

**CITY OF LAREDO
CITY COUNCIL MEETING
M98-R-37
AUGUST 24, 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,	Mayor
Alfredo Agredano,	Councilmember, District I
Louis H. Bruni,	Councilmember, District II
John C. Galo,	Councilmember, District III
Cecilia May Moreno,	Councilmember, District IV
Eliseo Valdez, Jr.,	Councilmember, District V
Joe A. Guerra,	Councilmember, District VI
Mario G. Alvarado,	Councilmember, District VII
Consuelo "Chelo" Montalvo,	Councilmember, District VIII
Gustavo Guevara,	City Secretary
Florencio Pena, III	City Manager
Jaime L. Flores	City Attorney

Motion to waive the regular order of business and move up items #41, A(1), and #29.

Moved: Cw. Montalvo
Second: Cm. Alvarado
For: 8

Against: 0 Abstain: 0

IV. FINAL READINGS

Motion to waive the final readings of ordinances #98-O-215, #98-O-216, #98-O-217, #98-O-218, #98-O-219, #98-O-221, #98-O-222, and #98-O-223.

Moved: Cm. Bruni
Second: Cm. Alvarado
For: 8

Against: 0 Abstain: 0

1. 98-O-215 Ordinance amending Chapter 28, of the City of Laredo Code of Ordinances by deleting the provisions for

noncommercial solicitation permits and adding provisions for certificates of registration for noncommercial street solicitation campaigns thereby requiring persons to submit a registration statement of such campaigns with a \$20.00 registration fee and submit financial statements when the campaigns are complete; amending Chapter 21, offenses and miscellaneous provisions, thereby adding the following prohibitions against: aggressive solicitations including time, place, and manner restrictions, false or misleading solicitations and manner of street and highway solicitations; urinating or defecating in public; entering portions of public buildings without consent; entering motor vehicles without consent; public camping including a declaration that public camps are nuisances subject to abatement; providing for severability and an effective date. **(City Council)**

Motion to move Ordinance #98-0-215.

Moved: Cm. Bruni
 Second: Cm. Alvarado
 For: 8 Against: 0 Abstain: 0

2. 98-0-216 Ordinance authorizing the City Manager to make application to the U.S. Department of Housing and Urban Development (HUD) for a Section 108 Loan in the amount of \$1,700,000 to facilitate a second lien mortgage note payable to the Hamilton Housing Partners Limited for the renovation and conversion of the Hamilton Hotel to include 165 low income rental units and first floor commercial office space and further authorizing the City Manager to execute any and all document resulting from this submission. **(City Council)**

Motion to approve Ordinance #98-0216.

Moved: Cm. Bruni
 Second: Cm. Alvarado
 For: 8 Against: 0 Abstain: 0

3. 98-0-217 Ordinance to waive parking fees at the Laredo Transit Center for patrons at the Garage between 5:00 P.M. and 10:00 P.M. on Wednesday, October 7, 1998, subject to a \$100.00 contribution by the Centro Iturbide Street Association. The parking fees will be waived in order to support the association's "Streets of Laredo" Mall Opening Festival, a community event in Downtown Laredo. **(City Council)**

Motion to approve Ordinance #98-0-217.

Moved: Cm. Bruni
 Second: Cm. Alvarado
 For: 8 Against: 0 Abstain: 0

4. 98-O-218 Ordinance to grant a permit to Southwestern Bell Telephone to use a City-owned twenty-foot-wide Utility Easement for the installation of an underground telecommunications cable, upon the condition that Southwestern Bell Telephone will at all times after doing any works within said Utility Easement, restore said premises to the condition in which same was found before such work was undertaken. Said easement being situated in Porcion 22, Abstract 277, Webb County, Texas; being more particularly described by metes and bounds; and providing for an effective date. **(City Council)**

Moved to approve Ordinance #98-0-218.

Moved: Cm. Bruni
 Second: Cm. Alvarado
 For: 8 Against: 0 Abstain: 0

5. 98-O-219 Ordinance amending the City of Laredo's 1997-1998 annual budget in the amount of \$109,869 for a supplemental grant to the COPS Ahead Grant from the U.S. Department of Justice. The U.S. Department of Justice is contributing \$63,724 with the City designating \$46,145 in matching funds for the remaining fiscal year. The Universal Hiring Grant period will be from May 1, 1998 through April 30, 2001. **(City Council)**

Move to approve Ordinance #98-0-219.

Moved: Cm. Bruni
 Second: Cm. Alvarado
 For: 8 Against: 0 Abstain: 0

6. 98-O-221 Ordinance amending Ordinance 97-O-022, Section 2-3(b) of Chapter 2 of the Code of Ordinance of the City of Laredo providing for an additional charge of \$1.83 for birth certificates issued locally for births occurring in other cities and counties within the State of Texas. **(City Council)**

Move to approve Ordinance #98-0-219.

