

CITY OF LAREDO
CITY COUNCIL MEETING

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

MINUTES

M98-R-03

JANUARY 26, 1998

I. CALL TO ORDER

With a quorum present Mayor Protem Jose R. Perez, Jr. called the meeting to order.

II. PLEDGE OF ALLEGIANCE

Mayor Protem Jose R. Perez, Jr. led in the Pledge of Allegiance.

III. ROLL CALL

IN ATTENDANCE:

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,	"	, DISTRICT V
JOE A. GUERRA,	"	, DISTRICT VI
MARIO G. ALVARADO,	"	, DISTRICT VII
CONSUELO "CHELO" MONTALVO,	"	, DISTRICT VIII
GUSTAVO GUEVARA, JR.,	CITY SECRETARY	
FLORENCIO PENA,	CITY MANAGER	
JAIME L. FLORES,	CITY ATTORNEY	

Motion waive the regular order of business and move up items IX - Communication, #14, B(1), and C(1).

Moved : Cm. Valdez

Second: Cw. Montalvo

For: 6

Against: 0

Abstain: 0

Cm. Alvarado was not present.

IV. INTRODUCTORY ORDINANCES

- 2. Authorizing the City Manager to execute a lease with the Washington's Birthday Celebration Association, Inc., for approximately one acre of land located at the north end of the Air Operations Area of the Laredo International Airport for the purpose of hosting an air show which will be free to the public.
 - 1. Lease term is for one (1) day commencing on February 22, 1998.
 - 2. Daily rent shall be \$1.00.

Ordinance Introduction: City Council

Cm. Alvarado came in at 5:40 p.m.

V. FINAL READINGS

Motion to waive the final reading of ordinances #98-O-016, #98-O-017, #98-O-018, #98-O-019, #98-O-022, #98-O-024, #98-O-025, and #98-O-026.

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

Against: 0 Abstain: 0

- 3. 98-O-016 Closing as a public easement a 227.50 square feet parcel of land more or less (3.5' x 65') out of the 700 block of Hendricks Avenue between Cortez and Guatemozin Streets, said parcel of land being encroached by the improvements of the abutting property being the North 1/2 of Lot 1, Block 605, Eastern Division, City of Laredo, County of Webb, and authorizing the sale of "The Surface Only" of said parcel of land at the adjusted fair market value of \$395.85 and authorizing the City Manager to execute all necessary documents to effectively convey fee simple title to Irma Yolanda Garcia and providing for an effective date. (City Council)

Motion to approve.

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

Against: 0 Abstain: 0

- 4. 98-O-017 Establishing a 20 MPH maximum speed limit zone on Springfield Avenue from 150 feet south of Bustamante Street to 150 feet north of Ryan Street during the

specified hours of operation starting at 7:15 A.M. to 8:30 A.M., and 2:30 P.M. to 3:30 P.M. to provide for a safer crossing of students attending Alma Pierce Elementary school, prescribing penalties for violations and providing for publication and effective dates. (City Council)

Motion to approve.

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

5. 98-O-018 Approval of an amendment to the contract with the Texas Department of Health and budget in the amount of \$173,829.00, for the Immunization Action Plan Project of the City of Laredo Health Department for the period beginning January 1, 1998, through December 31, 1998. (City Council)

Motion to approve.

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

6. 98-O-019 Ordinance regarding approval of an amendment to the contract with the Texas Department of Health and budget in the amount of \$142,492.00, for the Neural Tube Defects Project of the City of Laredo Health Department for the period beginning October 1, 1997, through September 30, 1998. (City Council)

Motion to approve.

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

7. 98-O-022 Ordinance amending the City of Laredo's 1997-1998 Annual Budget by an increase of \$345,000.00, for the sale of three motor graders to Holt Co. of Texas under the re-purchase program and the purchase of two new motor graders and the lease or purchase of a loader. Providing for publication and effective date. (City Council)

Motion to approve.

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

8. 98-0-024 Ordinance amending the City of Laredo's 1997-1998 Annual Budget in the amount of \$15,000.00, for the Speed STEP grant from the Texas Department of Transportation. The Texas Department of Transportation's contribution will be \$9,750.00, with the City designating \$5,250.00, in matching funds. These funds reflect the remaining balance awarded to the Laredo Police Department. The funding for this grant will be from October 1, 1997 through September 30, 1998. (City Council)

Motion to approve.

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

9. 98-0-025 Ordinance amending the City of Laredo's 1997-1998 Annual Budget in the amount of \$10,000.00, for the Occupant Protection STEP grant from the Texas Department of Transportation. The Texas Department of Transportation's contribution will be \$5,000.00, with the City designating \$5,000.00, in matching funds. These funds reflect the remaining balance awarded to the Laredo Police Department. The funding for this grant will be from October 1, 1997 through September 30, 1998. (City Council)

Motion to approve.

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

10. 98-0-026 Ordinance amending the City of Laredo's 1997-1998 Annual Budget in the amount of \$37,500.00, for the "El Protector" grant from the Texas Department of Transportation. The Texas Department of Transportation's contribution will be \$24,375.00, with the City designating \$13,125.00, in matching funds. These funds reflect the remaining balance (75%) awarded to the Laredo Police Department. The funding

for this grant will be from October 1, 1997 through September 30, 1998. (City Council)

Motion to approve.

Moved : Cm. Bruni

Second: Cm. Valdez

For: 7

Against: 0

Abstain: 0

VI. RESOLUTIONS

11. 98-R-016 Accepting the donation of a 2.0378 acre tract of land from 4-G Holdings, Ltd., and Three-B Estates, Ltd., both Texas Limited Partnerships, for the construction of a fire station along State Highway 359. Said tract being situated in Porcion 31, Abstract 3116, Webb County, Texas; being more particularly described by metes and bounds. Being 2.0378 acres of land out of Las Cruces Subdivision Unit 1, a 34.5672 acre tract of land, situated in Porcion 31, Abstract 3116, out of Part A-2, containing 100.00 acres of Share No. 1 of the A.M. Bruni Estate as per plat recorded in Volume 2, Page 142, of the Webb County, Texas, plat records, less and except a 0.875 acre strip of land along the southerly boundary of Part A-2 acquired for Highway 359 right-of-way per deed recorded in Volume 287, Pages 62-64 of the Webb County Deed Records.

Motion to approve.

Moved : Cm. Guerra

Second: Cm. Alvarado

For: 7

Against: 0

Abstain: 0

12. 98-R-024 Adopting Land Use Assumptions for the purpose of development water and wastewater impact fees in accordance with Chapter 395 of the local government code.

Motion to approve.

