

CITY OF LAREDO  
CITY COUNCIL MEETING  
M98-R-42  
CITY COUNCIL CHAMBERS  
1110 HOUSTON STREET  
SEPTEMBER 28, 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
Joe A. Guerra,	Councilmember, District VI
Gustavo Guevara, Jr.,	City Secretary
Larry Dovalina	Assistant City Manager
Jaime L. Flores,	City Attorney

ABSENCES:

Motion to excuse Cw. Moreno, Cm. Valdez and Cw. Montalvo.

Moved : Cm. Alvarado

Second: Cm. Galo

For: 5

Against: 0

Abstain: 0

**IV. INTRODUCTORY ORDINANCE**

1. Establishing Article 1 Section 24.1.7 in the Laredo Development Code providing for a Tree Board; amending Article V Section 24.83 relating to the planting of Trees and Shrubs specifically Section 24.83.3 clarifying surface parking lot requirements, Section 24.83.5 providing for the removal, replanting, and replacement of protected trees, Section 24.83.6 providing for special requirements, Section 24.83.10 providing for general planting and maintenance, thereby rescinding Appendix F-2; and amending Appendix A.

Ordinance Introduction: City Council

rescinding Appendix F-2; and amending Appendix A.

Ordinance Introduction: City Council

**V. FINAL READINGS**

Motion to waive the final reading of ordinance(s) #98-O-245, #98-O-246, #98-O-247, #98-O-248, #98-O-249, #98-O-250, #98-O-251, and #98-O-252.

Moved : Cm. Bruni

Second: Cm. Galo

For: 5

Against: 0

Abstain: 0

2. 98-O-245 Ordinance authorizing the City Manager to enter into a lease agreement with Adorable Promotions Inc., (A.P.I.), for the use of Veterans Field to conduct and promote a boxing event. Terms of the lease shall be for two days, commencing on October 16, 1998 and ending on October 17, 1998. Rent shall be \$2,000 and \$1,000 deposit.

Motion to approve Ordinance #98-O-245.

Moved : Cm. Galo

Second: Cm. Bruni

For: 5

Against: 0

Abstain: 0

3. 98-O-246 Ordinance authorizing the City Manager to enter into a lease agreement with Borderplex Adult Softball League for the use of Benavides Softball Complex to conduct, promote and establish year round softball league games and events. The term of the lease is for (2) two years commencing on September 21, 1998 and ending September 20, 2000. Total rent is \$1.00, plus in-kind services valued at \$19,464.50 per year.

Motion to approve Ordinance #98-O-246.

Moved : Cm. Galo

Second: Cm. Bruni

For: 5

Against: 0

Abstain: 0

4. 98-O-247 Ordinance amending Chapter 2, Article II, Division 6, of the Code of Ordinances of the City of Laredo, entitled pay administration, by suspending Sections 2.87.7 (D), numbers one through seven, for Fiscal Year 1998-1999 and modifying number fifteen (15) in Section 2-87.7, by adopting a revised pay schedule with effective date of implementation of October 1, 1998.

Motion to approve Ordinance #98-O-247.

Moved : Cm. Galo  
 Second: Cm. Bruni  
 For: 5    Against: 0    Abstain: 0

5. 98-O-248 Ordinance amending the City of Laredo's 1997-1998 Annual budget to reflect an appropriation in Transportation Planning Funds. The appropriation of \$40,978.00 is for the remainder of the 1997-1998 fiscal year, as authorized under the Transportation Equity Act for the 21st. Century.

Motion to approve Ordinance #98-O-248.

Moved : Cm. Galo  
 Second: Cm. Bruni  
 For: 5    Against: 0    Abstain: 0

6. 98-O-249 Ordinance authorizing the City Manager to amend the City of Laredo FY 1997-1998 EDA Airport Medical Fund Budget to appropriate \$27,316.00 and authorizing the City Manager to implement said budget to increase the funding for the EDA Airport Medical Fund Budget by an amount of \$27,316.00 to cover unbudgeted construction expenses consisting of additional surveying and utility improvements.

Motion to approve Ordinance #98-O-249.

