# CITY OF LAREDO CITY COUNCIL MEETING M98-R-26 JUNE 22, 1998 5:30 P.M.

### I. CALL TO ORDER

With a quorum present Mayor Elizabeth G. Flores called the meeting to order.

## II. PLEDGE OF ALLEGIANCE

Mayor Elizabeth G. Flores led in the Pledge of Allegiance.

## III. ROLL CALL

IN ATTENDANCE: Elizabeth G. Flores, Alfredo Agredano, Louis H. Bruni, John C. Galo, Cecilia May Moreno, Eliseo Valdez, Jr., Joe A. Guerra, Mario G. Alvarado, Consuelo "Chelo" Montalvo, Gustavo Guevara, Jr., Florencio Pena, III, Jaime L. Flores,

Mayor Councilmember, District I Councilmember, District II Councilmember, District III Councilmember, District IV Councilmember, District V Councilmember, District VI Councilmember, District VII Councilmember, District VIII

City Secretary City Manager City Attorney

# IV. FINAL READINGS

Motion to waive the final readings of Ordinances #98-0-157, #98-0-159, #98-0-160, #98-0-162, #98-0-163, #98-0-164, #98-0-165, #98-0-166, #98-0-167, #98-0-168.

Moved : Cw. Moreno Second: Cm. Alvarado

For: 8 Against: 0 Abstain:

2. 98-0-157 Ordinance amending Chapter 2, Article II, Division 6, of the Code of Ordinances of the City of Laredo, entitled pay administration, by amending Section 2.87.7(d)(15)(c), thereby adopting a revised pay schedule increasing all steps in all grades in the pay schedule by one and one-half percent (1 1/2%) with a revised effective date of implementation of May 31, 1998. (City Council)

Motion to approve Ordinance #98-0-157.

Moved: Cm. Alvarado Second: Cw. Montalvo For: 8 Against: 0 Abstain: 0

3. 98-0-159 Ordinance approving and authorizing the execution of a 40'x 40' permanent equipment and access easement with Southwestern Bell Telephone located along Foster Avenue at the Laredo International Airport.

Authorizing the City Manager to execute all necessary documents of conveyance effectuating same. Said equipment and access easement is more particularly described by metes and bounds. (City Council)

Motion to approve Ordinance #98-0-159.

Moved : Cm. Alvarado Second: Cw. Montalvo

For: 8 Against: 0 Abstain: 0

- 4. 98-0-160 Ordinance authorizing the City Manager to execute a lease renewal with the State of Texas General Services Commission on behalf of the Texas Department of Health, Public Health Region 11, for 2,025 square feet of office space at the City of Laredo Health Complex located at 2600 Cedar Street.
  - a. lease renewal term will be from September 1, 1998, through August 31, 1999;
  - b. no rental cost, lessee will pay a sum in the amount of \$770.42 per month for electricity and janitorial services. (City Council)

Motion to approve Ordinance #98-0-160.

Moved: Cm. Alvarado Second: Cw. Montalvo

For: 8 Against: 0 Abstain: 0

5. 98-0-162 Ordinance authorizing the waiver of parking fees at the Laredo Transit Center for patrons at the garage between 7:00 P.M. and 11:00 P.M. on Thursday, June 25, 1998, subject to a \$100 contribution by the Laredo Philharmonic Orchestra (L.P.O.). The parking fees will be waived in order to support the L.P.O.'s Mozart Opera Gala Festival, a community event, in downtown Laredo. (City Council)

Motion to approve Ordinance #98-0-162.

Moved : Cm. Alvarado Second: Cw. Montalvo

For: 8 Against: 0 Abstain: 0

6. 98-O-163 Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by authorizing the issuance of a Conditional Use Permit for a paint and body shop on Lot 6 and the east 1/2 of Lot 5, Block 894, Eastern Division, located at 1619 Market Street.

(John C. Galo)

Motion to approve Ordinance #98-0-163

Moved : Cm. Alvarado Second: Cw. Montalvo

For: 8 Against: 0 Abstain: 0

7. 98-O-164 Ordinance amending the Parks and Recreation
Department 97-98 budget to reflect the hiring of five
additional seasonal employees (four lifeguards and
one pool supervisor). This amendment to the budget
will be necessary to accommodate a proposed interlocal agreement between the City of Laredo and Laredo
Community College. This agreement between the Parks
and Recreation Department and Laredo Community
College for use of the LCC swimming pool stipulates
the various responsibilities of each entity and
allows for the swimming pool to be staffed with
seasonal employees paid by the City for use by the
general public. The financial impact to the budget
for the 1997-1998 fiscal year for the additional
seasonal employees would be \$3,164.00. (City Council)

Motion to approve Ordinance #98-0-164.

Moved : Cm. Alvarado Second: Cw. Montalvo

For: 8 Against: 0 Abstain: 0

8. 98-0-165 Ordinance amending the contract with the Texas
Department of Health and budget revision in the
amount of \$46,440.00 in additional funds for "Los Dos
Laredos" TB Binational Project of the City of Laredo
Health Department and extension of grant period
through December 31, 1998. (City Council)

Motion to approve Ordinance #98-0-165.

