

M I N U T E S

CITY OF LAREDO
LAREDO, TEXAS
REGULAR CITY COUNCIL MEETING
CIVIC CENTER CONFERENCE ROOMS 1 & 2
2400 SAN BERNARDO AVENUE
5:30 P. M.

AGENDA NO. 89-R-34

MINUTES

JULY 17, 1989

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Ramirez, Jr. led in the pledge of allegiance.

III. ROLL CALL

Roll call of members was taken by City Secretary Hortencia C. Gonzalez as follows:

IN ATTENDANCE:

ALDO TATANGELO, MAYOR (Arrived at 7:30 P.M.)

SAUL N. RAMIREZ, JR., MAYOR PRO-TEM

SANTOS BENAVIDES, COUNCILMEMBER, DISTRICT I

DR. JACINTO P. JUAREZ, " , " II

MARGARITO BENAVIDES, JR., " , " IV

DAVID R. CORTEZ, " , " VI

HECTOR J. LIENDO, " , " VII

(Arrived at 5:55 P.M.)

CONSUELO "CHELO" MONTALVO, " , " VIII

HORTENCIA C. GONZALEZ, CITY SECRETARY

PETER H. VARGAS, CITY MANAGER

MARTHA G. MARTINEZ, ASSISTANT CITY ATTORNEY

ABSENCES:

BLAS CASTANEDA, COUNCILMEMBER & DISTRICT V

ANTHONY McGETTRICK, CITY ATTORNEY

Motion to excuse Councilmember Blas Castaneda from the meeting: S. Benavides

Second: Montalvo

For: 6 Against: 0 Abstain: 0

IV. APPROVAL OF MINUTES

(026.1)

Regular City Council Meeting: June 26, 1989

Regular City Council Meeting: July 5, 1989

Motion to approve: Juarez

Second: S. Benavides

For: 6 Against: 0 Abstain: 0

V. ORDINANCES/RESOLUTIONS/CONSENT MOTIONS

A. Introductory Ordinances

- (106.1) 1. Consideration declaring the necessity for and ordering the improvements of voluntary street improvements Project 23.
Ordinance Introduction: All Councilmembers
- (122.0) 2. Consideration of adopting construction standards of the Texas Department of Health as published in "Construction Standards for On-Site Sewerage Facilities".
Ordinance Introduction: All Councilmembers
- (133.1) 3. Consideration of amendment to Subdivision Ordinance to provide minimum size for a lot having a sewage disposal system to be one-half acre rather than 15,000 square feet.
Ordinance Introduction: All Councilmembers
- (163.1) 4. Recommendation that City Manager be authorized to negotiate a lease agreement with Salvador & Carlos Bella d/b/a Viva Laredo Restaurant at the Airport Terminal.
Ordinance Introduction: Juarez & S. Benavides
- (178.0) 5. Consideration of adopting the Laredo Water Conservation and Drought Contingency Plan.
Ordinance Introduction: All Councilmembers
- (328.1) B. Final Reading Ordinances
Motion to waive the reading of Ordinances 89 0 87, 89 0 127; 89 0 128; 89 0 130; and 89 0 131:
Juarez
Second: S. Benavides
For: 6 Against: 0 Abstain: 0
- (260.1) 1. No. 89-0-87: Amending Division 3, (Rates and Charges), Sec. 31-138 which would comply with Texas Water Development Board requirements to qualify for \$1.7 million dollar loan and to finance future water improvements.

Ms. Elizabeth "Betty" Flores, Leadership Laredo representative, spoke in support of this issue. A letter to this effect is on file.
(See Item VIII-A3)
- (338.1) Motion to approve Ordinance 89-0-87: Juarez
Second: Cortez

For: 6 Against: 0 Abstain: 0

2. No. 89-0-127: Authorizing the City Manager to execute a lease agreement with Beatrice Sepulveda sole proprietor, d/b/a Team Air Express, for one year renewal option.