Moved : Cm. Galo  
 Second: Cm. Bruni  
 For: 5    Against: 0    Abstain: 0

7. 98-O-250 Ordinance amending the City of Laredo's 1997-1998 Annual Budget in the amount of \$76,195.00 for personnel overtime costs for a Multi-Agency Narcotics Task Force for the period of June 1, 1998 and ending May 31, 1999.

Motion to approve Ordinance #98-O-250.

Moved : Cm. Galo  
 Second: Cm. Bruni  
 For: 5    Against: 0    Abstain: 0

8. 98-O-251 Ordinance amending the City of Laredo's 1997-1998 Annual Budget in the amount of \$4,000.00 for the purchase of three canine cages to be installed in task force vehicles for the Financial Disruption Task Force for the period of January 1, 1998 and ending December 31, 1998.

Motion to approve Ordinance #98-O-251.

Moved : Cm. Galo

Second: Cm. Bruni  
For: 5    Against: 0    Abstain: 0

- 9. 98-O-252 Ordinance amending the City of Laredo's 1997-1998 Annual Budget in the amount of \$366,253.00 for the Governor's Automobile Theft Prevention Authority grant. A.T.P.A. is contributing \$253,000, the City designating \$73,318 in matching funds and Webb County designating \$39,935 in matching funds for a total of \$366,253 to fund the Laredo Auto Theft Task Force for the period of September 1, 1998 through August 31, 1999.

Motion to approve Ordinance #98-O-252.

Moved : Cm. Galo  
Second: Cm. Bruni  
For: 5    Against: 0    Abstain: 0

**VI. RESOLUTIONS**

- 10. 98-R-152 Confirming the nomination by the Mayor and each Council member to be their representative on the Citizens Environmental Advisory Committee for the City of Laredo.

Motion confirming the following members:

Representative:

Mayor	Maria Eugenia Guerra
District I	Dr. James Earhart
District II	Magdalena Perez
District III	
District IV	
District V	
District VI	
District VII	
District VIII	

Moved : Cm. Bruni  
Second: Cm. Galo  
For: 5    Against: 0    Abstain: 0

- 11. 98-R-164 Formalizing the flow of funds of the International Toll Bridge System to ensure compliance with existing bond indenture covenants and the financing plan for Bridge 4 approved by City Council on 7/27/98 and subsequently presented to the rating agencies on 8/10-11/98.

Motion to approve Resolution #98-R-164.

Moved : Cm. Bruni  
Second: Cm. Galo  
For: 5                                Against: 0                                Abstain: 0

12. 98-R-165     Authorizing the use of surplus proceeds from the City of Laredo - Texas Public Property Finance Contractual Obligations (PPFCO), Series 1995, in the amount of \$35,000.00, for the purchase of two, 1999 1/2 ton extended cab trucks for the Parks and Recreation Department. These will be replacements for a 1988 Ford truck and a 1990 Chevy truck that require extensive repairs and that have been sidelined by the Fleet Maintenance Division.

Motion to approve Resolution #98-R-165.

Moved : Cm. Bruni  
Second: Cm. Galo  
For: 5                                Against: 0                                Abstain: 0

13. 98-R-166     Authorizing the City Manager to accept a grant for the "El Protector" program from the Texas Department of Transportation. The Texas Department of Transportation's contribution will be \$25,000 with the City designating \$25,000 in matching funds. The funding for this grant will be from October 1, 1998 through September 30, 1999.

Motion to approve Resolution #98-R-166.

Moved : Cm. Bruni  
Second: Cm. Galo  
For: 5                                Against: 0                                Abstain: 0

14. 98-R-167     Authorizing the City Manager to accept a grant in the amount of \$30,000 for the Speed STEP Program from the Texas Department of Transportation. The Texas Department of Transportation's contribution will be \$15,000 with the City designating \$15,000 in matching funds. The funding for this grant will be from October 1, 1998 through September 30, 1999.

Motion to approve Resolution #98-R-167.

Moved : Cm. Bruni  
Second: Cm. Galo  
For: 5                                Against: 0                                Abstain: 0

15. 98-R-168     Authorizing the City Manager to accept a grant in the amount of \$20,000 for the Occupant Protection STEP program from the Texas Department of Transportation. The Texas Department of Transportation's contribution will be \$5,000 with

the City designating \$15,000 in matching funds. The funding for this grant will be from October 1, 1998 through September 30, 1999.

Motion to approve Resolution #98-R-168.