Moved : Cm. Bruni

Second: Cm. Valdez

For: 7

Against: 0

Abstain: 0

VII. MOTIONS

13. Awarding a supplemental professional service contract between the Laredo Urban Transportation Study (L.U.T.S.), the City of Laredo and Rust/Lichliter Jameson by and through the City Manager of the City of Laredo, Texas in the amount of \$11,000.00 or services in the development of a Hazardous Cargo Community Risk Assessment and Route Alternative Analysis. The Supplemental contract will increase modeling and calculations used to determine the risk assessment, including the addition of 9 links (street/road segments) to the alternative concepts as requested by the L.U.T.S. and the City of Laredo.

Motion to approve.

Moved : Cm. Alvarado

Second: Cw. Montalvo

For: 7

Against: 0

Abstain: 0

VIII. CITY MANAGER'S REPORT

14. Presentation by Major Lester Mills, Texas Department of Public Safety, regarding the status of analyses and evaluation of alternative hazardous cargo routing plans for the City of Laredo.

Major Lester Mills from the Texas Department of Public Safety appeared before the council. He stated that the letter received from the City Manager requested that they come and talk about the analyses and evaluation of the proposal.

On September of 1995 they received a letter from Governor George Bush designating the Department of Public Safety as a hazardous material routing agency for the state. That designation of the agency as that routing agency falls in line with Title 49 of Code of Federal Regulations Part 397 which requires that the Governor of an agency to be responsible for designating or approving all hazardous material routes in the State of Texas. As part of that responsibility they implemented administrative rules which they filed with the Secretary of State Office and basically layed out the guidelines that an agency would have to go through in order to submit a proposal and the steps that they would take in doing so. Those steps that the entity would have to go through consistent of those things that are listed in Part 397 of the Federal Regulations. Once they receive that proposal (in conjunction with the Texas Department of Transportation) will basically try to determine if the proposal meets all the guidelines that are required in the

regulations and if it has sound basis, if all of the issues have been addressed and based upon the review of it, they will try to determine if the route will be approved or disapproved. If approved they will file notice with the Secretary of States Office indicating that approval, if not approved then they submit it back to the entity submitting that proposal and tell them what was wrong with it and allot them an opportunity to correct it.

He received a phone call from the attorney for Camino Colombia in April of 1996 in reference to the toll road designation. He informed that he had been talking with the Department of Transportation, the City of Laredo, County Officials, concerning this matter and all issues with the affected parties and step by step into the process.

On September of 1996 they received an official proposal from Camino Colombia, Inc. on this matter. In his capacity as Haz-mat Coordinator for the department he began his review of that proposal. Copies of that proposal were submitted to the Texas Department of Transportation and they also started with their process in analyzing their proposal. They have met in several occasions, discussed this matter between the agencies, asked question to the Camino Colombia attorney, submitted questions and they responded back favorably. Because of the proposal itself they felt a need to come and talk with the city officials about the proposal. Over a period of time they were able to come to a decision that the proposal met all the criteria and issued an approval in November 1997 and published in the Texas Registrar in December.

The proposal as approved and submitted to the Texas Registrar approved the Camino Colombia Toll Road as a haz-mat route upon the completion and it also restricted to transportation of hazardous material across Bridge I and II in downtown Laredo upon effective filing of that document.

In analyzing the proposal itself they went to great length to take into account the problems that are faced with the commercial vehicles and operators across the border and that operate throughout the city. They took into account the congestion that is faced along the border, the rush hour traffic, the number of vehicles that cross every day, the downtown bridges as opposed to the Colombia Bridge, and took into serious account the potential dangers that are faced with a hazardous material spill. They have participated in meetings with the Attorney General's Office and they've had

Customs representatives there that have talked about their problems inhaling some of the haz-materials that come through that are leaking, and that create potential problems for them. Obviously, they put a lot of weight on the decision of Customs to say that they cannot have hazardous material spill at the downtown bridges that they were more equipped of handling a haz-material spill at the Colombia Bridge, that was a fact they also took into account. They also took into account the fact that when they had the opportunity to be in Nuevo Laredo several months ago visiting with the transportation industry over there and while they were driving the long line of trucks waiting across the border they encountered a trailer that had split in half. They looked at that and thought and considered what if that had been a hazardous material spill, the impact that would have had on the densely populated area in the downtown area during the day. More than anything they did was put a lot of weight on City Council Members, Mayor and City Leaders and what your desires were and that is why they made an effort to come down and visit with the City Manager to follow up on a report that indicated that you all supported the restriction of the bridges and want to make sure that is what you all want to do. One of the reasons they are here today, is because they are still interested in what council has to say and what are the concerns in this matter.

They met with the transportation industry in Nuevo Laredo last Wednesday, with the Mayor's Office from Nuevo Laredo and a representative from the Governor of the State of Tamaulipas was there also. They told them that they would listen to what they had to say about this issue. Our decision to approve this route, again based upon the factors they looked and information they had at hand, approving the hazardous material route was an easy thing for them because that toll road once its built obviously should take and divert any traffic that is coming from the interior of Mexico headed to other locations away from Laredo should not have come through Laredo and add to congestion that is here. Their biggest issue was the restriction of the downtown bridges and they believe that based upon the safety factor of all those analyses of trying to provide a safer environment for the people that work on the downtown area, that cross the bridge every day, to provide some level of safety for them was an important factor that they placed upon this decision. In looking at the proposal that was submitted the factors of looking at the number of vehicles that operate, the mileage, and all the factors that go into making that proposal, the proposal as submitted did address those issues. He is aware

that there is a subsequent study that was done on behalf of the City of Laredo that addresses this same issue did not come to the same conclusion, that proposal that was submitted by Camino Colombia however they did not get preview to that study until recently and the information that they had in the proposal itself is the information that they had to based their decision upon.

Cm. Alvarado questioned if the decision was to move all the hazardous material to Colombia Bridge.

Mr. Mills answered that is true, base upon the proposal that was submitted by Camino Colombia, Inc.

Cm. Alvarado stated most of the members supported the concept of the toll road, at this point we do not have a toll road and what they are being told is that his office has made a decision at this point to re-direct hazardous material to Colombia Bridge without the use of the toll road, in other words there is no toll road to use at this time. The concern that they have in the community is the fact that a decision was made at a state level that affects the local community and the local industry and that the industry nor the city staff was given opportunity to discuss and have input in that type of a decision.

Mr. Mills answered that the decision was made at his level, the designation of the toll road as a haz-material route has no effect on transportation of haz-material across the Colombia Bridge. If that transportation crossed the Colombia Bridge is destined for a location in Laredo. The toll road from his stand point was not a factors in the restriction of the bridge at the downtown level. He added that the County Commissioners in their resolution supported the toll road, they had no reference whatsoever to the restriction of the downtown bridges.

Cm. Alvarado stated all they are asking is that we have the opportunity to dialogue and input these concerns with his agency at his level before making this type of change, there are many people that are being affected locally and unfortunately, they feel that they did not have the opportunity to discuss this at his level before taking this type of action because it will affect Laredo.