(338.1) Motion to approve Ordinance 89-0-127: Juarez
 Second: Cortez
 For: 6 Against: 0 Abstain: 0

3. No. 89-0-128: Authorizing the City Manager to enter into a contract with FAA to operate the control tower for FY 89/90 and beyond.

(338.1) Motion to approve Ordinance 89-0-128: Juarez
 Second: Cortez
 For: 6 Against: 0 Abstain: 0

4. No. 89-0-130: Authorizing the City Manager to execute a lease agreement with South Texas Development Council for 1 year renewal option.

Motion to approve Ordinance 89-0-130: Juarez
 Second: Cortez
 For: 6 Against: 0 Abstain: 0

5. No. 89-0-131: Amending 85-0-197 establishing new discount fares for the Municipal Transit System and adding college students.

Motion to approve Ordinance 89-0-131: Juarez
 Second: Cortez
 For: 6 Against: 0 Abstain: 0

C. Resolutions

- (373.1) 1. No. 89-R-48: Urging the National Weather Service to initiate dialogue with local government officials on the new weather radar project and that they address criticisms concerning the geographical coverage of the system.

(393.1) (Cm. Hector J. Liendo arrived at this time)

Motion to approve Resolution 89-R-48: Juarez
 Second: Montalvo
 For: 7 Against: 0 Abstain: 0

- (400.1) 2. No. 89-R-49: Establishing population of Laredo to be greater than 117,000 persons.

Motion to approve Resolution 89-R-49: M. Benavides, Jr.
 Second: Cortez

For: 7 Against: 0 Abstain: 0

D. Motions

1. Consideration of contract award for the purchase of 3 riding mowers for the Parks and Recreation Department.

(470.1)

Motion to approve: Cortez
Second: S. Benavides
For: 7 Against: 0 Abstain: 0

2. Consideration of a bid rejection and a request to solicit new bids for the purchase of a tractor and boom mower for the Waterworks Department.

(470.1)

Motion to approve: Cortez
Second: S. Benavides
For: 7 Against: 0 Abstain: 0

3. Consideration of contract award for the purchase of a full size sedan for the Police Department.

(470.1)

Motion to approve: Cortez
Second: S. Benavides
For: 7 Against: 0 Abstain: 0

(001.2)

4. Consideration of contract renewal with the Texas Department of Human Services for the continuation of the Family Care Program.

Motion to approve: Cortez
Second: S. Benavides
For: 7 Against: 0 Abstain: 0

5. Consideration of construction contract award for the Olive, McClelland Voluntary Street Improvements Project 26.

See Item IX(B)

6. Consideration of construction contract award for the access modifications to the export lot and parking lot improvements.

Motion to approve: Cortez
Second: S. Benavides
For: 7 Against: 0 Abstain: 0

7. Consideration of final acceptance of the Library Expansion Project.

Motion to approve: Cortez
Second: S. Benavides

For: 7

Against: 0

Abstain: 0

VI. CITY MANAGER'S REPORTS
(480.1)

A. Consideration of proposed requirements for temporary closing of a street.

Assistant City Manager Carlos R. Villarreal outlined the following procedures recommended by staff for street closing requests:

1. That request be in writing 30 days prior to the event.
2. That request identify street with sketch and include general information about event, and name of responsible party.
3. That liability insurance be provided, \$300,000 minimum (subject to change by City Council) (Council recommended that a \$100,000 to \$300,000 range combined single----- would be appropriate)
4. That suitable sanitary facilities be provided.
5. That adequate security (determined by staff dependant on type of event) be provided.
6. Notification of area residents within 1 block radius of area requested to be closed.
7. That proper barricades be approved by Traffic Dept.
8. That noise pollution factors, be considered and that these not exceed 12 midnite.
9. That responsible party clean area after function
10. That \$100 deposit be required and only refundable after premises are left in satisfactory order.
11. That all requests be cleared by Police, Fire and Traffic Depts., with Community Development Street Closing Division to process all paperwork and transmit to the City Manager for approval.
12. That an appeal process be in place for those wishing to appeal to City Council on staff decision

Cm. Cortez asked staff that prior requesters be notified of the proposed recommendations and allow for their comments.