Moved: Cm. Bruni
 Second: Cm. Alvarado
 For: 8 Against: 0 Abstain: 0

7. 98-O-222 Ordinance amending the contract with the Texas Department of Health and budget in the amount of \$40,000 for the Chronic Disease Prevention Program,

Breast and Cervical Cancer Control Project (BCCCCP), of the City of Laredo Health Department for the period beginning September 1, 1998, through August 31, 1999. **(City Council)**

Move to approve ordinance #98-0-222.

Moved: Cm. Galo
 Second: Cm. Alvarado
 For: 8 Against: 0 Abstain: 0

8. 98-O-223 Ordinance amending the contract with the Texas Department of Health and budget in the amount of \$542,000 (\$492,000 of Title V funding through TDH and \$50,000 in other program fee income) for the Maternal and Child Health (MCH) of the City of Laredo Health Department for the period beginning September 1, 1998 through August 31, 1999. **(City Council)**

Move to approve Ordinance #98-0-223.

Moved: Cm. Galo
 Second: Cm. Alvarado
 For: 8 Against: 0 Abstain: 0

V. RESOLUTIONS

9. 98-R-133 Authorizing the City Manager to submit an application to the United States Foreign-Trade Zones Board on behalf of Unitec Industrial Center authorizing the expansion of the Foreign Trade Zone No. 94 by creating a 665 acre General Purpose Foreign-Trade Zone Site designated as Site No. 6 and located within the Unitec Industrial Center.

Motion to approve resolution #98-R-133.

Moved : Cm. Galo
 Second: Cm. Alvarado
 For: 8 Against: 0 Abstain: 0

10. 98-R-148 Accepting a grant from the Texas Department of Health in the amount of \$1,986,480 to operate the Women, Infants, and Children (WIC) Program, and to issue approximately \$9,745,497 in federal food vouchers by the City of Laredo Health Department for the period beginning October 1, 1998, through September 30, 1999.

Motion to approve Resolution #98-R-148.

Moved: Cm. Alvarado
 Second: Cm. Bruni

For: 8 Against: 0 Abstain: 0

11. 98-R-151 Supporting the efforts of the Texas Border Infrastructure Coalition to increase state and federal funding for Border Infrastructure Projects; and endorsing that 75% of the \$700 million authorized through the Transportation Equity Act of the 21st Century (TEA21) be allocated to border counties with international crossings.

Motion to approve Resolution #98-R-151.

Moved : Cm. Alvarado

Second: Cm. Bruni

For: 8 Against: 0 Abstain: 0

VI. MOTIONS

12. Authorizing the City Manager to solicit and advertise for bids for the following:
- 1) one 2 piece, double-wide pre-constructed building; approximately 28' wide x 48' long (approximately 1,200 to 1,300 square feet interior);
 - 2) the option to purchase a second pre-constructed building with the same specifications
- for use by the City of Laredo Health Department's WIC Program.

Motion to approve.

Moved : Cm. Galo

Second: Cm. Alvarado

For: 8 Against: 0 Abstain: 0

13. Approval of the construction plans and authorization to advertise for bids for the Construction of Sidewalks and Handicap ramps on School Approaches and other Streets located within the Community Development Target Areas, approximately 123 blocks with tentative award on September 21, 1998. Funding is available in CD Projects/Sidewalks.

Motion to approve.

Moved : Cm. Agredano

Second: Cw. Moreno

For: 8 Against: 0 Abstain: 0

14. Approval of the construction plans and authorization to advertise for bids for the Construction of Two (2) New Fire Stations to be located on a 2-acre tract on State Highway 359, approximately 3800 feet east of the Inner Loop, and for the North McPherson Fire Station to be located on a 2-acre tract at the intersection of McPherson Road and NAFTA Blvd. Tentative award is for September 21, 1998. Funding is available in the New Fire Stations Buildings, 1994 and 1997

C.O. Bonds.

Motion to approve.

Moved : Cm. Guerra

Second: Cw. Moreno

For: 8

Against: 0

Abstain: 0

15. Award of a construction contract to the LOWEST BIDDER, Cantu America Construction Company, Inc., Laredo, Texas, in the amount of \$230,460.00, contingent on approval from the State WIC Agency and U.S.D.A., for the Expansion of the Santo Nino Health Center located at 2200 Zacatecas Street. Funding is available in the Health Department W.I.C. Capital Outlay/Buildings.

Motion to approve.

Moved : Cm. Agredano

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

16. Authorizing the award of a consultant contract for the Laredo Transit Planning Study to LKC Consulting Services, Inc. in the amount of \$50,000.00. The study will identify location, scope, demand of future transit corridors, operations, and facilities and will be funded through the M.P.O. (Metropolitan Planning Organization).

Motion to approve.

Moved : Cm. Valdez

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

17. Authorizing the award of a professional service contract to Columbia Telecommunications Corporation in the amount of \$23,760.00 to coordinate and facilitate the integration of existing systems at different sites onto the institutional network.

Motion to approve.