Cm. Casso stated the letter referred to was not signed as a governing body so it does not have a force of law because they did not vote on that decision together. They signed as

supporting the project, however his position has always been getting all haz-mat from the two bridges, he does not want them in the downtown area. He said that they based their decision on the construction of the Camino Colombia and Camino Colombia is not built yet. He added that he thinks they were misled by that document or letter, but that was just to support the Camino Colombia.

Cw. Montalvo expressed that she was very concerned by the decision taken because Camino Colombia is a private road, in case of a spill who is doing the work, that is not even in place, they still need to find out who will be doing the enforcing of the cargo.

Mr. Mills stated they had to take the letter into account and it was, it carries weight when they have all the signatures, it carries weight. He added they had to pay attention to this. The toll road being designated as haz-material route, there is nothing in the requirement in the regulations that would prevent the city of Laredo from establishing other routes as hazardous material routes. Nothing will prevent a shipment of haz-mat that is destined for another location that driver has to obtain fuel, to obtain rest, and that has to obtain food from using the Mines Road or any other road other than a toll to come into Laredo. He has to deal with the most direct route but the regulation says he has to have access to reasonable terminals, to food and to lodging, so even if you do not use another haz-mat route for the city and that toll road is built and transportation is coming from Monterrey going to Dallas and they need to get fuel or anything they can use any route. He again expressed that nothing will prevent the city from establishing additional routes for the city.

Cm. Valdez stated when he signed the letter they were approving the project in concept. Their concern is that they want to maintain and have the flexibility of re-routing the traffic where ever they want.

Florencio Pena, City Manager, stated that there are two points he wanted to clarify. On or about November of 1996 when they met on this topic and Major Mills showed him this letter and he told him at that time that the letter had no force and effect, that the letter in fact was a statement by individual Councilmembers that it was not a collective or legislative decision and that it really was just an individual opinion. He added that he was surprised that it had gone this far without any public policy decision or

review of the matter, he did emphasize this to the council and advised them that unless council took some collective action as a legislative body, that really the City Council to his knowledge had never taken a position on the use of Colombia Bridge for hazardous material. He did state at that meeting that our Presidential Permit for the Fourth Bridge provides that upon completion of the Fourth Bridge, that all hazardous material would go through Colombia and that was a condition of our Presidential Permit. To the best of his recollection that was the new position of the City Council. At that time, they were in the initial stages, and point number two was that they were in the initial stages of developing a hazardous material route and were in the process of doing the first level which was identifying hazardous material in our community, they completed that in about four or five month period. They are now into level 2 where they are identifying the routes themselves, the population that abuts them and they are almost complete with that, and hopefully in about three or four months they will be recommending to City Council what our hazardous materials route should be. His request, if council concurs, is that they make a request of DPS and TxDOT to work with the City. He added that the District Engineer is part of the Metropolitan Planning Organization and he is fully aware that we have been planning a hazardous material route for the City of Laredo, and that council allow them to complete this study and to submit it either to MPO and/or to the State for reconsideration of this matter. At the present time they do have a request from TxDot which have officially asked for permission to place signs at Bridge I and II prohibiting hazardous materials until we had this meeting and they have advised them that was not something they could authorize because the law did go in effect that the registrar did publish as of January 1, 1998 that all hazardous material is to go through Colombia Bridge so at the present time TxDot is waiting any further response from us, but at the preset time they have advise them that they are not to put up any signs. He added that north bound hazardous material is going through Colombia (from Mexico to U.S.) as per directive of U.S. Customs. Loads are coming to Laredo to be distributed so hazardous material is all over town, except crossing only through Colombia northbound. What this action is doing is forcing hazardous material that is going southbound to go through Colombia Bridge as well. At the present time there are several maquiladoras on the Nuevo Laredo side that would find it costly and unlogistically difficult for them to comply with this provision. He said they need further guidance from

council and Major Mills consideration as to whether or not they would defer any further enforcement of this until our hazardous material route study is completed.

Tom Wade, of the Laredo Transportation Association, stated the only way they can control movement of hazardous materials in this port is through zoning laws. The consultants that the city has hired has put out a preliminary report and their recommendation for hazardous materials routes are designating the truck routes as they exist today as hazardous material routes says nothing about restricting Bridge I and II and says when they build the Fourth Bridges that you'll go on and take other steps and eliminate some hazardous material routes, but the focus should start to be on zoning to move hazardous materials handlers outside of a certain. He asked that they get some sort of letter or resolution written to postpone the implementation of the restrictions. The designation of the Camino Colombia toll road is a non issue in the movement of hazardous material. They were asking that council consider a resolution opposing this restriction on Bridges I and II at least until they get some more recommendations back from the consultants. He added that if they make that resolution, he is working with the County Attorney's Office on approaching the Attorney General to see if there is some way that this implementation can be delayed until a study can be done to find out basically which one of the consulting groups is going to be right.

Cm. Bruni stated the letter that certain Councilmembers signed except Cw. Montalvo as far as he is concerned has no weight, positions could have changed, but this council is not going to be intimidated by anybody saying that is a suppose violation of some Texas Open Meeting Act. He thinks they should concentrate on the issues and not by some supposed letter signed by several Councilmembers.

Mr. Roque Godines stated he studied that road (Nuevo Laredo to Colombia Bridge) and said it is true, the road is very narrow, but said that there are worst roads in our city than in that city and what makes it dangers and Mines Road dangerous is the drivers especially if they are exceeding the speed limit.

Carlos Lopez, Deputy Director of TxDot Division in Austin, on behalf of the department was present to appeal that council let the study being made by the consultant be finish. They have an issue with the signs that they will need to put up in order to comply with this order.

Mayor Protem Perez stated that council is in disagreement with the action taken by the DPS, the letter sent was taken at phase value which was only for support of. The project as far as the project is concerned, there is no problem but the problem is with the bridge. Once the consultants complete the study they will make another decision. He suggested that council instructed staff to draft a resolution to defer any action on Bridges I and II.

Mr. Pena stated this is not an action item and he will proceed to draft the resolution.

Motion to waive the rules of order and move item #33.

Moved : Cm. Guerra

Second: Cm. Bruni

For:

Against: 0

Abstain: 0

15. Presentation by staff regarding the injury leave status of Candelario Viera, with possible action.

Dan Migura, Administrative Services Director, gave an update report on the status of Candelario Viera. He said that the last action council took was on September 29, 1997. Mr. Viera made an appeal to council to extend his pay leave and council made a decision at that time to have him utilize his accrue leave, sick leave, and annual leave. He added that Mr. Viera has been doing that and is currently under doctor treatment. He has an appointment scheduled for February 18th, and at that time they will know more about what his status is.