Moved : Cm. Bruni  
Second: Cm. Galo  
For: 5                                      Against: 0                              Abstain: 0

- 16. 98-R-169 Authorizing the City Manager to accept a grant in the amount of \$15,000 for the Holiday DWI STEP Program from the Texas Department of Transportation. The Texas Department of Transportation's contribution will be \$11,250 with the City designating \$3,750 in matching funds. The funding for this grant will be from October 1, 1998 through September 30, 1999.

Motion to approve Resolution #98-R-169.

Moved : Cm. Bruni  
Second: CM. Agredano  
For: 5                                      Against: 0                              Abstain: 0

- 17. 98-R-170 Authorizing the City Manager to accept \$5,000 from the Office of the Comptroller for funding a Tobacco Compliance Program. This money will be used to pay overtime wages to Laredo Police Officers for enforcement of Senate Bill 55. This will be the second year the City will enter into this agreement and is at no cost to the City.

Motion to approve Resolution #98-R-170.

Moved : Cm. Bruni  
Second: Cm. Agredano  
For: 5                                      Against: 0                              Abstain: 0

- 18. 98-R-171 City Council confirmation of the Mayor's appointment of Cm. Mario G. Alvarado to the Metro Government Committee.

Motion to approve Resolution #98-R-171.

Moved : Cm. Bruni  
Second: Cm. Agredano  
For: 5                                      Against: 0                              Abstain: 0

- 19. 98-R-172 Appointing the nominees of City Council members to the Transportation and Traffic Safety Advisory Committee, Telecommunications Commission, and Parks and Recreation Advisory Board.

Motion appointing nominees of City Councilmembers to the following committees.

**Parks and Recreation Advisory Board:**

Mr. Hector Gomez Cm. Mario G. Alvarado

**Transportation & Traffic Safety Advisory Committee:**

Mr. John Carlos Volpe Cm. John C. Galo

**Telecommunications Commission:**

Mr. Glenn Ruiz Cm. John C. Galo

Moved : Cm. Bruni  
Second: Cm. Agredano  
For: 5 Against: 0 Abstain: 0

**VII. MOTIONS**

- 20. Approval of the construction plans and authorization to advertise for bids for a Fueling Facility for the City of Laredo Service Center to be located along North Daughtery, North of the City's Park and Ride Facility adjacent to the Laredo International Airport with tentative award on October 26, 1998, part of the Public Works Service Center Project. Funding is available in 1998 CO Issue Public Works Facility.

Motion to approve.

Moved : Cm. Bruni  
Second: Cm. Galo  
For: 5 Against: 0 Abstain: 0

- 21. Approval of the construction plans and authorization to advertise for bids for the Library Conversion (Bruni Plaza) Project with tentative award on October 26, 1998. Funding is available in the **capital improvement fund Bruni Plaza.**

Motion to approve.

Moved : Cm. Galo  
Second: Cm. Alvarado  
For: 5 Against: 0 Abstain: 0

- 22. Award of annual service contract to the **SOLE BIDDER,** Movac Environmental Service Inc., McAllen, Texas, in the estimated amount of **\$80,000.00** for furnishing vacuum truck services to transport domestic sewage and/or sewage sludge for the Utilities Department - Wastewater Division. This service supplements the department's equipment capabilities and help control sewage overflows during emergencies. The frequency and number of hours vary depending on the City's need. The bid price is based on a flat hourly rate of \$50.00.

Motion to approve.

Moved : Cm. Galo  
 Second: Cm. Alvarado  
 For: 5    Against: 0    Abstain: 0

23. Award of a construction contract to the **LOWEST BIDDER,** Pete Gallegos Paving, Inc., Laredo, Texas, in the amount of **\$449,450.00** for the Construction of Sidewalks and Handicap Ramps on School Approaches and other Streets located within the Community Development target areas, approximately 123 blocks. Funding is available in the CD Project/Sidewalks.

Motion to approve.

Moved : Cm. Bruni  
 Second: Cm. Galo  
 For: 5    Against: 0    Abstain: 0

24. Award of contract to the **LOW BIDDER MEETING SPECIFICATIONS,** Creative Floors and Windows, Laredo, Texas, in the amount of **\$39,500.00,** for the purchase and installation of carpet at the Civic Center auditorium and lobby.