Moved : Cw. Moreno

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

18. Authorizing the City Manager to enter into a professional services contract with Parsons Brinckerhoff Quade & Douglas, Inc. to prepare a Supplemental Environmental Assessment (EA) associated with the Laredo Northwest International Bridge (Fourth Bridge) at a cost of up to \$33,397 plus expenses for the purpose of obtaining environmental clearance of an additional 24 acres within the bridge head as required by the General Service Administration and the Texas Department of

Transportation (TXDoT) and an additional 9 acres to accommodate the required buffer zone.

Motion to approve.

Moved : Cm. Bruni
Second: Cm. Alvarado
For: 8

Against: 0 Abstain: 0

19. Authorizing the City Manager to enter into a professional services contract with Marmon Mok L.L.P. for the construction of a scale project model of the Laredo Northwest International Bridge and approach roadways at a cost of \$20,715 with changes to the model following commencement to be billed at \$45.00/hour.

Motion to approve.

Moved : Cm. Galo
Second: Cm. Bruni
For: 8

Against: 0 Abstain: 0

20. Notice of public hearing on a proposed tax rate of \$0.53993/\$100 value. Each Council Member's vote must be recorded. The public hearing will be held on September 8, 1998 at 5:30 pm at City of Laredo City Hall, City Council Chambers, 1110 Houston, Laredo, Texas.

Motion to approve.

Moved : Cm. Agredano
Second: Cw. Moreno
For: 8

Against: 0 Abstain: 0

VII. CITY MANAGER'S REPORT

21. Consideration to re-schedule the regularly scheduled City Council Meeting from Monday, September 7, 1998 to Tuesday, September 8, 1998, due to the Labor Day Holiday.

Motion to approve.

Moved : Cw. Montalvo
Second: Cm. Galo
For: 8

Against: 0 Abstain: 0

VIII. COMMUNICATIONS

Presentation of ten visiting Russian Business persons who are guests of the Laredo Rotary Club by President, Jerry Robinson as a part of the Community Connection Program of the U.S. State Department.

Jerry Robinson, President of the Laredo Rotary Club, introduced Dr. Michael Landeck, a rotary member who came up with the idea to host the program. Dr. Landeck said it was the decision of the U.S. Information Agency to chose Laredo as one of four communities chosen to host this program. The program provides Russian business persons with the opportunity to see and study how Americans organize business. Several Russian business persons spoke and said this gave them the opportunity to study and compare businesses and use it in Russia as young entrepreneurs.

Cm. Galo wanted to recognize Councilman Guerra for an excellent job on the Springfield Cleanup. He had a call of appreciation from a young lady for the good job done.

Cm. Galo also wanted to recognize Roy Garcia for organizing the graffiti cleanup at Seven Flags Park. Lulac Council #12 donated brushes and poles and the paint was donated by Monarch Paints. He wanted to thank all volunteers involved.

IX. CITY COUNCIL PRESENTATION AND DISCUSSION

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

A. Request by Mayor Elizabeth G. Flores

1. Recognizing the excellence of Ricardo Antonio Ramirez, a nine year old Laredo citizen who has received the Presidential Sports Award in Martial Arts Tae Kwon Do from 1995-1998, additional awards include 1998 Texas State Invitational Tae Kwon Do Champion Gold Medal winner, 9-10 yr. old Black Belt Division. National A.A.U. Tae Kwon Do 9-10 yr. old Black Belt Gold Medal winner. XXXII A.A.U. Junior Olympic Games Black Belt Gold Medalist 9-10 yr. old Division. Ricardo's goal is to make the U.S.A. Olympic Taekwon Do Team in 2001.

Mayor Elizabeth Flores presented Ricardo Antonio Ramirez, with a Certificate of Recognition.

B. Requests by Council member Alfredo Agredano

1. Discussion and possible action on amending the performance criteria regarding the construction of homes as presented in the City of Laredo Resolution No.97-R-025 supporting the Concord Hills Development.
(Co-sponsored by Council member Joe A. Guerra)

Evan James Quiroz said he has had some problems with meeting the criteria of the 200 homes this fiscal year for Concord Hills. The main problem was that he was unable to get the lots platted nor the curbs and streets

put in and added that they should have waited on the building of the Community Center. They also encountered problems with the shortage of city engineers. He still feels the Concord Hills Project is an excellent project and should be continued.

Mr. Quiroz asked the contract be extended. He is asking to be allowed to the year 2000 to complete the 600 houses.

Arthur Zuniga, of Armadillo Construction, said two years ago the process was set out to allow this project to go forward with a public/private partnership with basically the idea that it was a "use it or lose it" scenario. The general public as a whole was promised these funds if this project could not meet its projections. The general public as whole are those seeking closing cost assistance and down payments assistance. Mr. Zuniga said the issue here is how the city uses its money and not how the county or state uses it. We think the city should live up to its commitment. They have no problem with money or additional time being given to the Concord Hills Project but give it to them at a later date and allow the funds to be used by the general public at this time.

Cm. Bruni, for the record, agrees with Mr. Zuniga, that we should not hold those funds and that the funds should go to the other builders and it should not require funds to be site specific. He does not think people should be told where to live. They should have a right to chose where they want to live.

Ms. Collazo said that currently there is \$418,765 in the regular Down Payment Assistance Program. Funds are federal annual funds and are based on performance measures. She would recommend to go ahead and take the left over balance based on the performance that council set aside by adopting resolution and again opening up to the regular city's program. Because we have already set aside \$600,000 come fiscal year by October 1st of 1998. If Mr. Quiroz needs more funding then that will be available on a first come first serve basis.

City Attorney Flores said that the resolution that authorized City Manager to execute the contract was made part of and incorporated into the contract so if council goes into what Mr. Quiroz is requesting then he is requesting an amendment to the contract. But, like Ms Collazo said we have not had the opportunity to look at the contract and it would be premature to make an amendment. But what Ms. Collazo is recommending is in accordance with what the contract states, performance measures, performance up to x amount, and then the and then the balance allowed to the rest of the city.

Cm. Bruni motioned for staff to study the issue and how any legal ramifications would affect this council.

No second

Cm. Galo set forth motion that city needs to get out of the building business.

No second

City Manager Pena, said HUD places an extreme obligation on the city to make sure it uses its money and that is the reason that we put performance criteria so that we do not jeopardize future funds. The reason the city got involved is because housing wasn't being done and we may want to reevaluate if we still want to be involved.

Motion to put money at end of program 2000 year by year in order to free up funds for other builders. Money not used goes back to city and city can distribute.

Moved: Cm. Bruni

Second: Cw. Montalvo

For: 8

Against: 0

Abstain: 0

C. Requests by Council member Louis H. Bruni

1. Status report regarding the paving of the 3300 block of Lane, with possible action.

Mr. Rogelio Rivera said he has had contact with the owners of the properties that abut property on 3300 block of Lane, Project 61. A portion of the land is in the original land grant. As of late, he spoke to Mr. Richard Haynes, whose family owned at least this portion in the Chacon Addition that was vacated in 1957 but they still may maintain possession of this property. He will contact Mr Haynes again to try to clarify.

Cm. Bruni wants to know since Project 61 has not been started can not this block be included in another on going project.

City Manager Pena said that the ongoing project is #60, however, the problem with block 3300 Lane is the right of way acquisition. He recommends that if this motion passes, that if we get the right-of-away for 3300 block Lane and Project 60 has not been completed, then it can become part of this project.

Motion to include this block on an ongoing project with leftover monies from other projects and that if we get the right-of-away for 3300 block of Lane and Project 60 has not been completed, then it can become part of this

project.

Moved: Cm. Bruni
 Second: Cm. Guerra
 For: 8

Against: 0

Abstain: 0

2. Status report on the Texas/Price Street storm water drainage project, with possible action.

Mr. Rivera said Crane Engineering has the preliminary report and plans ready and will have a submittal within the next 10 days with a cost estimate. They should have a final design within the next sixty days. Thereafter, it will take another forty-five to sixty days for the bidding process. Construction should begin one month later.

D. Requests by Council member John C. Galo

1. Motion to instruct staff to provide Mr. Armando Ruiz, Specialist in Economic and Community Development Financing, all the necessary information to submit an application to the EDA on behalf of the City for a grant to assist in constructing a railroad overpass at Unitec Industrial Park. The City shall bear no expense other than facilitating the information and submitting the grant. **(Co-sponsored by Council members Joe A. Guerra and Mario G. Alvarado)**

Mr. Ruiz made his presentation.

Cm. Galo said we should consider using Mr. Ruiz's services in the future since he does it on a contingency basis. Which means he collects his fee after he receives a grant.

Cw. Montalvo asked who pays him.

Mr. Ruiz replied that on this project the developers pay him. It is zero cost to the city. However, if we have other projects in the future that we would like for him to pursue, he will do it on a fee basis where he collects his fee, after the City receives its grant. Council may consider, in the future, offers from the private sector that would benefit the city.

City Manager Pena said that the resolution needs to be amended because there are two projects submitted in priority order, the Riverfront Development project, and the Waste Water on 1472. We need to identify this project. Identify this is as Project #3 on EDA application.

Motion to instruct staff to amend resolution and identify this as Project #3 on EDA application.

Moved: Cm. Galo
Second: Cm. Bruni
For: 8

Against: 0

Abstain: 0

E. Requests by Council member Joe A. Guerra

1. Discussion and possible action concerning the Laredo Manor Drainage Project/Terra-Genesis Housing

Mr. Rivera reported they received a letter faxed from the consultants and it enumerated 4 or 5 items. The consultants have also made 2 or 3 plans. He does not recommend any of the plans they are presenting at this time. For example, item #1 of the letter was to construct a sidewalk and wall along Springfield and a wall and sidewalk along the north side of Mann Road from Springfield to the east property corner. They feel these sidewalks and walls will not help the project at all because it is way beyond the property to the east of Simon Deutsch property. Other items were to continue that sidewalk and wall all the way to the west property line frontage of the Manor Apartments and to elevate the driveways with a one foot concrete ramp. Right now the parking lot is acting as a holding pond and by elevating these driveways that would increase the risk of the lines being plugged up and would not have a way out to Mann Road. He would recommend to wait until final plans are submitted.