Staff recommends that because City Council has already given him one year extension, and then he came back and gave him another six months extension, they recommend that Mr. Viera continue on his pay leave status and investigate other options such as retirement disability, or other rehabilitation. He said that as of January 23rd, he had 45 days of sick leave left (not used), and 66 days of annual leave left, from August 23rd to January 19th he had used 110 days of sick leave so his total of leave is approximately 111 days. He is currently using his sick leave right now (used 110 days).

Attorney Sergio Martinez, representing Mr. Viera, said that last time council agreed to 90 days and not 110 day. He asked that council consider the commitment made by council at

that time where they requested Mr. Viera to do something on his own behalf and comply with 90 days sick leave. He asked that they understand that this accident that happened to him, that it is for a person that has had two serious operations which occurred while Mr. Viera was working, and therefore is injury leave and not sick leave. They were requesting six (6) months extension.

Cw. Montalvo suggested that he use the rest of the sick leave before coming to council again.

Mr. Martinez stated that if council grants Mr. Viera the six month extension, Mr. Viera is willing to take the 45 days that he has as sick leave.

Cm. Valdez said they have a moral obligation, we are looking at 30 years of service, but he suggested that he use up his sick leave and possibly some annual and wait for the doctors opinion in February and consider that six month extension.

Mr. Viera stated he is willing to take the 45 days of sick leave, but also wants the six month extension also. He said it is not only one injury that he has, there is another one from 1988.

Mr. Martinez said his understanding was that last time it was agreed that he take sick leave and then he would come back and council would consider granting an additional six months. They opted to agree to it and abide by it. He added if granted the six months, their position (Mr. Viera's and his) is not to come back with another six months.

Motion to grant Mr. Viera the final six (6) months extension, and he agrees he will not come back for another extension.

Moved : Cw. Montalvo

Second: Cm. Bruni

For: 7

Against: 0

Abstain: 0

16. Request for Executive Session pursuant to Section 551.071 of the Texas Government Code to consult with legal counsel concerning the pending litigation styled Royal Joint Venture, a Texas Joint Venture Comprised of LPC Capital Partnership, L.C.I. Group, Inc., Sawco, Inc., a Texas Corporation, and Modern Form Co., Inc. vs. Louis H. Bruni, Individually and in his Official Capacity as City Council Member for District II of the City of Laredo, the Laredo Morning Times, a Division of the Hearst Corporation, the Hearst Corporation,

NRS Consulting Engineers, and William F. Ueckert Jr., Professional Engineer, Individually, Civil Action No. L-95-136 in the U.S. District Court for the Southern District of Texas, and return to open session for possible action.

Motion to go into Executive Session pursuant to Section 551.071 of the Texas Government Code to consult with legal counsel concerning the pending litigation styled Royal Joint Venture, a Texas Joint Venture Comprised of LPC Capital Partnership, L.C.I. Group, Inc., Sawco, Inc., a Texas Corporation, and Modern Form Co., Inc. vs. Louis H. Bruni, Individually and in his Official Capacity as City Council Member for District II of the City of Laredo, the Laredo Morning Times, a Division of the Hearst Corporation, the Hearst Corporation, NRS Consulting Engineers, and William F. Ueckert Jr., Professional Engineer, Individually, Civil Action No. L-95-136 in the U.S. District Court for the Southern District of Texas.

Moved : Cw. Montalvo

Second: Cm. Alvarado

For: 7

Against: 0

Abstain: 0

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

Florencio Pena, City Manager, stated that the settlement agreement had been accepted by the plaintiffs and now needed council's action to accept the terms as follows:

- (1) - \$150,000 of TML insurance money
- (2) - annexation of Unitec area
- (3) - capital improvement credit of \$200,000
- (4) - costs and Attorney's fees paid by each party
- (5) - mutual release of all claims
- (6) - settlement of Plaintiffs v. Laredo Morning Times

He added that the settlement agreement will remain conditional until final annexation of Unitec, therefore, the case will be dismissed when annexation is completed.

Motion to approve the terms of a settlement agreement in the matter styled Royal Joint Venture, a Texas Joint Venture Comprised of LPC Capital Partnership, L.C.I. Group, Inc., Sawco, Inc., a Texas Corporation, and Modern Form Co., Inc. vs. Louis H. Bruni, Individually and in his Official Capacity as City Council Member for District II of the City of Laredo, the Laredo Morning Times, a Division of the Hearst

Corporation, the Hearst Corporation, NRS Consulting Engineers, and William F. Ueckert, Jr., Professional Engineer, Individually Civil Action No. L-95-136 in the U.S. District Court for the Southern District of Texas, and as presented to City Council on this date in the open session and to instruct staff to begin annexation proceedings of the Unitec Development area as part of the terms of the settlement agreement for dismissal of this matter in court after finalization of such annexation.

Moved : Cm. Casso
 Second: Cw. Montalvo
 For: 6

Against: 0

Abstain: 1
 Cm. Bruni

IX. COMMUNICATIONS

- a. Profesor Felipe Saldivar R., Director del Archivo Historico Municipal made a formal invitation to the council of their 150th Anniversary as a municipality. The function will be held on February 2, 1998 at the Nuevo Laredo Council Chambers and will begin at 7:30 p.m.
- b. Mr. Ben Everett, President of Colombia Hospital, publicly thanked the Council for the approval of their zone change request on the Dillworth property.

Mr. Blackstone Dillworth also publicly thanked the Council.
- c. Cw. Montalvo recognized Larry Dovalina for putting on the Los Dos Laredo Marathon race this past weekend.

X. CITY COUNCIL DISCUSSION AND PRESENTATION

17. Requests by Mayor and City Councilmembers for discussion and presentation.
 - A. Requests by Mayor Pro Tem Jose R. Perez, Jr.
 1. Discussion and possible action regarding conducting an annual performance appraisal of the City Manager with possible Executive Session pursuant to Section 551.074(a)(1) of the Texas Government Code regarding personnel matters.

Motion to go into Executive Session pursuant to Section 551.074(a)(1) of the Texas Government Code regarding personnel matters.

Moved : Cm. Guerra

Second: Cm. Valdez

For: 7

Against: 0

Abstain: 0

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

Motion to amend the City of Laredo contract with the City Manager, Florencio Pena, specifically section 5.(A)(i) as to the salary of the City Manager by 10% effective February 1, 1998.

Moved : Cm. Guerra

Second: Cm. Valdez

For: 7

Against: 0

Abstain: 0

B. Requests by Councilmember Louis H. Bruni

1. Discussion and possible action regarding the Airport Advisory Board's recommendation concerning the building remodeling of the Laredo Morning Times building leased from the city.

Jose Flores, Airport Director, reported that he has not received the second letter from FAA. He added that the Civil Aviation Security Field Office Inspector was here a couple of weeks ago and they are waiting written correspondence from him and hopefully this will happen within the next week or two.

Motion to accept the recommendation of the Airport Advisory Board and that the building owned by the Laredo Morning Times and leased from the City of Laredo be remodeled as per the building plans submitted to the city building official and that the building permit be issued as soon as staff sees that should be done and as long as they comply with the FAA letter.

Moved : Cm. Bruni

Second: Cm. Casso

For: 7

Against: 0

Abstain: 0

2. Discussion and possible action regarding the American Heritage Rivers Initiative.

Motion to table.

Moved : Cm. Bruni

Second: Cw. Montalvo

For: 7

Against: 0

Abstain: 0

C. Requests by Councilmember Alfonso "Poncho" Casso

1. Discussion and possible action regarding the construction of a flagpole similar to the one constructed in Nuevo Laredo.

Cm. Casso stated that he would like to see something similar to the flag that Mexico erected. He saw this flag and thought about doing something similar to what Nuevo Laredo is doing not to compete with them but to cooperate with them. He added that if we put a flag the same size as theirs this would enhance the image and it would show the bond that these two borders have. He asked for council to support the idea of putting a similar structure on this side of the border and put the flag at the edge of IH-35 between the bridge and IH-35.

Nuevo Laredo Mayor Alejandro Garcia explained that the flag was an initiative of the President of Mexico which was constructed and maintained by the Mexican Army.

Mr. Rodrigo Geraldo representing some citizens of Laredo stated he had already suggested this two months ago. He called Cw. Montalvo and called the Governor of Texas. He suggested Bridge I as the best site.

Motion supporting a similar structure in Laredo at the edge of the bridge and IH-35; to instruct staff report the cost; and look into Hotel/Motel Funds if available and if they can be used for this purpose.

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

Against: 0

Abstain: 0

2. Discussion and possible action regarding the appearance of two Laredo police officers in a television political campaign advertisement by Mayoral Candidate Fausto Sosa.

Cm. Casso stated that he was going to let it slide when he read it in the Laredo Morning Times on January 13th, about some evidence missing against Lopez. He added that due to his arrest along with other Councilmembers for trying to establish the chain of custody regarding evidence at the Police Department. That was regarding the resurfacing of video tapes, some other evidence regarding an ax, which happened while in custody with the Police Department, then

they had missing fingerprints and when he read that Ernie Cavazos, the Assistant D.A. explained that they would have problems without some of the evidence, because some evidence was destroyed he thought he would bring it up and talk about this because they have a serious problem again and wants to know what happen from the Chief of Police, because all he was trying to do was help the District Attorney.

Also, he wanted a report from Chief Dovalina on the TV ads. Some employees from El Metro supposedly were at his campaign headquarters and they parked their vehicle by the Pizza Hut supposedly and they went to a 10-7, they got suspended, they lost 10 days without pay. He does not want to pick on the officers, but nothing happened to the officers maybe it was a different situation and wants a report on this. He said is a classic violation and nothing happened. He added that maybe the officers were off from work, but nevertheless they were still in uniform. The officers said they were there at the wrong place at the wrong time because Mr. Sosa didn't tell them that he was going to filming them which goes to show that the problem that he has had with Mr. Sosa from the beginning and the reason they ran him out here from City Hall approximately two years when he was forced to leave.

Cm. Casso stated he ran a clean campaign, but that he did not like the way Mr. Sosa ran his, it was an underground nasty campaign accusing him of a thief on the radio stations, nevertheless he doesn't tell the officers that he is going to do a TV ad. He added that he is an attorney he should know the law, just like he should have known the law when he took out this ads and were in violation of the law also. Yet he wants to put a cop on every street corner of the City of Laredo yet he wants to know how he is going to pay for it. He added that he goes around criticizing a colonia, that there is all kinds of crime there, that he grew up in that colonia, and for a fact he knows that he did not grow up in that colonia, he grew up across the border. He said it upsets him that he does this. He wants to know how we can have more coordinated law enforcement so this things don't happen in the future.

Chief Dovalina answered that there was an incident involving some property relevant to a particular case that was in essence missing, but not missing to the effect of it being misplaced or something to that effect, if anything it was destroyed and disposed of. When they found out, it was alleged that this particular property was missing, Chief Granados and himself spoke to the property evidence section

custodian and technician regarding the disappearance of these particular pieces of evidence and they advised us that it was their understanding that the case had already been closed. It is his understanding that there was at least two or three people that had already worked on this particular case and they had direction from the District Attorney's Office to go ahead and dispose of the evidence. They set up a meeting with the District Attorney himself, Chief Granados and him met with Mr. Rubio and Mrs. Notzon and discussed this particular case involving property that had been disposed of. It was determined and agreed that the absence of a formal notification process in which they would be able to advise us specifically when to dispose of and when not to dispose of, absent that all they had was basically a verbal type of arrangement. They have immediately implemented a new process where they will have actual written verification whenever they advise us that we can go ahead and dispose of property and that is already in place.

In regards to the ad, they have a situation where they had a citizen coming forward to the community policing works stations located at this particular area wanting to talk about the community policing in general. The officers advised that they had actually seen some camera people there but they thought nothing of it being anything other than probably just public information being broadcasted to the citizens regarding community policing. As far as he knows from the officer, they spoke to him about community policing, they never told them what it was about or anything.

3. Discussion and possible action regarding evidence missing from the evidence room at the Laredo Police Station.

This item was discussed with item 1 above.

D. Requests by Councilmember Cecilia May Moreno

1. Discussion and possible action regarding the accumulation of trash and debris in that section of McClelland Street that comes to a dead-end at Clark Boulevard.

Cw. Moreno stated staff has done some cleaning, but her concern is that the area needs a permanent solution, something that does not require what it does now. She wants staff to come back with suggestions maybe beautifying so it is easy to maintain maybe it with grass, asphalt, or pavement because what has been done only is barricade it.

Motion to bring back recommendations on how to maintain that area.

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

Against: 0

Abstain: 0

E. Requests by Councilmember Mario G. Alvarado

1. Discussion and possible action regarding a resolution to support the Texas Unified Statewide Plan on Community Service and Volunteerism.

Cm. Alvarado read the recommendations of what the Texas Unified Statewide Plan on Community Service and Volunteerism should adopt by resolution by January 30, 1998. The plan calls for the following:

(Name your organization) commits to the following (these are from the Executive Planning Committee):

- * Encourage intergenerational activities that support educational attainment and cross-age tutoring and other education-oriented service learning. (Name of your organization)
- * Highlight collaborate partners at the state level and work with Welfare-to-Work, Parents as Teachers, early childhood intervention programs, businesses in schools and Peer Assistance Leadership. (Name of you organization)
- * Service Learning programs which focus on knowledge of and access to volunteer opportunities (Name of your organization)
- * Establish regional Youth Action Councils statewide. (Name of you Organization)
- * Communication among organizations that will lead to sharing models centered on how to reach volunteers, how to run diverse volunteer programs and how to reach out to diverse communities. Ensure connectivity in communities so volunteerism opportunities are seamless. (Name of your organization)
- * Training that examines ways to empower individuals of all ages to serve. Training to enhance the knowledge base of volunteer administrators and program directors. (name of you organization)
- * Events which strategically reach out to new audiences and participants. Encourage events that are co-sponsored,

- including cross stream training events and focusing on existing volunteer days such as Make a Difference Day, National Volunteer Week, MLK Day, etc.
- * Work to involve the faith community; learn from religious institutions and include them in community action plans. (Name of your organization)
 - * Provide Web links and publications for resource sharing, training and networking to include regional and local information such as lists of grants available and awarded, calendar of events, etc. (Name of your organization)
 - * Encourage and assist in development and support of more DOVIAs, Volunteer Centers and Corporate Volunteer Councils by working with existing organizations that have such expertise and advocate for funding support for such organizations. (Name of your organization)
 - * Strengthen the relationship among USP partners and Executive Planning Committee Members to include an ongoing working group meeting regularly. (Name of your organization)
 - * Increase the recognition of volunteers and volunteer programs through an awards program. (Name of your organization)
 - * Build collaborations with existing volunteerism and service organizations such as the Texas Municipal League, the Chamber of Commerce, Texas Education Agency. (Name of your organization)
 - * Connect to other conferences and provide workshops and consultations about human and financial resources. (Name of your organization)
 - * Your Organization's Commitment, if different from above
 - * Work strategically to promote service and volunteerism to new audiences, to underserved populations and to youth. (Name of your Organization)
 - * Work to have publications reaching new audiences through enhancement of the database we use by combining databases and sharing mailing labels. (Name of your Organization)
 - * Use of a prominent public official or Texas to promote the benefits and services that volunteerism provide and individual and community. (Name of your Organization)
 - * Bring media attention to the effectiveness of local volunteer centers. (Name of your Organization)
 - * Encourage having "good news" become a daily front page item and encourage the media to focus on the behind-the-scenes work that volunteer centers and other such organizations provide in communities. Media strategies-- statewide campaign promoting service as a tool to gain self- sufficiency and those skills gained through service. Promote effective programs as models in the media; bring

- positive light onto successful programs; provide examples of positive effects in communities. (Name of your Organization)
- * Garner the statistics that show the benefits of volunteerism . (Name of your Organization)
 - * Celebrate the national service days. (Name of your Organization)
 - * Ensure messages are bilingual and culturally sensitive. (Name of your Organization)
 - * A large collaborative statewide summit convened to share information such as the Texas Challenge Summit. (Name of your Organization)
 - * Your Organization's Commitment, if different from above.
 - * Incorporate existing training resources and network to assist those organizations striving towards Theme Two. (Name of your organization)
 - * Training--develop cross stream training events focused on getting to know one another, learning mutual needs, discovering resources and working together to utilize each other as resource and provide more efficient and effective services. Include: basic how-to in volunteer management; leadership training--particularly for youth and elderly; marketing skills for organizations and individuals; peer networking; service learning; continuing education; funding availability. Include partnership building, collaborations and community mapping so that communities are effectively engaging all sectors in their plans for service and volunteering partnerships. (Name of your organization)
 - * Identify model communities and find good examples of life skills programming. (Name of your organization)
 - * Work with existing resources and organizations to bring training to local communities. (Name of your organization)
 - * Establish a central "clearing house" for volunteerism (Name of your organization)
 - * Statewide Listserv on volunteerism and technical issues. (name of your organization)
 - * Expand current opportunities for volunteer managers to get effective training on how to run volunteer programs as well as to work with diversity. (Name of your organization)
 - * Work to build partnership in communities; teach communities how to collaborate. (Name of your organization)
 - * Provide peer networking and brainstorming sessions. (Name of your organization)
 - * Provide the venue of training opportunities through the Governor's Volunteer Leadership Conference and other regional trainings. (Name of your organization)
 - * Training on how to incorporate volunteerism into the

- corporate structure. (Name of your organization)
- * Train the trainer opportunities, distance learning opportunities. (Name of your organization)
 - * Downlink video conferences as a mode of training. (Name of your organization)
 - * Your Organization's Commitment, if different from above
 - * Sharing of models. (Name of your organization)
 - * Research other state models of successful statewide partnership with similar goals. (Name of your organization)
 - * Get assistance from national organizations such as Points of Light Foundation to assist in the development of a statewide plan which addresses building a statewide infrastructure of volunteer centers, DOVIAs and Corporate Volunteer Council. (Name of your organization)
 - * Work in partnership with foundations and corporations to urge the funding of infrastructure-building activities. (Name of your organization)
 - * Make service learning a part of the state educational curriculum; provide higher education learning incentives that incorporate service learning in college and university programs. (Name of your organization)
 - * Advocate for service learning curriculum training as part of teacher-training certification. (Name of your organization)
 - * Centralized information dispensed for the field, i.e., via TxServe. (Name of your organization)
 - * Recognize successful programs. (Name of your organization)
 - * Nurture networks. (Name of your organization)
 - * Create viable business partnerships. (Name of your organization)
 - * Seek legislation to reinforce the goals. (Name of your organization)
 - * Governor to endorse and encourage service learning. (Name of your organization)
 - * Work with the Association of School Boards and with the Business Education Coalition. (Name of your organization)
 - * Recruitment skills to gain good volunteers and good volunteer manager. (Name of your organization)
 - * Your Organization Commitment, if different from above.

Motion to instruct legal staff to draft a resolution supporting the different points outlined by the Executive Planning Committee of the Texas Commission for National & Community Service.

Moved : Cm. Alvarado

Second: Cw. Montalvo

For: 7

Against: 0

Abstain: 0

F. Requests by Councilmember Consuelo Montalvo

- 1. Discussion and possible action regarding the waiving of the parking fees.

Motion to waive the parking fees at El Metro Parking Facility during the Washington Birthday Parade and celebration.

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

Against: 0 Abstain: 0

XI. PUBLIC HEARINGS

- 18. Public hearing amending Section 24.63.2 of the Laredo Land Development Code by allowing pawn shops in B-3 (Community Business District). The Planning and Zoning Commission recommends approval of this zone change.

INTRODUCTION OF AN ORDINANCE

Ordinance amending Section 24.63.2 of the Laredo Land Development Code by allowing pawn shops in B-3 (Community Business District).

Motion to open the public hearing.

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

Against: 0 Abstain: 0

Keith Selman, City Planner, made the presentation before the council.

There was no public input.