The City did receive a lower bid from Designs and Details, Laredo, Texas, in the amount of \$31,421.45, however, the bid by this vendor did not include removal of the existing carpet.

Motion to approve.

Moved : Cm. Galo  
 Second: Cm. Agredano  
 For: 5    Against: 0    Abstain: 0

25. Award of contract to HTI Voice Solutions, Inc., Marlborough, MA., in the amount of **\$38,500.00,** for the purchase and installation of an automated telephone customer information system for the Utilities Department - Billing Division. Customers will have telephone access to utility bill account status and receive automated responses to inquiries. The automated telephone customer information system will interface with the City's Utility Billing computer software. The information will be provided in English or Spanish which will enhance the Department's customer service capabilities.

Motion to approve.

Moved : Cm. Bruni  
 Second: Cm. Galo  
 For: 5    Against: 0    Abstain: 0



- 26. Awarding of a contract to Library Interiors of Texas, Inc., Bastrop, Texas, in the amount of **\$28,751.80** for the purchase of furnishings to match existing furniture purchased for the New Main Library Project. Pricing based on unit costs less volume discounts for a contract awarded on May 19, 1997.

Motion to approve.

Moved : Cm. Galo  
 Second: Cm. Bruni  
 For: 5

Against: 0 Abstain: 0

- 27. Authorize a contract with Lucent Technologies, Laredo, Texas, in the amount of **\$36,020.22**, for a software and hardware upgrade to the City Hall's phone system (PBX). This will be the first enhancement of the City Hall phone system since its initial installation in 1990, the year this building was first occupied. The main components of the PBX will migrate from an analog environment to a digital platform that will enhance our communication capabilities. Lucent Technologies is the sole provider of this software and hardware.

Motion to approve.

Moved : Cm. Galo  
 Second: Cm. Alvarado  
 For: 5

Against: 0 Abstain: 0

- 28. Authorizing the City Manager to enter into contract with Royal Joint Venture in regard to the preparation and submission of a pre-application and a full application as may later be warranted, to the U.S. Department of Commerce, Economic Development Administration for funding assistance in the construction of a railroad overpass at the Unitec Industrial Park on the premise that all matching and administrative costs associated with the project would be the sole responsibility of Royal Joint Venture and that the City would not incur any financial liability.

Motion to approve.

Moved : Cm. Bruni  
 Second: Cm. Galo  
 For: 5

Against: 0 Abstain: 0

- 29. Authorize the purchase of two, 1999 1/2 ton extended cab trucks for the Parks and Recreation Department, in the total amount of **\$34,184.34**, through the Houston Galveston Area Council of Governments (HGAC). These will be replacements for a 1988 Ford truck and a 1990 Chevy truck that require extensive repairs and that have been sidelined by the Fleet Maintenance Division. Delivery is expected within one hundred and twenty days.

The City did solicit bids from area dealers for the purchase of these trucks. Only one bid was received from Powell Watson Motors, Laredo, Texas, in the amount of \$43,990.00. The contract pricing from HGAC is \$9,805.66 less.

Motion to approve.

Moved : Cm. Bruni

Second: Cm. Galo

For: 5

Against: 0

Abstain: 0

30. Authorizing the City Manager to continue negotiations with Webb County to provide fire and emergency services during Fiscal Year 1998-1999 and to execute an extension of the current agreement for thirty (30) days in order to allow the conclusion of the Fiscal Year 1998-1999 Inter-local Agreement.

Motion that the present agreement for Fire, EMS and other services be extended for an additional 30 days from its termination date and that the City of Laredo enters into an annual agreement with Webb County for Fire, EMS and other services to be provided to the unincorporated areas within Webb County at an annual rate not to exceed \$450,000 and provide for an annual renegotiation of said contract thereof.

Motion to approve.

Moved : Cm. Bruni

Second: Cm. Agredano

For: 5

Against: 0

Abstain: 0

#### VIII. CITY MANAGER'S REPORT

31. Requesting approval of City Council to write off various accounts receivable that are deemed uncollectible and refer the same, except for EMS accounts, to an outside attorney for collection. The City's outside audit firm of Baum & Mejia recommended in their Letter to Management for fiscal year ending 09/30/97 to write off antiquated accounts receivable. The Audit Committee approves the recommendation. The financial impact to the City will be an expense of \$28,273.71 for the current fiscal year.