City Manager Pena said part of problem in this area is when IH-35 was built and TEXDoT built that concrete line ditch alongside Santa Ursula it was designed for a 2 year flood. The only solution is to extend this ditch to Santa Maria even though it is an expensive solution.

Council agreed to wait for final plans before deciding.

F. Requests by Council member Mario G. Alvarado

1. Discussion and possible action on setting up an Ad Hoc Committee composed of concerned citizens to work on an ongoing graffiti removal campaign.

Cm. Alvarado recommends that we can work through Code Enforcement and address not only the graffiti concerns but also cleaning of lots concerns. He said that our staff should set a schedule to work two districts at a time in order to identify any problems of graffiti, trash, or lots that need to be cleaned. We may also want to get citizens involved.

Ms. Collazo said we may be able to incorporate this function into the Beautification Committee. It does not have any funds available but they can get them started

from donations, like paint brushes and paint.

City Attorney Pena just wanted to remind council that use of the public funds and resources and staff for the cleaning of graffiti removal is for public places only and that we're not talking about private fences and such.

Cm. Alvarado's request will be part of the Beautification Committee.

2. Report from the Parks and Recreation department on the Canizales Park Restoration Project with possible action.

Mr. John Vidaurri, Parks & Recreation Director, said they are completing irrigation and landscaping at Azteca Park and then they will be starting next week on the Canizales Park Project. They will start next week with basketball goal replacements, irrigation system installment, install water meter, and eventually lighting for the park this fiscal year.

3. Request for additional maintenance work on Santa Maria Street between Markley and Del Mar Boulevard with possible action.

Cm. Alvarado met with several members of city staff to study the situation because the IH-35 construction will affect the reconstruction of Santa Maria Road that will cause traffic problems. One of the suggestions was to discuss this with TXDOT to appropriate some of the money that is already allocated to this project to put an overlay in the center of Santa Maria Road and it should help with some of the maintenance until the project is under way. It is a one and half mile stretch of road and a heavily used truck route.

Joe Guerra said we are going to do a 1" overlay down the center lane and fix any soft spots on the sides from Markley to Del Mar with a cost estimate of \$30,000. It can be done in one to two weekends.

Motion to pave Santa Maria Road with 1" overlay between Markley and Del Mar.

Moved: Cm. Alvarado

Second: Cm. Guerra

For: 8

Against: 0

Abstain: 0

G. Request by Council member Consuelo "Chelo" Montalvo

1. Presentation by Ms. Ninfa Moncada, representing Fannie Mae, to request down payment and closing cost assistance from the City of Laredo for local consumers purchasing Laredo Modular's "LifeTime Homes".

This item was tabled for the next meeting.

X. PUBLIC HEARINGS

23. Public hearing concerning an application by Hilario Alfaro, Applicant and Sabas G. Soto, Owner amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 4, 5, and the north 2/3 of Lot 3, Block 1424, Eastern Division, located on the 2400 block of Cleveland Street from B-3 (Community Business District) to B-4 (Highway Commercial District). The Planning and Zoning Commission recommends approval of the zone change.

INTRODUCTION OF AN ORDINANCE

Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 4, 5, and the north 2/3 of Lot 3, Block 1424, Eastern Division, located on the 2400 block of Cleveland Street from B-3 (Community Business District) to B-4 (Highway Commercial District); providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Galo

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. Galo

Second: Cm. Guerra

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Agredano

24. Public hearing concerning an application by Alicia Lopez amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 21, 25, and 26, El Rancho Subdivision, located on the south side of SH 359 and east of Wildcat Drive, from R-3 (Mixed Residential District) to B-3 (Community Business District). The Planning and Zoning Commission recommends approval of the zone change.

INTRODUCTION OF AN ORDINANCE

Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 21, 25, and 26, El Rancho Subdivision, located on the south side of SH 359 and east of Wildcat Drive, from R-3 (Mixed Residential District) to B-3 (Community Business District); providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Galo
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. Galo
Second: Cw. Moreno
For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Agredano

- 25. Public hearing concerning an application by John Joseph Jacaman amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 26.128 acres, as further described by metes and bounds, located south of Jacaman Road and east of McPherson Road from R-2 (Multi-Family Residential District) to B-3 (Community Business District). The Planning and Zoning Commission recommends approval of the zone change.

INTRODUCTION OF AN ORDINANCE

Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 26.128 acres, as further described by metes and bounds, located south of Jacaman Road and east of McPherson Road from R-2 (Multi-Family Residential District) to B-3 (Community Business District); providing for publication and effective date.

Motion to open the public hearing.

Moved : Cw. Moreno
Second: Cm. Galo
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. Moreno
For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Bruni

- 26. Public hearing concerning an application by Rodolfo Garza amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 1, Block 3, Towneast Subdivision, Unit I, located at the intersection of US 59 and West Fiesta Loop, from R-1 (Single Family Residential District) to B-1 (Limited

Business District). The Planning and Zoning Commission recommends approval of the zone change.

Motion to open the public hearing.

Moved : Cw. Montalvo

Second: Cw. Moreno

For: 8

Against: 0

Abstain: 0

Mr. Pete Morales received petition signed with 42 in favor and another petition with 54 signatures against the zone change.

Mr. Garza said the petition against has names duplicated and contains names of minors on it. He is proposing to built a convenience store on Lot 1.

Mr. Morales said that this site does abut a highway and there is access to the site from the highway and it would service this residential area. It would be the only site zoned B1.

Cm. Bruni said we need to verify signatures.

Susan Hinijosa, who owns property that would be directly behind the proposed site and also representing other lot owners, stated that they feel this poses danger to their families. There is no lighting, it would increase traffic, there would be consumption of alcoholic beverages and it would lower the values of their homes.

Armando Ramirez, from Town East, spoke against due to traffic safety concern, and loitering.

Mary Nunez spoke in favor of zone change for store because many in the neighborhood do not have cars and a store is badly needed.

Motion to close the public hearing and table for the next meeting.

Moved : Cm. Bruni

Second: Cm. Alvarado

For: 8

Against: 0

Abstain: 0

- 27. Public hearing concerning an application by Eduard C. Hachar and Robert D. Hachar amending Ordinance No. 97-0-185 authorizing the issuance of a Conditional Use Permit for a child education/day care center on Lots 1 and 2, Block 1697, Eastern Division, located at 2801 and 2807 E. Fremont Street, by revising the site plan. The Planning and Zoning Commission recommends approval of the amendment.

INTRODUCTION OF AN ORDINANCE

Ordinance amending Ordinance No. 97-0-185 authorizing the

Abstain: 0

Ordinance Introduction: Cm. Galo

29. Public hearing concerning an application by Jose Santos, Pronto's Store amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 1, 2, and 3, Block 350, Eastern Division, located at 119 W. Lyon Street from R-3 (Mixed Residential District) to B-1 (Limited Business District). The Planning and Zoning Commission recommends approval of the zone change.

INTRODUCTION OF AN ORDINANCE

Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 1, 2, and 3, Block 350, Eastern Division, located at 119 W. Lyon Street from R-3 (Mixed Residential District) to B-1 (Limited Business District); providing for publication and effective date.

Motion to open public hearing.

Moved : Cm. Alvarado

Second: Cw. Montalvo

For: 8

Against: 0

Abstain: 0

Mr. Ron Whitehawk present on behalf of Mr. Jose Santos, stated that the property in question is an existing grocery store and immediately to the west is a lot which Mr. Santos purchased for the use of a parking lot to serve the adjoining lot. To do this, he had to request rezone change to B1. He also presented 15 signatures from the neighborhood in favor of the zone change.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Valdez

Second: Cm. Guerra

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cw. Moreno

30. Public hearing concerning an application by Border Maintenance Service, Miguel Delgado amending the Zoning Ordinance (Map) of the City of Laredo by rezoning the south 48 feet of Lots 1 and 2, Block 429, Eastern Division, located at 3815 Monterrey Avenue from R-3 (Mixed Residential District) to B-1 (Limited Business District). This is an appeal from an unfavorable recommendation by the Planning and Zoning Commission. The Planning and Zoning Commission recommends denial of the zone change.

Motion to open the public hearing.

Moved : Cm. Bruni

Second: Cm. Galo

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and table.

Moved : Cm. Bruni

Second: Cm. Guerra

For: 8

Against: 0

Abstain: 0

31. Public hearing concerning an application by Raquel Ramos amending the Zoning Ordinance (Map) of the City of Laredo by rezoning the east 46.3 feet of Lot 4, Block 663, Eastern Division, located at 1219 Taylor Street from R-3 (Mixed Residential District) to B-1 (Limited Business District). This is an appeal from an unfavorable recommendation by the Planning and Zoning Commission. The Planning and Zoning Commission recommends denial of the zone change.

INTRODUCTION OF AN ORDINANCE

Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning the east 46.3 feet of Lot 4, Block 663, Eastern Division, located at 1219 Taylor Street from R-3 (Mixed Residential District) to B-1 (Limited Business District); providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Galo

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

Raquel Ramos asked for consideration to make her living as a beautician and allow her to build a beauty salon on her property. There is sufficient area to allow for parking.

Motion to close the public hearing and allow C.U.P. with two parking spaces.

Moved : Cm. Valdez

Second: Cm. Guerra

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Valdez

32. Public hearing concerning an application by Jose A. Martinez amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 11 and 12, Block 448, Eastern Division, located at 118 and 120 East San Carlos Street from R-3 (Mixed Residential District) to B-1 (Limited Business District). The Planning and Zoning Commission recommends approval of the

zone change.