Moved : Cm. Alvarado Second: Cw. Montalvo

For: 8 Against: 0 Abstain: 0

9. 98-0-166 Ordinance amending the City of Laredo's 1997-1998
Annual Budget in the amount of \$12,950.00 for the purchase of a canine, canine maintenance, training and safe for the Financial Disruption Task Force for the period of January 1, 1998 and ending December 31, 1999. (City Council)

Motion to approve Ordinance #98-0-166.

Moved : Cm. Alvarado Second: Cw. Montalvo

For: 8 Against: 0 Abstain: 0

10. 98-0-167 Ordinance amending the City of Laredo's 1997-1998

Annual Budget in the amount of \$46,094.00 from Laredo Community College for implementing the Stormwater Management and Ecology Demonstration Park. (City Council)

Motion to approve Ordinance #98-0-167.

Moved : Cm. Alvarado Second: Cw. Montalvo

For: 8 Against: 0 Abstain: 0

11. 98-0-168 Ordinance amending the City of Laredo Code of Ordinances, Chapter 17 LIBRARY, Article 1, IN GENERAL, to include a new section entitled "Fines and Fees for Library Services." This will allow for the collection of overdue fines, lost or damaged library materials, copier vending fees, microfilm copier fees; and new fees associated with new services at the library such as: fee-based database searches, the use of meeting rooms, computer printouts, pen and pencil vending machines, audio-visual equipment use, and security, custodial and media technician services at the Laredo Public Library, providing for publication and effective date. (City Council)

Motion to approve Ordinance #98-0-168.

Moved : Cm. Alvarado Second: Cw. Montalvo

For: 8 Against: 0 Abstain: 0

# V. RESOLUTIONS

12. 98-R-094 Amending the City of Laredo's 1997-1998 annual budget in the amount of \$115,168.00 for the Criminal Justice Division Grant from the Office of the Governor. The Office of the Governor is contributing \$78,172.00 with the City designating \$36,996.00 in matching funds. These funds for the Domestic Violence grant under the Violence Against Women Act (VAWA) is for the period of June 1, 1998 through May 31, 1999.

Motion to approve Resolution #98-R-094.

Moved: Cw. Moreno Second: Cm. Alvarado

For: 8 Against: 0 Abstain: 0

13. 98-R-095 Adopting the list of capital improvement projects to be submitted to the South Texas Development Council (STDC) for incorporation in the Overall Economic Development Program Plan (OEDP) to be provided to the U.S. Department of Commerce, Economic Development Administration (EDA) for potential funding consideration and authorizing the City Manager to

submit a follow-up grant application as may be directed by EDA. Projects named include:

1. El Portal Riverfront Development Project

2. Water and wastewater infrastructure along FM 1472 (Mines Road) from the Pan American Industrial Park to the Santa Isabel Creek Bridge.

Motion to approve Resolution #98-R-095

Moved : Cw. Moreno Second: Cm. Alvarado

For: 8 Against: 0 Abstain: 0

14. 98-R-096 Appointing the nominee, David Garza, of District I, Council member Alfredo Agredano to the Parks and Recreation Advisory Board.

Motion to approve Resolution #98-R-096.

Moved : Cw. Moreno Second: Cm. Alvarado

For: 8 Against: 0 Abstain: 0

15. 98-R-097 Replacing the City Manager, Florencio Peña III, with Mayor Elizabeth G. Flores to the Interim Board for the Designation of the Rio Grande as an American Heritage River.

Motion to approve Resolution #98-R-097.

Moved : Cw. Moreno Second: Cm. Alvarado

For: 8 Against: 0 Abstain: 0

16. 98-R-098 Appointing the nominee, Olga Gentry, of District III Council member John C. Galo to the Library Board.

Motion to approve Resolution #98-R-098.

Moved : Cw. Moreno Second: Cm. Alvarado

For: 8 Against: 0 Abstain: 0

17. 98-R-099 Appointing the nominee, Leroy Morin, of District III Council member John C. Galo to the Parks and Recreation Advisory Board.

Motion to approve Resolution #98-R-099.

Moved : Cw. Moreno Second: Cm. Alvarado

For: 8 Against: 0 Abstain: 0

18. 98-R-101 Authorizing the City Manager to accept a grant application to the Governor's Office for funding of personnel and direct operating expenses for a Multi-

Agency Narcotics Task Force in the amount of \$758,249.00 with the City designating \$294,166.00 in matching funds for a total of \$1,052,415.00 and authorizing the City Manager to sign any and all documents pertaining to this grant application.

Motion to approve Resolution #98-R-101.

Moved : Cw. Moreno Second: Cm. Alvarado

For: 8 Against: 0 Abstain: 0

## VI. MOTIONS

19. Approval of bid specifications and authorization to advertise for request for proposals (RFP) for the Institutional Network equipment to support a data, voice and video network over the City's fiber optic network. A tentative bid award date is scheduled for August 23, 1998.

Motion to approve.

Moved : Cw. Moreno Second: Cw. Montalvo

For: 8 Against: 0 Abstain: 0

20. Authorizing the award of a consultant services contract to John J. Kane, AICP in the amount of \$10,000.00 plus expenses for preparation of an application to the U.S. Department of Housing and Urban Development (HUD) for Round II Designation as an Urban Empowerment Zone (EZ).

Cm. Galo requested to be given an overview of the empowerment zone and what the \$10,000 plus expenses would cover.

Cindy Collazo, Community Development Director, informed Cm. Galo that this is Round II of the Empowerment Zone. At this point, they are looking at funding 15 enterprises and 5 as rural. This is a \$100,000,000 award, at a rate of \$10,000,000 for ten years.

Eligibility criteria for these empowerment zones are:

- -must be an urban area, not to exceed 20 square miles in total land.
- -must have a continuous boundary or consist of not more than three non-continguous parcels which means a poverty rate of not less than 25% for 90% of the census track.
- -poverty rate for at least 50% of the census track must be at 35%.
- -population must be at least 50, but not less than 200,000.
- -area must be one of persuasive poverty, employment and general distress. Area is located within the jurisdiction of the unit or units of general local

government. Cannot be the central business district unless the poverty rate is 35% of each track.

Mrs. Collazo further explained that the \$10,000 were the consultant fees to be paid to Mr. John J. Kane and the plus expenses would cover his travel expenses to come to Laredo.

Motion to approve.

Moved : Cw. Moreno Second: Cw. Montalvo

For: 8 Against: 0 Abstain: 0

21. Award of contract to the <u>SOLE BIDDER</u>, American Appraisal Associates, Houston, Texas, in the amount of \$39,800.00, for performing a fixed asset valuation. The fixed assets to be included in this project include capital improvements, machinery, and equipment, and office furniture and equipment. American Appraisal has extensive experience in conducting these types of asset valuations.

Motion to approve.

Moved : Cw. Moreno Second: Cw. Montalvo

For: 8 Against: 0 Abstain: 0

#### VII. CITY MANAGER'S REPORT

22. Presentation by Traffic Department on City Street Striping Program for Fiscal Year 1997-1998.

Roberto Murillo, Traffic Engineer, stated that the report is in the package given to Council in the agenda book. A full report is available for public viewing and review in the agenda book which also includes staff and equipment available in the City Secretary's Office.

23. Presentation by Public Works Department on Creek Cleaning Efforts throughout the City.

Motion to include item B(2) with this item for discussion.

Moved : Cm. Galo Second: Cm. Bruni

For: 8 Against: 0 Abstain: 0

Oscar Medina, Assistant Public Works Director, stated that he included in the council's package the different portions of information.

These lists are available in the agenda book for public viewing and review in the City Secretary's Office.

Cm. Valdez stated that a discussion concerning the concrete

lining of some of the smaller creeks, such as the one north of Gale and north of Calle del Norte which was part of the McPherson Acres Drainage Project.

Cm. Guerra requested to have included in the project of concrete lining the creek along St. James close to Calle del Norte and the creek between La Mansion and the Coastal Maverick Market.

Cindy Collazo, Community Development Director, reported that a map was being presented to Council to designate the areas along Chacon Creek that indicate that all, except for a few exceptions, are privately owned. The city does own some intersections. She further stated that if Council wished to establish a clean-up project, it could be set up in phases.

Florencio Pena, City Manager, concurred with Mrs. Collazo and recommended that it be done in phases since this is a project of major undertaking.

Cm. Galo asked to know about ownership from the river to the Meadow Bridge? Can letters be sent to these owners to enforce Cleanup?

Mrs. Collazo stated that staff would do research to establish ownership and letters would be mailed out.

24. Discussion and possible action regarding the construction of the Farias Elementary School Student Drop-off/Pick up Area Improvements Project. This is a cost sharing project between the City of Laredo and Laredo Independent School District (LISD). Funding is available 1998 C.O. Issue School Drop-offs.

Florencio Peña, Manager, reported that L.I.S.D. had met earlier and had tabled the item because of being unsure of some issues. Bids received came in at \$120,000 over our budget so staff has decided that the project could be done in house to reduce the cost. He further stated that L.I.S.D. would be required to put up an additional \$40,000 and city to put in \$20,000 of in-kind on labor force.

Mr. Pena recommended that Council approve the project to be done in house pending L.I.S.D.'s decision. Staff will report outcome at next scheduled meeting on July 6th.

Rogelio Rivera, Director of Engineering, stated that he had attended the L.I.S.D. meeting and basically they needed more time to review. Of major concern to the board is off-street parking that parents will still continue to use as opposed to using the drop-off and pick-up area.

Motion to proceed to amend the budget to add \$20,000 and the project be done in-house contingent of the LISD approval of their budget amendment, and to reject the two bids received.

Moved : Cm. Alvarado Second: Cm. Bruni

For: 7 Against: 0 Abstain: 1 Cw. Moreno

# VIII. COMMUNICATIONS

None due to audio difficulty.

## IX. CITY COUNCIL PRESENTATION AND DISCUSSION

25. Requests by Mayor and City Council members for presentation and discussion.

# A. Requests by Council member Louis H. Bruni

1. Status report on the deficiency of the Detention Pond at the Del Mar Junction owned by Mr. Del A. Trautmann, Trautmann Investment Properties Ltd., with possible action.

Cm. Bruni introduced a video showing the condition of the detention pond at the Del Mar Junction. He also read a letter dated September 18, 1997, addressed to Foster Engineering from the City of Laredo Engineering Department, Environmental Division. The letter read as follows:

"Dear Mr. Sepulveda (employee for Foster Engineering):

Upon receiving the submitted plans and a site visit by the Environmental Engineer it is noticed that the retention pond at the Del Mar Junction site was not built according to design. The outlet structure was not completed and the city's concern is the failure of the retention pond and the downstream flooding problems. Also, for the public safety the retention pond should have a fence around it.

Please take the necessary steps to construct the outlet and fence it at your earliest convenience. If you have any questions regarding this matter, please feel free to call.

Thank you for your assistance.

Sincerely,

Rogelio Rivera, P.E. City Engineer"

The letter was carbon copied to Mr. Del A. Trautmann of Trautmann Investment Properties Ltd. A second notice was sent on February 11, 1998.

Cm. Bruni further stated that when Mr. Trautmann had made his presentation to Council to address the issue of the

retention pond he had failed to say that he had not complied with the city ordinance and that he was in violation of the law.

Cm. Bruni continued to inform Council that he was glad that everyone had seen on the video what the pond looks like and that it has not been finished. The letter of credit was returned to Mr. Trautmann so now the city may have to build the pond or see how the developer will pay for the construction.

A letter addressed to Mr. Rogelio Rivera from Mr. Jay Trautmann was read by Cm. Bruni:

"I am aware of the situation regarding the detention location at Del Mar and of the two pending issues in the construction of the spillway and the fencing of the pond.

I have spoken to Mr. Louis Bruni the Councilman for the district in which the Del Mar Junction is located and have discussed giving us 45 days to complete the problems that exist.

I apologize for the delay."

Signed, Mr. Jay Trautmann.

Cw. Montalvo asked what had happened to the letter of credit, why had it been sent back to the developer?

Florencio Pena, City Attorney, stated that the developer had completed a substantial part of the development with the exception of the spillway and the fence. The drainage portion of the project was approximately \$170,000, so the developer had requested that the letter of credit be reduced to \$33,000, which was the amount that was needed to complete the spillway and the fence.

Mr. Peña further explained that when a developer files a plat to do a subdivision it is required that they put up letter of credit for all public improvements that they are required to do. When they finish the improvements, the letter of credit is released.

Staff and Mr. Pena have discussed evaluation of the general practice of releasing or reducing letters of credit when a substantial part of the improvements have been completed and will come back to Council with a recommendation.

Del Trautmann stated that he represented part ownership of the Del Mar Junction and Mr. Jay Trautmann, Cm. Bruni's friend, owns as much as he does and is as much responsible as he is in terms of this project. He added that he had no intention of misleading Council when he had made his presentation of what retention was and what it was not. Further stating that in spite of what Cm. Bruni thought or tried to imply that he had done, it was all a mistake. It is a continuous misrepresentation of his property and his projects on Cm. Bruni's behalf. It is interesting to know that Cm. Bruni picked to cite his name out on the project and not his cousin's, who is Cm. Bruni's friend. He added that this should be kept on an equal basis because it was starting to get really ugly.

Cm Bruni responded by stating that the reason that Mr. Jay Trautmann's name was not mentioned was because his name did not appear on the communication or the letter that he had received.

Mr. Trautmann continued to explain why the completion of the spillway had come to a halt. Also, stated that their engineering firm had submitted to the City's Engineering Department another design for the spillway because of a 36 inch pipe that is needed and is on order. So the project should be finalized in two weeks from this coming Monday (July 13th).

2. Status report on the construction violation of a Retention Pond at Lago Del Mar Ltd. owned by Mr. Del A. Trautmann, Trautmann Investment Properties Ltd. (Citation #92-0153), with possible action.

Cm. Bruni while showing a video reported that on the eastern part of the property there was what appeared to be a retention pond and added that Mr. Del Trautmann had informed Council that this was not a pond but had excavated because he needed some field dirt on the western part of the property. Cm. Bruni explained that Mr. Trautmann had been cited for this. Also pointing out that on the western part there was a pond that Mr. Trautmann had not gotten final approval on but went ahead and constructed anyway.

Mr. Trautmann had come to the City's Engineering Department to get a permit to aerate some land, which the city had given him.

Cm. Bruni read Citation No. 92-0153:

Citation to Mr. Del A. Trautmann, 1201 Del Mar-Eastern Part-Lago Del Mar. Violation of Chapter 11, Section 3-1, a, b, & c.

City of Laredo Subdivision Ordinance

Failure to submit construction plans and specifications to the City Engineer prior to commencement of construction on Unit 5 of the Lago Del Mar Subdivision located in the vicinity of Country Club Drive and S. of Del Mar Boulevard.

Cm. Bruni then requested to know what staff has done about this citation.

Cm. Bruni then read from a report of a water sample that accumulates South of Del Mar Boulevard from the Laredo Country Club run off that drains. The analysis shows that the water is extremely brackish as evidenced by its conductivity of 6,090 millimeters per liter of water. Also, the water sample showed some Fecal Coliform bacteria.

Jaime L. Flores, City Attorney, informed Cm. Bruni that the developer had been cited and had answered in court through his attorney, Steve A. Whitworth. Case is set for pretrial conference at Municipal Court.

Cm. Bruni then requested to know what the findings were on the retention pond being built on the western part of the property?

Florencio Peña, City Manager, stated that staff from the engineering department had visited the site and had informed him that the excavation is being done to dry out the soil which is consistent with the permit that was requested by the developer.

Steve Whitworth stated that a citation has been issued, a plea of not guilty has been answered, and the matter is pending before Municipal Court. May I remind everyone that in this country we are presumed innocent until proven guilty. We are not here to try this case before a Kangaroo Court that Cm. Bruni has tried to put on. The facts will show that we have a valid defense. We have permission from the city to do grading, which we are doing. A citation was subsequently entered and we stopped doing what we were doing until we got permission to proceed. This is not the forum to try this matter it has been referred to Municipal Court. With all due respect to this Council this should not be dealt into any further. We will put up our case at the appropriate time.

Cm. Bruni stated that in closing he would like to state that unfortunately Mr. Whitworth thought he is above the law and that he could do whatever he wants and then come and intimidate Council and tell us legally what we can and cannot do. We are not picking on Mr. Whitworth or Mr. Trautmann we just want all the laws and all the ordinance to apply to all the developers.

Mr. Del Trautmann stated that Cm. Bruni continued to call him a liar and that he had to take exception to that. He further stated that he has worked with the city for many years and had always tried to do a good job but Cm. Bruni continues his attacks and that questions his integrity. The only thing he was asking from Cm. Bruni was to let staff and department heads do their jobs. He then added that Council should take into consideration what is going

on and not to become part of the masquerade that Cm. Bruni had to undermine his brother-in-law.

Cw. Montalvo asked Mr. Trautmann that if in fact he had worked with city staff for many years, why was it then that he would not comply with the rules that the city had?

Del Trautmann responded by saying that he had indeed always complied with the city's rules and had gone beyond the scope of most development criteria.

Cm. Galo stated that if the developer had not gotten final plat approval they will have to fill in the retention pond and re-grade all their surface. As far as hauling the water off, he thought the developer was doing the city a favor. This would avoid the water going downstream, if in fact it is contaminated.

Cm. Bruni stated that what really concerned him was that every time he would bring up an issue of someone not abiding by city's ordinances or breaking the law (as the citation I read before), I am told that it is a personal vendetta. Mr. Whitworth is a master of mirrors and smoke screens so he comes up here and says that this is a personal vendetta and that I am breaking the law because I do not like him. I want this Council to know that this is not the case, this issues are very serious to me as they are to the constituents of District II. Further stating that everyone should stick to the issues and not bring in personalities.

Mr. Whitworth stated that Cm. Bruni should practice what he preaches. He added that he did not want to make this a personal match between Cm. Bruni and himself and had tried to stick to issues but that the remarks were so outrages, so off-the-wall, and so false. Mr. Whitworth further stated that Council knew what motivated Cm. Bruni when it pertains to his conduct and his involvement in various ventures.

Mayor Flores thanked Mr. Whitworth and stated that Council is very concerned that all ordinances are abided by and that this was the only thing of interest to them.

Cm. Bruni thanked Mayor Flores for her comment and further stated that Council was here to enforce all ordinances.

3. Status report on the upper Zacate Creek Master Drainage Study, with possible action.

Cm. Bruni referred to a newspaper article that had appeared in the Laredo Morning Times on Monday, June 22, 1998, which read as follows:

"In city action Cm. Bruni has listed three items that all relate to detention ponds owned by Mr. Del

Trautmann at the Del Mar Junction and Lago Del Mar area of the Upper Zacate Creek Water Shed. The revisiting of this issue follows last week's City Council action to rescind the moratorium on detention ponds until the completion of the Upper Zacate Creek Drainage Project."

Cm. Bruni stated for the record and for the Laredo Morning Times reporters that there was never a moratorium on retention ponds, never, ever, ever was there a moratorium on retention ponds. We can have legal counsel verify that and also the city manager. There was a motion made to look into the possibility and then have staff come back to Council with their findings. I repeatedly made that point clear last Monday but somehow it got lost somewhere. Obviously the reporter failed to hear it and some council members also failed to hear it. He then proceeded to ask that staff present information on the status of the report of the drainage project.

Rogelio Rivera, City Engineer, reported that on Friday, June 19, 1998, at 4:00 p.m. he had received the six RFP's that were submitted for this project. It will now be forwarded to the Contract Review Committee.

Cm. Bruni asked Mr. Rivera how soon after the Contract Review Committee reviews the RFP's will we be able to award the contract?

Mr. Rivera responded that possibly at the 2nd meeting in July.

Cm. Bruni once again asked Mr. Rivera how long after the award would it come back before Council? Would it be six months?

Mr. Rivera responded that it was more like nine months to have the contract completed.

Cm. Bruni stated that for the people watching the Public Access Channel, City Council, and the people in the audience, this is a very important issue in District II because we are talking about an area that produces so much run off and is an undeveloped area. It certainly will be in the best interest and the safety of the citizens of District II that we study this carefully and make the appropriate and wise decision on what to do in terms of where these retention ponds should go. He further stated that he was a firm believer that things should be done right when the opportunity is there to develop in virgin country. Let us do it right and not be intimidated by developers that want to develop their land and move on.

This area would be a beautiful area for the City of Laredo, not only for District II. By building a regional detention facility we could incorporate baseball diamonds, soccer

fields, and a beautiful park area. That is my goal, and I think that all my colleagues would agree with me that this must be an orderly development in order to make Laredo a better place to live for our children and for the people who visit our city. That is the purpose why I advocate and put this issues before City Council and not for any other reason as some people are led to believe--what I want is for this area to look pretty and resemble other areas in our community, somewhat like what Cm. Alvarado's area will be having in the Father McNaboe Park.

# B. Requests by Council member John C. Galo

 Discussion and possible action on the on-street parking around La Pulga (400 Block of Guadalupe), Ruth B. Cowl (1220 N. Malinche Avenue), Homeline Hospice Care (1115 Chihuahua).

Cm. Galo reported that he had gotten complaints from residents in that area stating that people that visit La Pulga park their cars by their driveways and in some cases blocking their view. Also, some people are freelancing in front if residents' yards. Basically what Cm. Galo was requesting is that the police department enforce the parking regulations.

2. Report from staff on cleanup of Chacon Creek with possible action.

This item was discussed in item #23.

3. Update of the cleanup of the basketball courts in Three Points Park as well as re-striping of the courts.

John Vidauri, Director of Parks & Recreation, reported that the basketball nets were put up on Wednesday, June 17, 1998. The paint has been ordered to do the re-striping for 3-Points Park, Ochoa Park, Chaparral Park, Las Brisas Northeast, and Del Mar.

In regards to the pigeon problem this needs a long term solution. We understand that parks and recreation is responsible for animal control within the park area and have been informed by animal control that they respond to issues outside of park areas. Mr. Pena has instructed staff to work on this issue.

The clean up work of the area has been initiated. We are organizing our parks crews into north crews and south crews in hope of better managing our park system and should see some improvement soon.

4. Status Report on the possibility of creating a recreation area at the new Parks and Recreation Depot (Old Armory).

Cm. Galo asked if it was possible to leave some land aside

and designate it for the neighborhood children to use as a playground, perhaps put up some swing sets in the future for them to have there.

John Vidauri stated that the engineering department was in the process of working on a siding and grading plan in the back of the building for storing our equipment. As soon as we have this plan in place we will report back to Council.

# X. PUBLIC HEARINGS

26. Public hearing amending Sections 24.63, 24.65.15 and 24.65.16 of the Laredo Land Development Code by allowing for the storage of hazardous materials, incidental to transportation and storage, in M-1 (Light Manufacturing Districts) and storage and handling of hazardous materials in M-2 (Heavy Manufacturing Districts). The Planning and Zoning Commission recommends approval of this amendment.

### INTRODUCTION OF AN ORDINANCE

Ordinance amending Sections 24.63, 24.65.15 and 24.65.16 of the Laredo Land Development Code by allowing for the storage of hazardous materials, incidental to transportation and storage, in M-1 (Light Manufacturing Districts) and storage and handling of hazardous materials in M-2 (Heavy Manufacturing Districts).

Motion to open the public hearing.

Moved : Cm. Bruni Second: Cw. Moreno

For: 8 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: 1 Abstain: 0

Cm. Galo

Ordinance Introduction: City Council

27. Public hearing regarding an application by Guillermo Garza amending the Zoning Ordinance (Map) of the City of Laredo by rezoning the north 1/3 of Lot 5, and the north 1/3 of the east 56.56 feet of Lot 6, Block 1021, Eastern Division, located at 3316 S. Buena Vista Avenue, from R-3 (Mixed Residential District) to B-1 (Limited Business District). The Planning and Zoning Commission recommends approval of this zone change.

## INTRODUCTION OF AN ORDINANCE

Ordinance amending the Zoning Ordinance (Map) of the City of

Laredo by rezoning the north 1/3 of Lot 5, and the north 1/3 of the east 56.56 feet of Lot 6, Block 1021, Eastern Division, located at 3316 S. Buena Vista Avenue, from R-3 (Mixed Residential District) to B-1 (Limited Business District).

Motion to open the public hearing.

Moved : Cm. Alvarado Second: Cm. Valdez

For: 8 Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Agredano Second: Cw. Montalvo

For: 8 Against: 0 Abstain: 0

Ordinance Introduction: Cm. Agredano

28. Public hearing regarding an application by Arguindegui Oil Co., amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 10.7286 acres, as further described by metes and bounds, located on SH359 east of the Bob Bullock Loop, from R-1 (Single Family Residential District) to M-1 (Light Manufacturing District). The Planning and Zoning Commission recommends approval of B-4 on the site.

# INTRODUCTION OF AN ORDINANCE

Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 10.7286 acres, as further described by metes and bounds, located on SH359 east of the Bob Bullock Loop, from R-1 (Single Family Residential District) to M-1 (Light Manufacturing District).

Motion to open the public hearing.

Moved: Cw. Montalvo Second: Cm. Bruni

For: 8 Against: 0 Abstain: 0

Alfonso Arguindegui asked that council reconsider the zoning change to an M-1 instead of a B-4 and overturn the recommendation from the P&Z.

Motion to close the public hearing and override the P&Z recommendation of a B-4 and approve an M-1 zone change and introduce the ordinance.