Mayor Pro Tem Ramirez, Jr. recommended that a public hearing be held to allow public input with ordinance introduction at a later date.

City Manager Peter Vargas stated that intent was to work with everyone and allow a safe use of the area for all concerned.

B. Consideration of a request from Royal Joint Venture to obtain Foreign Trade Zone designation for the UNITEC Industrial Park by amending the expansion

application pending before the Foreign Trade Zone Board.

City Manager Vargas explained that their letter was received and that he had contacted them and indicated to them that the City would either sponsor or co-sponsor with them an application to the FTZ Board or discuss possibilities of allowing them usage of some of the acreage at the Airport property.

Motion to instruct staff to send parameters to UNITEC for their comments: Juarez

Second: M. Benavides, Jr.

For: 7 Against: 0 Abstain: 0

- C. Discussion and possible action of the proposed zoning ordinance amendment which would create a new zoning District B-4 (Highway Commercial) incorporating some of the current M-1 and B-3 uses.

City Manager Vargas explained that a meeting was held on July 10th by the committee composed of Councilmembers Juarez & Montalvo who reviewed the issue. Cm. Juarez explained of concerns related to designation of restaurants. A restaurant with a liquor license should be treated differently from one without this type license in terms of the B-1 designation versus any other designation without hindering those in highly commercial areas. The matter of small carnivals (temporary) should perhaps be included in the special events procedure. The definition of a clinic should be specific in its definition. The matter of second hand items must be defined. Other information provided was acceptable to the committee.

City Manager Vargas indicated that recommendations made this evening would be incorporated into the current draft ordinance.

Planning & Zoning Commissioner Daniel Barrera explained recommendations were to segregate the more intense B-3 uses and incorporate them into the B-4 with some M-1 uses (warehouses) added to this B-4 designation which are adaptable to the neighborhood.

(1517.1)

Motion to incorporate above recommendations: M. Benavides, Jr.

Second: Montalvo

For: 7 Against: 0 Abstain: 0

- (1524.1) D. Consideration of an Airport Advisory Committee recommendation concerning a lease agreement with Conquest Airlines.

Dr. Crispin Sanchez, Airport Advisory Board Vice-Chairperson, indicated that the Board considered Conquest proposal and unanimously recommends its approval.

Mr. Peter Vargas, City Manager clarified that the intent was not to deny Conquest Air the ability to service Laredo but that a lease agreement should first be presented to City Council for approval or denial.

Motion to instruct staff to negotiate an agreement with Conquest Airlines with necessary postings for Council meetings to address within most expeditious manner: Cortez

Second: M. Benavides, Jr.

For: 0 Against: 0 Abstain: 0

- E. Submission of the 1989-90 City Budget and setting August 1, 1989 for a public hearing.

- (0558.3) Motion to establish a Public Hearing for August 1, 1989: M. Benavides, Jr.

Second: Cortez

For: 7 Against: 0 Abstain: 0

- (3724.3) F. Request for Executive Session pursuant to Article 6252-17, Section 2(f), to discuss personnel matters.

Motion to go into Executive Session: Cortez

Second: M. Benavides, Jr.

For: 7 Against: 0 Abstain: 0

Upon their return, Mayor Pro-Tem Ramirez, Jr. announced that no action was taken in Executive Session.

VII. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

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

A. Request from Mayor Aldo Tatangelo:

- (0579.3) 1. Staff report regarding closure of satellite clinics at Farias and La Ladrillera.
(Cw. Consuelo "Chelo" Montalvo and Cm. Hector J. Liendo)

Mr. Jose Gonzalez, Health Department Director, stated that La Ladrillera Clinic (medical and dental services) has been closed for approxi-

mately 10 months, due to lack of medical staff.

Ms. Angela Guerrero, voiced concern with lack of medical services.

Councilmember Cortez asked Mr. Jose Gonzalez to come before City Council and inform them of any problems that might interfere in providing service to the citizens of Laredo.