Mr. Conrad Hein, Financial Director, reported on this issue.

Motion approving to write off various accounts receivable that are deemed uncollectible and refer the same, except for the EMS accounts, to an outside attorney for collection. The City's outside audit firm of Baum & Mejia recommended in their Letter to Management for fiscal year ending 09/30/97 to write off antiquated accounts receivable.

For: 5

Against: 0

Abstain: 0

**IX. COMMUNICATIONS**

A. B. Barrera, Division Director from The March of Dimes, asked for our support. He informed that the March of Dimes is in a coalition for the legislative approval of "Children's Health Insurance Program (CHIPS) and a public forum will be held on October 7th at TAMIU regarding this program. Some speakers include Mayor Betty Flores, State Representative Henry Cuellar, Judy Robinson from the City's Health Department who will address the local impact of CHIPS in Laredo.

Mr. Barrera also extended an invitation for October 2nd at the Laredo Community College, here Dr. Ramon Dovalina and his wife will host a very special screening of a PBS video on how the March of Dimes has contributed on saving baby's lives since they funded the polio vaccine. The video will air on October 5th.

Ruben M. Villarreal, Jr. from Rio Grande Media, Inc., spoke about the new radio station KLNT (1498 AM) Laredo's News Talk. The station mainly consists of national syndicated talk shows, however some air-time hours are dedicated for local programming. There is a two-hour morning show in which local and national issues are addressed and citizens of Laredo can voice their opinion. His goal is to keep the public informed about our local government so he is inviting the Mayor and Council to participate in his talk show and discuss government issues. The business phone number is 725-1491, e-mail: talk@1490.com and the listener's line phone number 795-1490.

Mayor Flores encouraged him to ask Laredo citizens, through his radio show, to go out and vote. It is very important to get people's participation through their vote.

Cm. Galo extended his gratitude to the Fire and Police Departments for their diligent job in containing a fire at his brother's house.

Mayor Flores addressed a commentary on the Austin American (09/18/98) which read: "Thanks to the efforts of our U.S. Senators Phil Graham and K.B. Hutchinson, a new federal transportation bill would provide \$700 million over the next five years to states along the Mexican and Canadian borders and to states along high priority trade corridors." When this bill passed she wrote a letter to the U.S. Senators thanking them for their support. Senator Graham replied he appreciated the letter and kind words regarding his efforts on behalf of the City of Laredo to provide funding for needed infrastructure improvements at the Laredo International Airport, at the city's international border crossings and on the Texas highways to bear the burden of Laredo's boom in international commerce. Senator Graham also expressed that, "An occasional message is always a source of

border crossings and on the Texas highways to bear the burden of Laredo's boom in international commerce. Senator Graham also expressed that, "An occasional message is always a source of welcome encouragement. You may be sure that I will continue my efforts in promoting the development of a modern transportation infrastructure network for Laredo and throughout Texas to meet the demands of the robust international trade. Thank you for allowing me to participate in this worthwhile endeavor and I look forward to continue our work together on behalf of the Citizens of Laredo."

Mayor Flores also addressed a memo from Raul Leal, Supervisor of the Public Health Promotion Program, regarding October being the Breast Cancer Awareness Month, she asked the media present and everybody listening to promote this worthwhile cause.

Also, the Public Information Officer wanted the Mayor to announce that the Streets of Laredo Urban Mall's Opening Day Street Festival will be on October 7th from 6:00 P.M. to 10:00 P.M. at the 1300 block of Iturbide St., downtown Laredo. The Centro Iturbide Redevelopment Association has a vision for the Streets of Laredo Urban Mall, which extends beyond the year 2000, to preserve and amplify the mystic, eclectic and quaint atmosphere of our historic border town and transform it into a fun place to live, work, visit and recreate, so they want to invite everyone to the Streets of Laredo Urban Mall's opening day.

Larry Dovalina, Assistant City Manager, informed city council about the upcoming Field Hearing with FCC Commissioner Gloria Tristan and a commissioner from COFETEL (Mexico City's FCC equivalent). Public participation is welcome at this hearing, taking place on October 1, 1998 from 10:00 P.M. to 12:00 P.M. at council chambers. Some of the issues that will be addressed are: interference between cellular phones and radios; signals interference caused by "pirates"; internet access and affordability; community's participation in sharing technological improvements, etc.