Moved : Cm. Bruni Second: Cm. Valdez

For: 8 Against: 0 Abstain: 0

Ordinance Introduction: Cm. Agredano

29. Public hearing regarding an application by Santa Fe Development, L.C., R. Hachar amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 11.6087 acres, as further described by metes and bounds, located on the southwest corner of the intersection of Orango Boulevard and River Front Road, from R-3 (Mixed Residential District) to R-1-MH (Single Family Manufactured Housing 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 11.6087 acres, as further described by metes and bounds, located on the southwest corner of the intersection of Orango Boulevard and River Front Road, from R-3 (Mixed Residential District) to R-1-MH (Single Family Manufactured Housing District).

Motion to open the public hearing.

Moved : Cm. Bruni Second: Cm. Alvarado

For: 8 Against: 0 Abstain: 0

There was not public input.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Bruni Second: Cm. Guerra

For: 8 Against: 0 Abstain: 0

Ordinance Introduction: Cm. Agredano

30. Public hearing regarding an application by Julian Del Bosque amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 11, Block 229, Eastern Division, located at 1619 Cedar Avenue, from B-1 (Limited Business District) to B-3 (Community Business District). The Planning and Zoning Commission recommends denial of this zone change.

# INTRODUCTION OF AN ORDINANCE

Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 11, Block 229, Eastern Division, located at 1619 Cedar Avenue, from B-1 (Limited Business District) to B-3 (Community Business District).

Motion to open the public hearing.

Moved : Cw. Montalvo Second: Cm. Alvarado

For: 8 Against: 0 Abstain: 0

Mr. Julian Del Bosque was asking the zone change request for

the purpose of providing a car wash.

Cm. Galo made a motion to approve a conditional use permit for a period of 6 months as a hand car wash and that the applicant concurs to amend the application.

Motion to table the item.

Moved : Cm. Bruni Second: Cm. Galo

For: 8 Against: 0 Abstain: 0

Mr. Del Bosque was told that the item was tabled because legal counsel will have to research on the matter of issuing a conditional permit.

31. Public hearing regarding an application by Carmen Sawyer and Maria Garcia amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 3A and 4A, Block 243, Eastern Division, located at 1718 Springfield Avenue, from R-3 (Mixed Residential District) to B-1 (Limited Business District). The Planning and Zoning Commission recommends denial of this zone change.

## INTRODUCTION OF AN ORDINANCE

Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 3A and 4A, Block 243, Eastern Division, located at 1718 Springfield Avenue, from R-3 (Mixed Residential District) to B-1 (Limited Business District).

Motion to open the public hearing.

Moved : Cm. Alvarado Second: Cm. Guerra

For: 8 Against: 0 Abstain: 0

Carmen Sawyer, property owner, asked the zone change to rent her house to a Beauty Salon. She said that some of the complaints were that there is not enough parking spaces.

Mrs. Hermelinda Arnold stated that she had 17 letters of opposition to the zone change due to traffic problems and they fear increased zone change to business and increase in taxes. She gave the letters of opposition to the City Secretary.

Mr. Jose Arnold of 313 Galveston spoke against the zone change for fear of commercial-business zone.

Motion to close the public hearing and concur with P&Z to deny the zone change request.

Moved : Cm. Galo Second: Cm. Alvarado

For: 5 Against: 3 Abstain: 0

Cm. Bruni Cm. Valdez

#### Cm. Guerra

32. Public hearing regarding an application by Maria Guadalupe Vasquez amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 1, Block 126, Eastern Division, located at 3619 Monterrey Avenue, from R-3 (Mixed Residential District) to B-1 (Limited Business District). The Planning and Zoning Commission recommends denial of this zone change.

## INTRODUCTION OF AN ORDINANCE

Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 1, Block 126, Eastern Division, located at 3619 Monterrey Avenue, from R-3 (Mixed Residential District) to B-1 (Limited Business District).

Motion to open the public hearing.

Moved : Cm. Bruni Second: Cm. Valdez

For: 8 Against: 0 Abstain: 0

Maria Guadalupe Vasquez, petitioner, spoke in favor of the zone change request.

Motion to close the public hearing, override P&Z and introduce the ordinance.

Moved : Cm. Valdez Second: Cm. Bruni

For: 8 Against: 0 Abstain: 0

Ordinance Introduction: Cm. Valdez

33. Public hearing regarding an application by Ruben Sandoval amending Ordinance no. 98-0-120 authorizing the issuance of a Special Use Permit for a mini-storage, on Lot 1, Block 1, Crownridge Subdivision, located at 602 Shiloh Drive by changing the name of the person to whom the Special Use Permit is issued. The Planning and Zoning Commission recommends approval of this Special Use Permit.

# INTRODUCTION OF AN ORDINANCE

Ordinance amending Ordinance no. 98-0-120 authorizing the issuance of a Special Use Permit for a mini-storage, on Lot 1, Block 1, Crownridge Subdivision, located at 602 Shiloh Drive by changing the name of the person to whom the Special Use Permit is issued.

Motion to open the public hearing.

Moved : Cm. Bruni Second: Cm. Valdez

For: 8 Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Guerra Second: Cm. Bruni

For: 8 Against: 0 Abstain: 0

Ordinance Introduction: Cm. Guerra

34. Public hearing regarding an application by Corona Development L.C. and Ada U. Medina, Attorney in Fact, amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 5, Block 8, Crownridge Subdivision, Unit I, located at 510 Shiloh Drive, from R-2 (Multi-Family 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 Lot 5, Block 8, Crownridge Subdivision, Unit I, located at 510 Shiloh Drive, from R-2 (Multi-Family Residential District) to B-3 (Community Business District).