Dr. Wong, former physician, gave City Council an overview status report on health services.

Mr. Ricardo Martinez and Mr. Mike Trevino, Health Department employees, stated that the health crisis is not only a local problem but also a national one.

- (2137.3) 2. Status report regarding paving assessment of 114 Iturbide Street.

Item was withdrawn.

- (2142.3) B. Requests from Cm. Hector J. Liendo:
1. Follow-up report on possible bridge fares increase and requested survey of fares now charged along Texas-Mexican border.

A lengthy discussion was held regarding the report and memorandum submitted by both the staff and City Attorney, with additional reporting to be forthcoming.

- (3092.3) C. Requests from Dr. Jacinto F. Juarez:
1. Update report from staff regarding gasoline prices in Laredo.

Councilmember Juarez requested that staff contact Henry Cuellar to schedule meeting with gasoline dealers.

- (3294.3) D. Request from Cw. Consuelo Montalvo:
1. Authorization of special permit for closing of street for Guadalupe Church annual event.

Motion to approve: Montalvo

Second: Juarez

For: 7 Against: 0 Abstain: 0

- (3313.3) E. Requests from Cm. Santos Benavides:
1. Status report on traffic lights at Zapata Hwy.

Mr. Luis Landin, Traffic Director, reported that traffic lights on U.S. 83 at Chestnut, and at Napoleon are both highway projects and are scheduled to be bid on March, 1990.

On U.S. 83 and Chacon Street an analysis was done which did not require a traffic signal light.

On U.S. 83 and Sta. Rita an analysis was also done and found that it did not warrant the installation of a traffic signal light.

(3383.3) 2. Status report on street lights at area to South.

City Manager Vargas reported that Central Power and Light Company will install 2 street lights at Southgate Blvd. on August 4, 1989.

It was also reported that an estimated cost of \$2,420 would be required to install a street light at Palo Blanco and Zapata Hwy.

Motion to re-approve Palo Blanco/Zapata Hwy. street light previously approved: Santos Benavides

Second: M. Benavides, Jr.

For: 7 Against: 0 Abstain: 0

(3516.3) 3. Traffic Light at San Salvador/New York.

Staff to return with a report at a later date.

Motion to recess meeting and reconvene at 7:30 P.M.: Cortez

Second: M. Benavides, Jr.

For: 7 Against: 0 Abstain: 0

7:00 P.M.

- R E C E S S -

(2773.1) Mayor Pro-Tem Saul N. Ramirez, Jr., called the meeting to order.

VIII. COMMUNICATIONS

A. Communications

(2796.1) 1. Formal invitation from the City of Monterrey, Nuevo Leon, Mexico to the Mayor and Councilmembers and other City staff to attend a Summit on Tourism and Commercial Trade in Monterrey on August 10-11, 1989 - "The Golden Corridor" (Corpus Christi/Laredo/Monterrey).

Dr. Dianne Freeman, President of Laredo Chamber of Commerce introduced the Nuevo Laredo delegation from Monterrey formally inviting City officials to a meeting in Monterrey. The delegation was headed by Mr. Bernardo Garza Gonzalez, President of Canaco in Monterrey, Nuevo Leon; and included Lic. Homero Santos, Director of Tourism; Lic. Ricardo Saldana Avalos, General Director of Canaco in Monterrey, Nuevo Leon.

Mayor Pro-Tem Ramirez, Jr., on behalf of City Council welcomed and thanked the Nuevo Laredo delegation and acknowledged acceptance of their invitation for what is foreseen as a most fruitful event.

Motion to instruct staff to initiate the process by which solidarity is established between the cities of Laredo/Monterrey/ Corpus Christi, with City Council sponsoring such Resolution: Juarez
Second: Cortez

For: 7 Against: 0 Abstain: 0

- (3121.1) 2. Presentation and approval of the planned building expansion of the Laredo Chamber of Commerce.

Both City Manager Vargas and Mr. John Hickey, Architect, explained the plans.