Motion to close the public hearing and introduce the ordinance.

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

Against: 0 Abstain: 0

Ordinance Introduction: City Council

- 19. Public hearing regarding an application by Yesenia Galvan and Evaristo Jimenez amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 12, Block 2071, Eastern

Division, located at 3302 Santa Clara Street, from R-1 (Single 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 12, Block 2071, Eastern Division, located at 3302 Santa Clara Street, from R-1 (Single 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. Guerra
Second: Cm. Valdez
For: 7

Against: 0 Abstain: 0

Ordinance Introduction: Cm. Guerra

- 20. Public hearing regarding application by Maria Vasquez amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 4, Block 8, Moreno Addition, located at 3317 Guerrero Street, from R-1 (Single Family Residential District) to R-3 (Mixed Residential District). The Planning and Zoning Commission recommends approval of this zone change

INTRODUCTION OF AN ORDINANCE

Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 4, Block 8, Moreno Addition, located at 3317 Guerrero Street, from R-1 (Single Family Residential District) to R-3 (Mixed Residential District).

Motion to open the public hearing.

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

Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance.

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

Against: 0 Abstain: 0

Ordinance Introduction: Cm. Bruni

- 21. Public hearing regarding application by Jesus V. Cadena amending the Zoning Ordinance (Map) the of the City of Laredo by rezoning Lots 4B, 5, 6, 7, and 8, Block 2021, Eastern Division, located at 3200 Block of Piedra China Street, from R-3 (Mixed Residential District) to M-1 (Light Manufacturing District). The Planning and Zoning Commission recommends approval of this zone change.

INTRODUCTION OF AN ORDINANCE

Ordinance amending the Zoning Ordinance (Map) the of the City of Laredo by rezoning Lots 4B, 5, 6, 7, and 8, Block 2021, Eastern Division, located at 3200 Block of Piedra China Street, from R-3 (Mixed Residential District) to M-1 (Light Manufacturing District).

Motion to open the public hearing.

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

Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance.

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

Against: 0 Abstain: 0

Ordinance Introduction: Cm. Guerra

- 22. Public hearing regarding application by John Joseph Jacaman amending the Zoning Ordinance (Map) the of the City of Laredo by rezoning 7.271 acres as further described by metes and bounds, located on the west side of the Bob Bullock Loop, north the Diamond Subdivision, from R-1 (Single Family Residential District) to M-1 (Light Manufacturing District).

The Planning and Zoning Commission recommends approval of this zone change.

INTRODUCTION OF AN ORDINANCE

Ordinance amending the Zoning Ordinance (Map) the of the City of Laredo by rezoning 7.271 acres as further described by metes and bounds, located on the west side of the Bob Bullock Loop, north the Diamond Subdivision, from R-1 (Single Family Residential District) to M-1 (Light Manufacturing 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. Bruni
Second: Cm. Guerra
For: 7

Against: 0 Abstain: 0

Ordinance Introduction: Cm. Bruni

- 23. Public hearing regarding application by John Joseph Jacaman amending the Zoning Ordinance (Map) the of the City of Laredo by rezoning 5.372 acres as further described by metes and bounds, located on the west side of the Bob Bullock Loop, north the Diamond Subdivision, from R-1 (Single Family Residential District) to M-1 (Light Manufacturing District). The Planning and Zoning Commission recommends approval of this zone change.

INTRODUCTION OF AN ORDINANCE

Ordinance amending the Zoning Ordinance (Map) the of the City of Laredo by rezoning 5.372 acres as further described by metes and bounds, located on the west side of the Bob Bullock Loop, north the Diamond Subdivision, from R-1 (Single Family Residential District) to M-1 (Light Manufacturing 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. Bruni
Second: Cm. Guerra
For: 7

Against: 0 Abstain: 0

Ordinance Introduction: Cm. Bruni

- 24. Public hearing regarding application by John Joseph Jacaman amending the Zoning Ordinance (Map) the of the City of Laredo by rezoning 1.523 acres as further described by metes and bounds, located on the west side of the Bob Bullock Loop, north the Diamond Subdivision, from R-1 (Single Family Residential 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) the of the City of Laredo by rezoning 1.523 acres as further described by metes and bounds, located on the west side of the Bob Bullock Loop, north the Diamond Subdivision, from R-1 (Single Family Residential District) to B-4 (Highway Commercial District).

Motion to open the public hearing.

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

Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance.

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

Against: 0 Abstain: 0

Ordinance Introduction: Cm. Bruni

- 25. Public hearing regarding application by John Joseph Jacaman amending the Zoning Ordinance (Map) the of the City of Laredo by rezoning 2.212 acres as further described by metes and

bounds, located on the west side of the Bob Bullock Loop, north the Diamond Subdivision, from R-1 (Single Family Residential 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) the of the City of Laredo by rezoning 2.212 acres as further described by metes and bounds, located on the west side of the Bob Bullock Loop, north the Diamond Subdivision, from R-1 (Single Family Residential District) to B-4 (Highway Commercial District).

Motion to open the public hearing.

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

Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance.

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

Against: 0 Abstain: 0

Ordinance Introduction: Cm. Bruni

26. Public hearing regarding application by John Joseph Jacaman amending the Zoning Ordinance (Map) the of the City of Laredo by rezoning 1.469 acres as further described by metes and bounds, located on the west side of the Bob Bullock Loop, north the Diamond Subdivision, from R-1 (Single Family Residential 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) the of the City of Laredo by rezoning 1.469 acres as further described by metes and bounds, located on the west side of the Bob Bullock Loop, north the Diamond Subdivision, from R-1 (Single Family Residential District) to B-4 (Highway Commercial District).

Motion to open the public hearing.

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

Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance.

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

Against: 0 Abstain: 0

Ordinance Introduction: Cm. Bruni

- 27. Public hearing regarding application by John Joseph Jacaman amending the Zoning Ordinance (Map) the of the City of Laredo by rezoning 8.452 acres as further described by metes and bounds, located on the west side of the Bob Bullock Loop, north the Diamond Subdivision, from R-1 (Single Family Residential District) to M-1 (Light Manufacturing District). The Planning and Zoning Commission recommends approval of this zone change.

INTRODUCTION OF AN ORDINANCE

Ordinance amending the Zoning Ordinance (Map) the of the City of Laredo by rezoning 8.452 acres as further described by metes and bounds, located on the west side of the Bob Bullock Loop, north the Diamond Subdivision, from R-1 (Single Family Residential District) to M-1 (Light Manufacturing 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. Bruni
Second: Cm. Guerra
For: 7

Against: 0 Abstain: 0

Ordinance Introduction: Cm. Bruni

- 28. Public hearing regarding application by Enrique Coronado amending the Zoning Ordinance (Map) of the City of Laredo by authorizing the issuance of a Conditional Use Permit for an income tax preparation office on Lot 10, Block 274, Eastern Division, located at 2008 Springfield Avenue. The Planning and Zoning Commission recommends approval of this Conditional Use Permit.