Motion to open the public hearing.

Moved : Cm. Guerra Second: Cm. Bruni

For: 8 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: 8 Against: 0 Abstain: 0

Ordinance Introduction: Cm. Guerra

35. Public hearing regarding an application by Carlos Quintanilla and Hector Navarro amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 15.764 acres, as further described by metes and bounds, located at east of FM1472 at the World Trade Center Loop, from AG (Agricultural 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) of the City of Laredo by rezoning 15.764 acres, as further described by metes and bounds, located at east of FM1472 at the World Trade Center Loop, from AG (Agricultural District) to M-1 (Light Manufacturing District).

Motion to open the public hearing.

Moved : Cm. Bruni Second: Cw. Moreno

For: 8 Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Alvarado Second: Cm. Bruni

For: 8 Against: 0 Abstain: 0

Ordinance Introduction: Cm. Alvarado

36. Public hearing amending Section 24.63.2 of the Laredo Land Development Code to allow the location of political campaign headquarters in certain zoning districts.

# INTRODUCTION OF AN ORDINANCE

Ordinance amending Section 24.63.2 of the Laredo Land Development Code to allow the location of political campaign headquarters in certain zoning districts.

Motion to open the public hearing.

Moved : Cw. Montalvo Second: Cm. Bruni

For: 8 Against: 0 Abstain: 0

There was not public input.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Bruni Second: Cm. Valdez

For: 8 Against: 0 Abstain: 0

Ordinance Introduction: City Council

37. Public hearing amending the City of Laredo's 1997-1998 annual budget in the amount of \$115,168.00 for the Criminal Justice Division Grant from the Office of the Governor. The Office of the Governor is contributing \$78,172.00 with the City designating \$36,996.00 in matching funds. These funds for the Domestic Violence grant under the Violence Against Women Act (VAWA) is for the period of June 1, 1998 through May 31, 1999.

## INTRODUCTION OF AN ORDINANCE

Ordinance amending the City of Laredo's 1997-1998 annual budget in the amount of \$115,168.00 for the Criminal Justice Division Grant from the Office of the Governor. The Office of the Governor is contributing \$78,172.00 with the City designating \$36,996.00 in matching funds. These funds for the

Domestic Violence grant under the Violence Against Women Act (VAWA) is for the period of June 1, 1998 through May 31, 1999.

Motion to open the public hearing.

Moved : Cm. Alvarado Second: Cw. Montalvo

For: 8 Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Galo Second: Cm. Bruni

For: 8 Against: 0 Abstain: 0

Ordinance Introduction: City Council

38. Public hearing amending City of Laredo's 1997-1998 budget in the amount of \$1,052,415.00. Of this amount, \$758,249.00 is grant funds, with the City designating \$294,166.00, in matching funds for a grant from the Criminal Justice Division for Multi-Agency Narcotics Task Force for the period of June 1, 1998 through May 31, 1999 and authorizing the City Manager to sign any and all documents pertaining to this grant application.

## INTRODUCTION OF AN ORDINANCE

Ordinance amending City of Laredo's 1997-1998 budget in the amount of \$1,052,415.00. Of this amount, \$758,249.00 is grant funds, with the City designating \$294,166.00, in matching funds for a grant from the Criminal Justice Division for Multi-Agency Narcotics Task Force for the period of June 1, 1998 through May 31, 1999 and authorizing the City Manager to sign any and all documents pertaining to this grant application.

Motion to open the public hearing.

Moved : Cm. Bruni Second: Cm. Alvarado

For: 8 Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance.

Moved : Cw. Montalvo Second: Cm. Bruni

For: 8 Against: 0 Abstain: 0

Ordinance Introduction: City Council

Public hearing amending City of Laredo FY 1997-98 Annual Budget by creating three (3) Civil Engineer I positions to assist with project management and in-house project quality control. These positions will be funded from the 1998 bond projects, for approximately one month for a total of \$11,250.00 including benefits, and authorizing the City Manager to implement said budget.

#### INTRODUCTION OF AN ORDINANCE

Ordinance amending City of Laredo FY 1997-98 Annual Budget by creating three (3) Civil Engineer I positions to assist with project management and in-house project quality control. These positions will be funded from the 1998 bond projects, for approximately one month for a total of \$11,250.00 including benefits, and authorizing the City Manager to implement said budget.

Motion to open the public hearing.

Moved : Cm. Bruni Second: Cw. Montalvo

Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance.

Moved : Cw. Montalvo Second: Cm. Bruni

Against: 0 Abstain: 0 For: 8

Ordinance Introduction: City Council

### XI. ADJOURNMENT

Motion to adjourn.

Moved : Cw. Moreno Second: Cm. Alvarado

Against: 0 Abstain: 0 For: 8

Adjournment time: 8:00 p.m.

I hereby certify that the above minutes contained in Pages 01 to 24 are true, complete, and correct proceedings of the City Council Meeting held on the 22nd day of June, 1998. A certified copy is on file at the City's Secretary's Office.

> Gustavo Guevara, Ja City Secretary