Dr. Dianne Freeman, President of Laredo Chamber of Commerce, spoke to the issue.

- (0190.2) Motion to concur with the recommendation to proceed: M. Benavides, Jr.
Second: Santos Benavides
For: 7 Against: 0 Abstain: 0

- (0254.2) 3. Letter from Leadership Laredo in support of eliminating the descending water rate (Final reading No. 89-0-87).

See Item V(B)1

- (0259.2) 4. Letter from Mr. Royle Wright in protest of the paving of the 4000 Blk. of McClelland included in paving assessments street improvements - Project 26.

See Item IX(B)

Letters from Mr. Royle Wright and Mr. Enrique Vasquez were received in opposition to the paving of 4000 block McClelland.

(0300.2) Cm. Cortez introduced and welcomed two Boys Scouts Shan Clays and Cisco Jaraso who are working on their merit badge and their attendance to a City Council meeting was part of their assignment.

(0333.2) At this time Cm. Cortez invited comments as to status of preliminary plans sent to Laredo on the Columbia Bridge.

Mr. Carlos Villarreal, Assistant City Manager explained that after more than 2 years of negotiations with Nuevo Leon preliminary plans have been submitted. The City Engineer is now studying the conceptual design with converting the Spanish dimensions into English. He further indicated that efforts are being coordinated with Architect Antonio Fuentes Flores with plans nearing completion except for some modifications by CILA-Comission Internacional Limites & Aguas on the Mexican side, and some on the U.S. side. Final plans will be addressed in Monterrey next week with possible discussions on the financing of the bridge.

IX. PUBLIC HEARINGS

(0500.2) Motion to open the Public Hearings: Juarez
 Moved: Cortez
 For: 7 Against: 0 Abstain: 0

(0510.2) Mayor Aldo Tatangelo arrived at this time.

(0514.2) A. Second public hearing regarding the Northwest Laredo River annexation.

Mr. Ron Whitehawk, City Planner, made a brief presentation describing the proposed area to be annexed.

Mr. Albert Muller area resident, spoke against the annexation and to the City not providing the adequate services but requiring them to pay City taxes. He asked that the City present an adequate plan as the current service plan is unsatisfactory to the land owner. If there is no plan to service this area, landowners plan to enjoin the City in a court-of-law.

Ms. Elva Vergara Guerra, area resident, also opposed annexation.

Mr. Oliver Garza, Webb County resident, spoke to the issue also.

Motion to close the Public Hearing and to
continue with the process: M. Benavides, Jr.
Second: S. Benavides
For: 7 Against: 0 Abstain: 0

- (2135.2) B. Closing the public hearing on the Paving
Assessment Street Improvements Project 26 and
fixing a lien and charge.

Mr. Amador Escudero, City Engineer, presented
his qualifying statements.

Ms. Frances Villarreal, Real Estate Appraiser,
stated that a study on street paving Project 26
consisting of 192 parcels of land, revealed
there was irregularity as far as size but more
typical, looking at other property it did show
that there was enhancement, at least by the
assessed value and none were assessed more
than the enhancement.

Mr. Joe Ruiz spoke on behalf of other property
owners indicating the assessment was quite high;
He also told of a sewer system line running thru
their property to other adjacent properties for
the past several years.

Mr. Amado Serna, Jr. also spoke in opposition
indicating that there were several hardship cases.

Motion to close the Public Hearing: Montalvo
Second: M. Benavides, Jr.
For: 7 Against: 0 Abstain: 0

- (2622.2) Motion to consider construction contract award
(Olive, McClelland V.S.I. Paving Project 26)
to the lowest bidder, Pete Gallegos Paving, Inc.
in the amount of \$556,364.65: Montalvo
Second: Juarez
For: 7 Against: 0 Abstain: 0

Ordinance Introduction: All Councilmembers.

- (2705.2) C. Public hearing on proposal for sale of \$3,300,000
of Airport Improvement Certificates of Obligation.

RESOLUTION No. 89 R 50

Directing publication of Notice of Intent to
issue Airport Certificates of Obligation
not to exceed \$3,300,000.
(Council Introduction)

No one spoke for or against this issue.