Mr. Jesus Ponce made comments on Laredo's Municipal Housing and on an article from U.S. News regarding housing assistance for veterans.

#### **X. CITY COUNCIL PRESENTATION AND DISCUSSION**

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

##### **A. Request by Council member Louis H. Bruni**

1. Status report on all the junked vehicles east of Arkansas Street, south of HWY 59 and north of Guadalupe Street, with possible action.

Cm. Bruni clarified that he wanted a report on all the junked cars in District II, but if staff only has information on this particular area that is fine.

Ms. Cindy Collazo, Community Development Director, reported that staff surveyed the area between Saunders and Guadalupe from Arkansas to Ejido, and the subdivisions located east of Arkansas Ave. Only 282 current violations pertaining to junked vehicles on private properties were found, 62 of those are currently cases, the Code Enforcement Inspector is working on this matter. Other violations found were 110 vehicles parked on city's right-of-ways, the Police Department will be informed of this matter. Ms. Collazo stated that since most of these streets are not within CD's areas there is only one inspector is assigned, but CD will continue to work on this situation. She also informed that citizens can call any wrecker service to have their junked vehicles pick-up at no cost to the owner, all they have to do is sign the paperwork.

2. Status report regarding the paving of the 3500 block of Guerrero Street, with possible action.

Mr. Gabriel Martinez, City's Engineering Department, informed that this block is already scheduled under project 60, and was awarded three months ago through the City's Public Works. Before Public Works starts with the paving, the Utilities Department has to do some infrastructure work.

Jerry Pinzon, Utilities Department, stated that this particular street is scheduled for October 15 and it will probably take them about fifteen days to complete the work, so by the middle of November this street will be released to Public Works.

#### **B. Request by Council member John C. Galo**

1. Status report of all parks on District III.

Mr. John Vidaurri, Parks and Recreation Director, reported that approximately 14 acres of park land and recreational facilities are located on District III including the Canizales Boxing Gym, Market St. Tennis Courts, Seven Flags Park, Three Points Park & Pool and the Garcia Vela Little League Field. There is a plan for a concept park on the slot of Vega Farm which is on approximately seven acres of right-of-way that the city owns.

**Canizales Gym Status Report.**- Staff is currently working on the Canizales Gym building's renovation project with

an estimated budget of \$138,000. The architectural work has been completed; staff is working on the structural engineering, mechanical plumbing and electrical layouts. Mr. Vidaurri is expecting to complete the preliminary plans by October 12., and make a presentation to the Parks Board by October 29 for review and recommendations to council.

**Market Street Tennis Courts Status Report.-** This is a CDBG funded project and it is almost 80% complete. Mr. Vidaurri is expecting to complete this project by the end of October for a major Tennis Event organized by LTA (Laredo Tennis Association). He informed that there were construction delays due to untimely supplies delivery from vendors, therefore the August deadline was not met. The contractor has entered into the penalty phase, and we are waiting for their written report identifying the reasons for the delays, the Engineering Department needs to make an evaluation and see if the contractor is entitled to allowances. Mr. Gabriel Martinez, Engineering Department, informed that a letter was sent to the contractor 2 or 3 weeks prior to the project's expiration date of September 10th, warning him that his time was about to run out. Cm. Galo recommends that staff should send the contractor a follow up letter, also asked the City Attorney to provide assistance on this issue. Regarding the hiring of tennis instructor, Mr. Vidaurri informed that the position was advertised, and that except for one applicant, all applicants are from out-of-town. Staff is currently originating a recruitment committee to screen the applicants and start with the interview process, in order to make a job offer by the end of October.

**Seven Flags Park Status Report.-** Cm. Galo stated that this park is in bad shape, the tennis and basketball courts need nets and the bathroom facilities are broken or locked. Mr. Vidaurri reiterated that this park needs a lot of help, but ever since council approved the "Adopt a Park" program, IBC signed an agreement to officially adopt the Seven Flags Park. Staff has done an assessment and will meet with IBC to review it and prioritize the park's needs, also IBC plans to do some painting and cleaning during the first week of November.

Cm. Galo asked if we were expecting IBC to do all the work. He wants to know how are we going to work out with IBC on this program.