INTRODUCTION OF AN ORDINANCE

Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 11 and 12, Block 448, Eastern Division, located at 118 and 120 East San Carlos Street from R-3 (Mixed Residential District) to B-1 (Limited Business District); providing for publication and effective date.

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. Galo
Second: Cm. Bruni
For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Valdez

33. Public hearing concerning an application by Margarita B. Hernandez amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 5 and 6, Block 822, Western Division, located at 1504 Blair Street from B-1 (Limited Business District) to B-3 (Community Business District). This is an appeal from an unfavorable recommendation by the Planning and Zoning Commission. The Planning and Zoning Commission recommends denial of the zone change.

INTRODUCTION OF AN ORDINANCE

Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 5 and 6, Block 822, Western Division, located at 1504 Blair Street from B-1 (Limited Business District) to B-3 (Community Business District); providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Alvarado
Second: Cw. Montalvo
For: 8

Against: 0

Abstain: 0

Mr. Hernandez representing his mother, Margarita Hernandez, is requesting council to reconsider zone change. They will accept a conditional use permit.

Motion to close the public hearing and introduce the ordinance as C.U.P. (Conditional Use Permit) B-3 for Tire Repair and override Planning and Zoning and approve.

Moved : Cm. Alvarado

Second: Cm. Galo

For: 8

Against: 0

Abstain: 0

Ordinance Introctuition: Cm. Alvarado

34. Public hearing concerning an application by John D. Beckelhymer amending Ordinance No. 97-O-105 authorizing the issuance of a Conditional Use Permit for a jewelry only pawn shop on Lot 4 and the south 8.56 feet of Lot 3, Block 9, Western Division, located at 1102 Zaragoza Street by omitting the "jewelry only" restriction and adding the following restrictions: "no gasoline or fuel burning merchandise", "no weapons/firearms" and "no curbside/sidewalk display or sales". The Planning and Zoning Commission recommends approval of the amendment.

INTRODUCTION OF AN ORDINANCE

Ordinance amending Ordinance No. 97-0-105 authorizing the issuance of a Conditional Use Permit for a jewelry only pawn shop on Lot 4 and the south 8.56 feet of Lot 3, Block 9, Western Division, located at 1102 Zaragoza Street by omitting the "jewelry only" restriction and adding "no gasoline or fuel burning merchandise", "no weapons/firearms" and "no curbside/sidewalk display or sales" providing for publication and effective date.

Motion to open the public hearing.

Moved : Cw. Moreno

Second: Cm. Galo

For: 8

Against: 0

Abstain: 0

Raul Perales, representative for La Posada and Faskin family, spoke against the zone change for use as a pawn shop. One, it was to be a jewelry store, and another, it is in a downtown historical area. This originally was a C.U.P. site. He feels this would be an invitation to break-in to cars and theft of tourist cameras, etc. at La Posada.

Mr. George Beckelhymer, owner, addressed Mr. Perales's concerns and stated they are required by law for people to present current and proper identification. Less than one half of one percent could possibly be stolen items. They would basically like to sell jewelry in addition to other general merchandise.

Motion to close the public hearing and introduce the ordinance.

Moved : Cw. Montalvo

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

Motion to open the public hearing.

Moved : Cw. Montalvo

Second: Cm. Guerra

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

XI. MOTION TO RECESS AND CONVENE AS THE LAREDO MUNICIPAL HOUSING CORPORATION

Motion to recess as City Council and convene as The Laredo Municipal Housing Corporation.

Moved: Cm. Galo

Second : Cm. Alvarado For: 8

Abstain: 0

Against: 0

39. 98-RMH-149 Authorization from the Laredo Municipal Housing Corporation (LMHC) Board of Directors to accept and implement the annual factor increase offered from the Laredo Housing Authority - Section 8 Housing Assistance Payment Program. The U.S. Department of Housing and Urban Development (HUD) allows landlords to increase the Section 8 rents by the annual factor increase percentages which are as follows: 2.6% for rents ranging from \$310.00 to \$349.00 and 2.3% for rents ranging from \$350.00 to \$419.00. The Section 8 rental rates charged by Laredo Municipal Housing Corporation fall within these two categories. The rents being proposed are still lower than comparably sized apartments throughout our community. HUD pays the difference of rent charged by landlords, meaning that this proposed increase will not affect the current rent being paid by Section 8 participants. LMHC charges below fair market rents to 25 Section 8 participants because the Section 8 rents need to be similar to the fair market rents charged to non-Section 8 participants. In addition, LMHC does not charge Section 8 participants the maximum Section 8 fair market rents: \$472.00 for a 2-bedroom, \$596.00 for a 3-bedroom, and \$670.00 for a 4-bedroom; because the Section 8 rents need to be similar to

the LMHC fair market rents charged to non-Section 8 participants. Also, Section 8 participants are only responsible for paying rent based on 30% of their income. The revenues generated from the rental rate increase will be used to assist in covering the operational costs. The Section 8 Annual Factor increase will be implemented to all Section 8 contracts as they are renewed at both the Jose A. Flores Apartments and Tomas Flores Apartments.