Motion to Close Public Hearing: Juarez
 Second: M. Benavides
 For: 7 Against: 0 Abstain: 0

Motion to approve Resolution 89-R-50: Juarez
 Second: M. Benavides, Jr.
 For: 7 Against: 0 Abstain: 0

- (2860.2) D. Public hearing on proposed Voluntary Annexation of Muller Property.

INTRODUCTORY ORDINANCE

Annexing 97.5941 acres near the old Municipal Airport.

Ordinance Introduction: All Councilmembers

- (2880.2) E. Consideration of amendment to Zoning Ordinance defining "garage/yard sales".

Mr. Vargas explained that a permit process is not necessary at this time. He further indicated that a schedule has been developed where zoning enforcement officers would work on Saturdays and Sundays, with a day off during the week.

- (3778.2) The Planning and Zoning Commission recommends a permit for 2 days on a yearly basis.

Ordinance Introduction: All Councilmembers

- (0063.3) Motion to close the Public Hearing: Montalvo
 Second: Juarez
 For: 7 Against: 0 Abstain: 0

- F. Consideration of amendment to Zoning Ordinance establishing new zoning district called the Conditional Zoning District.

No one spoke for or against this issue.

Motion to close the Public Hearing and table this item until the next Council meeting and that it be called a specific zoning district: Montalvo
 Second: Juarez
 For: 7 Against: 0 Abstain: 0

- (0335.3) Motion to appoint Cw. Consuelo Montalvo and Juarez to Ad Hoc Committee: Liendo
 Second: Castaneda
 For: 7 Against: 0 Abstain: 0

- (0352.3) G. Consideration of amendment to Zoning Ordinance

establishing method of measuring between residential districts and a bar, saloon, or or cantina.

There was no public input.

Motion to close the Public Hearing and introduce ordinance: M. Benavides, Jr.

Second: Cortez

For: 7 Against: 0 Abstain: 0

- (0434.3) H. Consideration of ordinance which proposes B-1 and M-1 zoning for the recently annexed area along Highway 83 in South Laredo.

There was no public input.

Motion to close the Public Hearing and introduce ordinance: Montalvo

Second: Juarez

For: 7 Against: 0 Abstain: 0

X. ADJOURNMENT.

Motion to adjourn: S. Benavides

Second: M. Benavides

For: 7 Against: 0 Abstain: 0

Adjournment was at 11:30 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 JULY 14, 1989 AT 3:00 P. M.

HORTENCIA C. GONZALEZ
CITY SECRETARY

SUPPLEMENTAL AGENDA

VII. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

(3548.3)F. Requests from Cm. Margarito Benavides, Jr.

1. Staff report regarding traffic light at Meadow/Plum.

Councilmember M. Benavides, Jr. requested that an analysis be made supporting the traffic light.

2. Staff report regarding status of street construction on-going on Saunders, Springfield, and other streets.

City Engineer Amador Escudero reported that said project would be completed by the end of the month.

- (3680.3) 3. Staff report on status of acquisition of new buses for El Metro.

City Manager Peter H. Vargas explained that there are approximately 14 or 15 buses that need to be replaced.

- (3697.3) 4. Discussion regarding water storage tank at Lyon and Meadow.

Staff will look into this problem.

THIS SUPPLEMENTAL 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 JULY 14, 1989, AT 5:15 P.M.

I HEREBY CERTIFY THAT ABOVE MINUTES CONTAINED ON PAGES 0:1 TO 15 ARE TRUE, COMPLETE, AND CORRECT PROCEEDINGS OF THE REGULAR CITY COUNCIL MEETING HELD ON JULY 17, 1989. A CERTIFIED COPY IS ON FILE IN THE CITY SECRETARY'S OFFICE.

HORTENCIA C. GONZALEZ
CITY SECRETARY

MINUTES PREPARED BY: HCG

PASSED AND APPROVED BY COUNCIL ON:

CORRECTIONS: