

STATE OF TEXAS                    §  
 COUNTY OF WEBB                   §  
 CITY OF LAREDO                   §

On this the 16th day of November, 1982, the City Council of Laredo, Texas, convened in a Regular City Council Meeting at the Civic Center Auditorium at 7:30 P.M., with the following members thereof present, to wit:

ALDO TATANGELO	:	MAYOR
SANTOS BENAVIDES	:	ALDERMEN
VIDAL CANTU, JR.	:	"
SAUL N. RAMIREZ, JR.	:	"
CARLOS A. ZUNIGA	:	"
ANDRES RAMOS, JR.	:	"
DAVID R. CORTEZ	:	"
JOSE A. VALDEZ	:	"
JOHN PETER MONTALVO	:	"
EUSTORGIO PEREZ	:	CITY ATTORNEY
MARVIN TOWNSEND	:	CITY MANAGER
FLORENCIO PENA	:	ASSISTANT CITY MANAGER
HORTENCIA C. GONZALEZ	:	CITY SECRETARY

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With a quorum present, the Mayor called the meeting to order and the following proceedings were carried out:

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Approval of Minutes of the Public Hearing of November 4, 1982, and Regular City Council Meeting of October 19, 1982. Councilman Saul Ramirez requested a correction be made to the Minutes of October 19, 1982. On page 4 under the Manager's Reports Items V(A) to V(E) should have been Items V(A) to V(F).

A motion for approval of the above mentioned Minutes was made by Councilman Saul Ramirez with Councilman Benavides seconding. All were in favor.

Councilman Valdez requested that Item IX(E) be discussed next. Councilman Cantu made the motion and Councilman Zuniga seconded. All were in favor. The item dealt with a request by Councilman Valdez for clarification of Senior Citizen use of the Three Point Center. There appeared to be a misinterpretation as to which guidelines are to be followed at the Center--those of Community Action Agency or Texas Migrant Council since the latter is presently financing this Center. Several persons addressed this issue and the general consensus was that the elderly should establish their own guidelines and rules for use of this Center. Councilman Ramos made a motion that this item be tabled and presented at the Community Action Agency Board Meeting. Councilman Cortez seconded. All were in favor.

Councilman Montalvo made a motion that Item X(A) be discussed next. Councilman Zuniga seconded and all were in favor. The item dealt with a request of Mr. Rolando Herrera, President of Central Labor Council, to address City Council regarding termination of employment of Mr. Arturo Gomez. Mr. Herrera spoke on behalf of Mr. Gomez and questioned the termination of his employment. Councilman Cortez made reference to the position of the City Manager as administrator and further spoke against Council's intervention with his decisions. It appeared that under the circumstances Fire Chief Mike Perez and his staff will have to resume those duties previously executed by Mr. Gomez. A weed ordinance was requested to be presented in approximately two weeks. Councilman Montalvo also spoke on Mr. Gomez's behalf and differed with Councilman Cortez as to firemen resuming Mr. Gomez's duties, further stating that firemen have their own duties to tend to. Councilman Montalvo requested that Grievance Committee should hear Mr. Gomez appeal.

Councilman Cantu made a motion that Item V(G) be discussed next. Second was by Councilman Ramirez. All were in favor.

This item dealt with consideration of the recommendation of the Laredo Health Facilities Development Corporation that its by-laws and local regulations be approved. Passage of this item was executed on motion of Councilman Cantu and the second by Councilman Cortez, and the prevailing note of all Councilmen present.

The next item regarded the public hearing on the proposed annexation of areas I and II towards east and southeast of the City. Presentation were made by the staff. Introduction of this ordinance is to be at the November 29th Special Meeting of Council with passage to be executed on November 30th at another Special Council Meeting.

Councilman Cantu made a motion to close this hearing and second was by Councilman Zuniga. All were in favor.

Next item on the agenda was the public hearing on the 1982-83 budget recessed from the regular meeting held on November 2, 1982.

Mayor Tatangelo expressed that the 1979 budget should be used as a guide. City Manager Marvin Townsend told City Council that the City was in a difficult situation and that he was looking at a tighter budget. After much discussion, Councilman Cantu made a motion to recess this hearing to the next Regular City Council Meeting. Councilman Cortez seconded the motion. All were in favor.

The next Item V(D) was moved forward for discussion on motion of Councilman Benavides and second by Councilman Cantu. All were in favor. It dealt with a status report on the grant application of Kellogg Foundation. Mr. Jose L. Gonzalez made a presentation stating this is the first Health Department to receive such a grant, which carries a commitment of \$866,227.00 over a four-year period designed to develop a health promotion program.

Next Items V(A), (B), and (C) were approved on motion of Councilman Montalvo and second of Councilman Valdez. All were

in favor, except Councilman Cortez who opposed Item V(C).

Item V(A) recommendation that Change Order #1 be approved for the Ash-Blair Pedestrian Bridge and the project be accepted and final payment be authorized. The change order decreases the contract by \$864.00 to a new total of \$63,004.40 as a result of a reduction in actual quantities.

Item V(B) the retainage for the construction contract for site work at Bridge #2 be reduced from 10% to 5%. The original contract of \$936,988.10 was awarded on October 28, 1981. It was increased to \$1,129,014.69 by change orders. The original completion time of 200 working days was increased to 249 working days. Time was suspended from August 27 to October 24, 1982 due to delays caused by the Toll Plaza contractor being behind schedule. The contractor has completed about 90% of the work and has approximately 40 working days remaining to complete the work.

Item V(C) consideration of an amendment to the Police Collective Bargaining Contract to continue the contract on a month to month basis with a number of modifications, including the following:

1. Clarification of management rights.
2. Use of time in rank rather than just seniority to determine vacation priority.
3. Establish call back time as a minimum of 3 hours.
4. Reduce court standby at home pay from straight time to one-half time.
5. Allow up to 2 days at one time and 6 days per year of sick leave without a doctor's statement, subject to the chief's right to revoke this privilege as to any officer.
6. Allow the uniform to be worn while involved in off duty employment at certain locations with the chief receiving the right to revoke this privilege.
7. Allow chief to appoint and remove his immediate subordinate.
8. Increase the period that the chief can suspend an officer from 30 to 90 days if the officer agrees, rather than only dismissal as a punishment for a significant rule violation.

9. Increase the maximum period of suspension from 15 to 30 days.
10. Provide for arbitration as an alternative to the Civil Service Commission to hear appeals from dismissals with  $\frac{1}{2}$  the cost of arbitration to be paid by the employee or association.

On motion of Councilman Valdez and second of Councilman Montalvo Item IX(F) was moved forward for discussion. All were in favor. This item dealt with a Resolution proposed by Councilman Valdez commending Stop Child Abuse and Neglect (SCAN) for their contribution to this community. Councilman Cantu made a motion for its passage which was seconded by Councilman Montalvo and the affirmative vote of all Councilmembers prevailed.

Next Items V(E) & (F) regarding the UDAG project were tabled on motion of Councilman Ramos and the second by Councilman Valdez and all being in favor.

Item V(H) regarded clarification as to the meeting time for Regular and Special City Council Meetings. Councilman Cortez made a motion they be held at 6 P.M. Second was by Councilman Cantu. Councilman Ramos amended this motion that time be changed to 6:30 P.M. The vote was taken and those voting for 7:30 P.M. were Councilmen Montalvo, Valdez, Zuniga, Benavides, and Ramirez; those voting for 6:30 P.M. were Councilmen Cortez, Cantu, and Ramos. Therefore, meetings will remain at 7:30 P.M.

Next Item #VI (A) to (E) were introductory ordinances.

Item VI(A) Authorizing the City Manager to execute an agreement between the City of Laredo and International Brotherhood of Peace Officers, Laredo Police Department Local 543, through its Chairman and Co-chairman, which agreement was negotiated by the representatives of the City and Local 543 I.B.O. in accordance with the provisions of Article 5154-c-1 of the revised Civil Statutes of Texas (The Fire and Police Employee Relations Act). Requested by Councilman Jose Valdez.

Item VI(B) Dealt with the request of Councilman Cortez for the extension of the Vumore Franchise approximately 3 months to

June 20, 1983. Two lengthy discussions have recently been completed with Vumore officials and the City's consultants. Status report will be submitted to the Council in the near future. Franchise adoption requires approximately 4 months after the provisions are agreed to by both parties. (1st Reading)

Item #VI(C) Request by Councilman Ramos that the title of the Community Development Agency be changed to Community Development Department to clearly designate the Department's important role in the City organization and to help eliminate public perception that the department is a separate entity.

Item #VI(D) Dealt with the request of Councilman Montalvo to amend the City's personnel policies to require all new employees to live inside the City within 90 days of employment and all existing employees to continue to reside inside the City unless they now live outside the City. This change would be consistent with the Council's position regarding contractors and will improve employee call back response time.

Item #VI(E) Request by Councilman Zuniga for the recommendation of the Airport Committee that the following leases be renewed:

1. For one year to December 31, 1983, with a one year option with J & G SERVICES, INC., A Texas Corporation, for 43,681 square feet of land at \$.00525 per square foot. Rent per month is \$230.57. The leased premises is used as a utility contractor office and storage area.
2. For one year to December 31, 1983, with a one year option with REED ROCK BIT COMPANY for Building #1378, containing 1,000 square feet at \$.312 per square foot. Rent per month is \$312.98. The building is used for office space and storage of oil field tools.
3. For one year to December 31, 1983, with a one year option with JACK A. MILLER, INC. A Texas Corporation for Building #1429, which contains 1,548.5 square feet at \$.144 per square foot. Monthly rental is \$225.25. The facility is used for an office and storage of traffic signal equipment.

Next Item # VII (A) to (D) were resolutions as follows:

Motion to approve VII(A), which was introduced by Councilman Cantu, was made by Councilman Zuniga and seconded by Councilman Cantu. All were in favor except Councilman Montalvo who abstained.

A RESOLUTION

AUTHORIZING THE CITY ENGINEERING DEPARTMENT  
AND THE DEPARTMENT OF COMMUNITY DEVELOPMENT  
TO ACQUIRE CERTAIN PROPERTIES FOR THE ARKANSAS  
AND HIGHWAY 359 PROJECT (ALL KNOWN AS MH219  
PROJECT).

The next resolution #VII(B) introduced by Councilman Ramos dealt with establishing a Joint Committee to prepare for the racetrack opening in Nuevo Laredo. Councilman Ramos made a motion for its passage with Councilman Valdez seconding. Those voting in its favor were: Councilmen Montalvo, Valdez, Ramos and Ramirez. Those voting against were Councilmen Cantu, Benavides, Zuniga and Cortez. Since this was a tied vote, the Mayor cast the deciding vote against and thus defeated its passage.

Item #VII(C) was a resolution introduced by Councilman Valdez and it dealt with creating a Legislative Affairs Committee. Councilman Valdez made a motion for its passage and the second was by Councilman Cantu. All were in favor. The Mayor will not name his appointments until a future meeting.

A RESOLUTION

CREATING A LEGISLATIVE AFFAIRS COMMITTEE;  
DESIGNATING THE MEMBERS OF SAID COMMITTEE;  
AND STATING THE PURPOSES OF SAID COMMITTEE.

The next resolution #VII(D) requesting an amendment to the UDAG project was WITHDRAWN by the City Manager.

Item VIII(A) regarded the amended garbage fee ordinance. Councilman Cortez made a motion for its passage with Councilman Ramirez seconding the motion. Those voting for were Councilmen Cantu, Benavides, Cortez, and Ramirez. Those against were Councilmen Montalvo, Valdez, Zuniga and Ramos. This being a tied vote, the Mayor cast the deciding vote in the affirmative.

AN ORDINANCE

AMENDING SECTION 2 AND SECTION 5 OF THE GARBAGE FEE ORDINANCE OF NOVEMBER 16, 1980 TO INCREASE GARBAGE FEE RATES TO RESIDENCES FROM \$2.00 TO \$4.00 A MONTH AND LOAD RATES AT CITY LANDFILL FOR TRUCKS OVER 5 TONS FROM \$14.00 to \$25.00, AND TIRES AT THE LANDFILL \$ .07 EACH.