INTRODUCTION OF AN ORDINANCE

Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by authorizing the issuance of a Conditional Use Permit for an income tax preparation office on Lot 10, Block 274, Eastern Division, located at 2008 Springfield Avenue.

Motion to open the public hearing.

Moved : Cm. Alvarado

Second: Cm. Bruni

For: 6

Against: 0

Abstain: 0

Cm. Casso not present

There was no public input.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Guerra

Second: Cm. Alvarado

For: 6

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Guerra

- 29. Public hearing regarding application by Jesus Esparza amending the Zoning Ordinance (Map) the of the City of Laredo by rezoning Lots 1 and 2, Block 131, Eastern Division, located at 3520 Springfield Road, from B-1 (Limited Business 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) the of the City of Laredo by rezoning Lots 1 and 2, Block 131, Eastern Division, located at 3520 Springfield Road, from B-1 (Limited Business District) to B-3 (Community Business District).

Motion to open the public hearing.

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

Against: 0 Abstain: 0

Mr. Jesus Esparza, owner, spoke in favor of allowing the zone change request.

Motion to close the public hearing and introduce the ordinance.

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

Against: 0 Abstain: 0

Ordinance Introduction: Cw. Moreno

- 30. Public hearing regarding application by Ana Bacerra and Adan Trejo amending the Zoning Ordinance (Map) the of the City of Laredo by rezoning Lot 3, Block 848, Eastern Division, located at 1517 San Pedro Street, 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) the of the City of Laredo by rezoning Lot 3, Block 848, Eastern Division, located at 1517 San Pedro Street, from R-3 (Mixed Residential District) to B-3 (Community Business District).

Motion to open the public hearing.

Moved : Cw. Montalvo
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. Valdez
Second: Cm. Alvarado
For: 7

Against: 0 Abstain: 0

Ordinance Introduction: Cm. Valdez

- 31. Public hearing regarding application by Raquel Valle Senties

amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 7 and 8, Block 668, Eastern Division, located at 3901 McPherson Road, 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 Lots 7 and 8, Block 668, Eastern Division, located at 3901 McPherson Road, from R-3 (Mixed Residential District) to B-3 (Community Business District).

Motion to open the public hearing.

Moved : Cm. Alvarado

Second: Cm. Valdez

For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Valdez

Second: Cm. Alvarado

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Valdez

32. Public hearing regarding application by Pizaña Outdoor Advertising Co., Nereyda B. Pizaña, amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 1B, Block 1, Del Mar Hills Filing #1, located on the west side of McPherson Road, north of Del Mar Boulevard, from B-1 (Limited Business 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 Lot 1B, Block 1, Del Mar Hills Filing #1, located on the west side of McPherson Road, north of Del Mar Boulevard, from B-1 (Limited Business District) to B-3 (Community Business District).

Motion to open the public hearing.

Moved : Cm. Guerra

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. Guerra

Second: Cm. Valdez

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Guerra

33. Public hearing regarding application by Blackstone Dilworth, amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 57.8 acres as further described by metes and bounds, located at 10610 McPherson Road, from AG (Agricultural 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 57.8 acres as further described by metes and bounds, located at 10610 McPherson Road, from AG (Agricultural District) to B-4 (Highway Commercial District).

Motion to open the public hearing.

Moved : Cm. Valdez

Second: Cm. Guerra

For: 7

Against: 0

Abstain: 0

Mr. Harry Jewett, representing Blackstone Dillworth property owners, spoke in favor of the zone change request and was present to answer any questions.

Cm. Bruni read a letter and quoted, "I share the enthusiasm about our new Colombia Doctors Hospital and the promising future it brings to our community in the avenues of health, care, and job opportunities. Any new venture that benefits Laredo is certainly a welcomed site to the City of Laredo. It is my sincere wish however, that our eagerness to move our....to move on with our new hospital, we not forget the serious health care needs of our elderly and our indigent particularly those who live in deep South Laredo. We need to make sure that these individuals who are productive members

of our society do not fall through the cracks and that they too will have easy and readily accessible access to the quality health care that Colombia Doctors Hospital would provide to the entire community. I stand ready in my capacity as a member of this City Council to assist Colombia Doctors Hospital in our quest to help our working people in need and those marginalized members of our community. It is only fair and right that we work to ensure that this wish will become a positive reality."

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Guerra

Second: Cm. Valdez

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Guerra

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

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

Moved : Cm. Alvarado

Second: Cw. Montalvo

For: 7

Against: 0

Abstain: 0

34. Public hearing authorizing the City Manager to execute an amendment (increase) to the Laredo Municipal Transit Systems FY 1997-98 operating budget (revenue and expenditures; fund 558) in the amount of \$9,800.00, to \$7,031,497.00, from \$7,021,697.00; transferring funds from the Transit Sales Tax proceeds budget reserve account (Fund 518).

INTRODUCTION OF AN ORDINANCE

Ordinance authorizing the City Manager to execute an amendment (increase) to the Laredo Municipal Transit Systems FY 1997-98 operating budget (revenue and expenditures; fund 558) in the amount of \$9,800.00, to \$7,031,497.00, from \$7,021,697.00; transferring funds from the Transit Sales Tax proceeds budget reserve account (Fund 518).

Motion to open the public hearing.

Moved : Cm. Alvarado

Second: Cm. Guerra

For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance.

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

Against: 0

Abstain: 0

Ordinance Introduction: City Council

35. Public hearing to re-consider the realignment of the El Metro #5 Marcella bus route in order to increase its efficiency and remove a difficult turning maneuver from Bartlett to Jarvis.

INTRODUCTION OF AN ORDINANCE

Ordinance to re-consider the realignment of the El Metro #5 Marcella bus route in order to increase its efficiency and remove a difficult turning maneuver from Bartlett to Jarvis.

Motion to open the public hearing.

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

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and approve the motion.

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

Against: 0

Abstain: 0

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

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

Against: 0

Abstain: 0

XIII. ADJOURNMENT

Motion to adjourn.

Moved : Cm. Bruni
Second: Cm. Valdez

For: 7

Against: 0

Abstain: 0

Adjournment time: 9:40 p.m.

I HEREBY CERTIFY THAT THE ABOVE MINUTES CONTAINED IN PAGES 01 TO 38 ARE TRUE, COMPLETE, AND CORRECT PROCEEDINGS OF THE CITY COUNCIL MEETING HELD ON THE 26TH DAY OF JANUARY, 1998. A CERTIFIED COPY IS ON FILE AT THE CITY SECRETARY'S OFFICE.



GUSTAVO GUEVARA, JR.
CITY SECRETARY