$100.00 PLUS 15% OF THE GROSS SALES FROM EACH EVENT TO WHICH THE AGREEMENT APPLIES DURING THE MONTH; PROVIDING FOR THE CONDITIONS OF THE CONCESSION GRANT; PROVIDING FOR EFFECTIVE DATE.

This contract was awarded by City Council on September 6, 1988.

Ordinance Introduction: S. Benavides

At this point, Councilman Ramirez, Jr. told City Council of vandalism to the Benavides Park by several subjects which resulted in the loss of several thousand dollars.

Motion that if the Police Department arrests people involved in the vandalism at Benavides Park, that they be prosecuted to the fullest extent available; also anybody that is found who purchased this stolen material, that they also be prosecuted for having stolen property in their possession; Ramirez, Jr.

Second: Cortez

For: 8

Against: 0

Abstain: 0

- E. (2680.3) AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT BY AND ON BEHALF OF THE CITY OF LAREDO AS ZONE GRANTEE OF FOREIGN TRADE ZONE 94, AND OPERATOR OF FOREIGN TRADE ZONE SITE NO. 1 OF FOREIGN TRADE ZONE NO. 94 WITH JOSE LUIS CHAPA, A SOLE PROPRIETOR, D/B/A/ MR. CANDY TO ALLOW JOSE LUIS CHAPA TO USE A DESIGNATED PORTION OF SAID FOREIGN TRADE ZONE SITE FOR FOREIGN TRADE ZONE OPERATIONS; PROVIDING FOR EFFECTIVE DATE.

In November, O.M. International, Inc. the City's tenant, sub-leased a segment of their space to Mr. Jose Luis Chapa doing business as Mr. Candy. This ordinance will grant foreign trade zone status and also approval of the sub-lease. The Airport Advisory board so recommends.

Ordinance Introduction: Cm. Juarez and Cm. Castaneda

## XII. RESOLUTIONS

- (1365.3) A. WELCOMING THE CHOICE OF LAREDO FOR THE 1989 CONFERENCE OF THE HISPANIC WOMEN'S NETWORK OF TEXAS TO BE HELD IN OUR CITY DURING THE MONTH OF OCTOBER, 1989.  
RESOLUTION 89 R 01  
(Mayor Pro-Tem Saul N. Ramirez, Jr.)

Ms. Dianne Freeman, Chamber of Commerce, made presentation.

Motion to approve: Ramirez, Jr.

Second: Cortez

For: 8

Against: 0

Abstain: 0

- (2726.3) B. AUTHORIZING THE PURCHASE OF WHATEVER RIGHT, TITLE AND INTEREST IS OWNED BY MR. FILEMON GONZALEZ AND WIFE, LAURENTINA BEDA I. GONZALEZ IN BLOCKS 414, 423, 424, 425 AND 426, WESTERN DIVISION, FOR THE SUM OF \$50,000.00 LESS AND EXCEPT ALL TAXES OWED

ON SAID PROPERTIES UNDER JUDGEMENT IN TAX SUIT,  
CAUSE NO. 9842 IN THE 49TH DISTRICT COURT.  
RESOLUTION 89 R 02

Motion to table to January 9, 1989 meeting: M. Benavides  
Second: Ramirez, Jr.  
For: 8                      Against: 0                      Abstain: 0

XIII. ADJOURNMENT

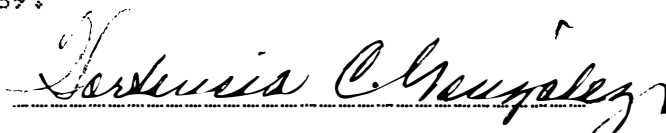
Motion to adjourn: Ramirez, Jr.  
Second: S. Benavides  
For: 8                      Against: 0                      Abstain: 0

Adjournment was at 11:15 P.M.

THIS NOTICE WAS POSTED AT THE MUNICIPAL GOVERNMENT OFFICES, CORNER OF FLORES AND LINCOLN STREETS, LAREDO, TEXAS AT A PLACE CONVENIENT AND READILY ACCESSIBLE TO THE PUBLIC AT ALL TIMES. SAID NOTICE WAS POSTED ON DECEMBER 30, 1988 AT 2:30 P.M.

I HEREBY CERTIFY THAT ABOVE MINUTES CONTAINED IN PAGES 01 TO 24 ARE TRUE, COMPLETE, AND CORRECT PROCEEDINGS OF THE REGULAR CITY COUNCIL MEETING HELD ON JANUARY 3, 1989. A CERTIFIED COPY IS ON FILE IN THE CITY SECRETARY'S OFFICE.

WITNESS MY HAND AND CORPORATE SEAL OF THE CITY OF LAREDO, TEXAS ON THIS THE 11TH DAY OF JANUARY, 1989.

  
\_\_\_\_\_  
HORTENCIA C. GONZALEZ  
City Secretary

MINUTES PREPARED BY: Gloria M. Garza, Deputy Secretary

PASSED AND APPROVED BY CITY COUNCIL ON: January 16, 1989

CORRECTIONS: None