The following Item IX(A) requested by Councilman Ramos was addressed under Item VII(B).

Item IX(B) requested by Councilman Ramos dealt with a status report on the Governor's funding of a Methadone and Detoxification Center in Laredo. No response from the governor's office has been received. The Texas Department of Community Affairs will be contacted for further information.

Item IX(C) was a resolution proposed by Councilman Ramos instructing the City Manager Marvin Townsend to study and make recommendations to the City Council within 90 days concerning acquisition of a site for continued operation of the City's sanitary landfill, including cost estimates. The City Manager stated he is presently working on alternate sites and will report to City Council in 90 days as to progress. Councilman Ramos made the motion instructing the City Manager to proceed and was seconded by Councilman Valdez. All were in favor.

Item IX (D), (E) and (F) were addressed previously on Item VII(C).

Item IX(G) was requested by Councilman Cortez and dealt with a request to pave Haynes Avenue from Hillside Road to Calton Road. Councilman Cortez made a motion to proceed after final documentation is finalized. Councilman Valdez seconded and all were in favor.

Item IX(H) was a request by Councilman Cortez for a status report on the paving project of Yearly Avenue from Hillside to Calton Road. It appears that the \$5,000 offered by Mall Del Norte has been withdrawn due to lagging of this project. Staff is about to commence paving work and Mall Del Norte will again be approached for re-consideration.



Next Item IX(I) regarded a joint request of Councilmen Cortez and Benavides for Council action to determine the need of new racket ball courts and possible location of same. Councilman Cortez made a motion to instruct the City Manager to look into this matter. Second was by Councilman Benavides. All were in favor.

The next item IX(J) was a request and motion from Councilman Benavides to direct the City Manager to meet with the President of the American Little League, Mr. Jerome Jordan, to discuss use of land adjacent to American Little League Field on Arkansas. Second was by Councilman Valdez. All were in favor.

Next Item IX(K) was a request and motion by Councilman Montalvo to have the Martinez residence, #14 Iturbide, as a Neighborhood Center for Azteca area. Second was by Councilman Ramirez. This is city property and the Azteca residents will manage and the Community Action Agency will be contracting it. All were in favor.

The following and last item to be discussed was an addendum regarding that a change order be approved for \$13,225 for the switch-gear and wiring to connect the new transformer to the lighting system on the Juarez-Lincoln Bridge. This work was omitted from both the Toll Plaza and site work contracts. Since it is on the City side of the transformer, it is not the responsibility of Central Power & Light Company. Mr. Paul Garza explained that there was no Electrical City Code at the time original work on site was performed causing its being left unsolved then. After some discussion, Councilman Valdez asked as to the possibility of establishing a contingency fund for similar occurrences. This money is to come out of Bridge Bond Fund. Councilman Cortez made a motion for its approval and second was by Councilman Cantu. Those voting in favor were Councilmen Cantu, Ramirez, Benavides, Zuniga and Cortez. Voting against were Councilmen Valdez and Montalvo. Since Councilman Ramos was momentarily away his vote was not documented.

Having no further business to be discussed, motion for adjournment was made by Councilman Valdez and seconded by Councilman Montalvo. All were in favor.  
Adjournment occurred at 11:30 P.M.

*Hortencia C. González*  
HORTENCIA C. GONZALEZ  
CITY SECRETARY

STATE OF TEXAS }  
COUNTY OF WEBB }  
CITY OF LAREDO }  
Hortencia C. González  
City Secretary of the City of Laredo, Texas  
do hereby certify that the above and foregoing is a true and correct copy  
of Minutes (passed-adopted) by the City  
Council of the City of Laredo, Texas on 1-4-83  
WITNESS MY HAND AND THE SEAL OF THE CITY OF LAREDO,  
TEXAS, This the 5th day of January A.D. 1983  
*Hortencia C. González*  
City Secretary of the  
City of Laredo, Texas