Motion to approve.

Moved : Cm. Alvarado

Second: Cw. Moreno

For: 8 Against: 0 Abstain: 0

40. 98-RMH-150 Approval from the Laredo Municipal Housing Corporation (LMHC) Board of Directors to implement new rental rates on all fair market rental units at the Jose A. Flores Apartments, located at the airport, effective October 1, 1998. The proposed rental rates are as follows: \$340.00 for a 2-bedroom, \$375.00 for a 3-bedroom and \$415.00 for a 4-bedroom for all Fair Market units. The proposed rents are still lower than comparably sized apartments in our community including the rents authorized by HUD for the Section 8 Program. LMHC has the option to charge the maximum fair market rents to 198 tenants as permitted by HUD for the Section 8 Program; \$472.00 for a 2-bedroom, \$596.00 for a 3-bedroom and \$670.00 for a 4-bedroom; but does not charge the maximum fair market rents in order to provide assistance to the tenants. The proposed fair market rate structure for the Jose A. Flores Apartments will be similar to the rates charged at the Tomas Flores Apartments, located in West Laredo, which are as follows: \$335.00 for a 2-bedroom and \$395.00 for a 3-bedroom. In addition to providing below fair market rental rates to the tenants, LMHC also provides water utility services including garbage collection, maintenance repairs and renovations to all 211 rental units. These new rental rates for the Jose A. Flores Apartments will not apply to the families participating in the Section 8 Program. The revenues generated from the rental increase at Jose A. Flores Apartments will be used to assist in covering operational costs. LMHC is required to provide tenants a 30 day written notice for changes in rental rates.

Motion to deny and bring back with report inclusive of recommendations, location proposals, revenues and expenditures for the 211 units for this year.

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

Motion to adjourn as The Laredo Municipal Housing Corporation and convene as City Council.

Moved : Cm. Bruni
 Second: Cm. Galo
 For: 8 Against: 0 Abstain: 0

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 : Cw. Montalvo
 Second: Cw. Montalvo
 For: 8 Against: 0 Abstain: 0

41. Authorizing the negotiation of an agreement with Bonanza Consultants and Investments, Inc., for bus bench and shelter advertising sales and service.

Motion to take from the table.

Moved : Cm. Galo
 Second: Cm. Alvarado
 For: 8 Against: 0 Abstain: 0

Hector Liendo, representative of Bonanza Consulting & Investments, said presentation had already been presented, however, Councilman Galo had requested additional information. Their company will negotiate terms and any guarantee of money once a company has been selected.

Cm. Galo asked City Manager Pena who would be doing the negotiation and will it be brought back to council for approval. He also wanted to know if council could set some parameters for those negotiations.

City Manager Pena asked Mr. Segovia, El Metro Director, to explain the procedure.

Gilberto Segovia said this process would be to authorize City Staff to negotiate with either of the firms. They would select which firm they would negotiate with and then come back to council with the contract.

Councilman Alvarado asked Mr. Segovia if there are currently 239 benches and 35 bus shelters and if the selected firm will be doing the upkeep or replacement.

Mr. Segovia said this is the intent for them to identify and replace those as needed and add an additional 50.

Mr. Alvarado said it makes a very big difference in revenue if you add the existing benches and shelters and the firms do not know.

Mr. Segovia said that is the intent for them to bring them up to standard or replace.

Cm. Galo said he has concerns and recommends, one, that the new benches and shelters be treated as leasehold improvements so that at the end of the contract they become the property of the city. Also, the city should have a guaranteed revenue as a minimum similar to one of the proposals, and also a percentage of the gross sales whichever is higher and numbers should rise as the years progress. Recommends they be responsible for maintaining and replacing existing and new benches and shelters.

Mayor Flores asked Mr. Segovia to clarify Cm. Alvarado's concerns with the selected firm.

He replied he would make sure they know what is expected. Mr. Segovia said the contract they bring back to council will have all provisions clarified.

Mr. John Miller with Lamar Transit Advertising stated they estimated that of the 230 benches they felt that 90 needed to be replaced. In their proposal they would replace those 90 benches and maintain the exiting benches and bus shelters. Also, it's true that in some of their contracts ownership reverts back to the city at the end of the contract. He said length of contract will have to be addressed and it severely affects the money they can pay the city because currently their bid is at 7% thinking they would own the benches at the end of the contract. But if the city owns that investment of about \$275,000, that would change complexion of things. Mr Lamar presented the following payment schedule.

PAYMENT SCHEDULE TO THE CITY

* Annual Guarantee:

\$40 per Advertising Bench	x	40	=	\$ 3,600
\$100 per Advertising Shelter	x	45	=	\$ 4,500
TOTAL ANNUAL GUARANTEE			=	\$ 8,100

* PERCENTAGE OF REVENUE

YEARS 1 - 10:	7%
11 - :	10%

* PROJECTED 2ND YEAR PAYMENT:

\$160,000 X 7% = \$11,200