Mr. Vidaurri replied that IBC donated \$1,000 as part of the "Adopt a Park" program but that operational monies from the Parks & Recreation budget will be used as the park's improvements are addressed. Mr. Vidaurri also informed that he has a list of immediate improvements

needed by all the parks, with an estimated cost of \$40,000. Cm. Galo wants a copy of this list.

Three Points Park and Pool Status Report.- Mr. Vidaurri informed that the pavilion is pressure-washed every week to clean-up the pigeons' droppings and that a new piece of equipment that will speed up the cleaning process has been ordered. He mentioned that there is extensive vandalism in the area and staff is doing their best to keep up with the net replacing program since they are coping with a tight schedule budget; and as soon as staff starts restripping concrete courts, they will do this park first.

Cm. Galo brought up the issue of the bathhouse roof replacement. He stated that a motion was made on September 14 by Cm. Valdez which instructed staff to allocate \$150,000 for this project in the CIP and if it is eligible for CDBG and if we have leftover funds from closing projects to move this project to this FY.

Mr. Vidaurri stated that staff is currently researching what can or cannot be done with Block Grant funds, because unfortunately CDBG funds cannot be used for maintenance. They are looking at a budget for items to present to CDBG to determine their eligibility.

Parks sprinkler systems issues were brought up and Cm. Galo stated that there is hardly any grass on this park. Mr. Vidaurri informed that some sprinkler systems need replacement and that Parks & Recreation paid this year over \$250,000 for water utilities. Council became astonished to learn this. They conformed that the City of Laredo needs to set the example to the community on water conservation because it is our most precious natural resource and some citizens had addressed that certain city parks and building are wasting water.

Cm. Galo wanted input on the basketball hoop that was to be installed at the Armory Building's parking lot. Mr. Vidaurri informed that this has not been done because they are restricted on space, specially when Border Nutrition holds its Lunch Meal Program. There is also some yard work that needs to be completed for vehicle storage and therefore create more parking space for Parks and Recreation's employees.

Cm. Galo stated that he does not want to take any parking space, but that this hoop can be used during the weekends by the neighborhood children. He also inquired about some yard space that was supposed to be put aside for a playground area.

Mr. Vidaurri replied that the space for the playground is

there and so far they had investigated the tax value of a lot next door that will be part of the playground area, but have not begun the negotiations with the property owners.

**Slot of Vega Farm, Concept Park.**- Cm. Galo asked for details on this issue. Mr. Vidaurri replied that Mr. Keith Selman might have more information since the park's concept was originated by the Planning Department several years ago. The idea was to take several public right of ways and combine them to make a 6-7 acreage park but, no serious negotiations were undertaken because council never authorized staff to negotiate with the property owner.

Cm. Galo asked if grant money has been allocated for the Chacon Creek concrete lining. Cindy Collazo, Community Development, stated that HUD is recommending that projects need to be moved on and to reprogram monies from stagnant projects and left over balances. She is asking council for 30 to 45 days so staff can work on HUD'S recommendation and look at all the numbers worked together; then they will know if they have the \$250,000 for the Chacon Creek Lining Project. She reiterated that there are two motions on which her staff is working on: allocate \$250,000 for the Chacon Creek Project and allocate \$150,000 for the bathhouse roof of the Three Points Park and Pool.

Ms. Collazo informed that the Chacon Creek Project is a major developmental plan and that monumental assessments are required before that area is turned into a park, but the money requirements must be programmed and allocated first. Regarding obtaining funds from the Texas Parks and Wildlife for this project, she will check with Parks and Recreation because that department presented the grant application.

Mayor Flores expressed that citizens may wonder why so much time was spent on the parks issue, she explained that many citizens are concerned with having more parks and recreational areas for our children. She also informed that on the U.S. Conference for Mayors, that she recently attended, the first session was on children and school violence. She shared that one of the best practices being used by several cities to avoid such violence, is that the Parks and Recreation Departments are responsible for all after school activities for elementary children, and in some cases for middle school children. Many of these programs include helping children on their homework and outside activities, she also informed that these programs are manned with volunteers from the Police Department and private sectors.



## C. Request by Council member Eliseo Valdez Jr.

1. Presentation and recommendation from staff on the recent changes by Paragon Cable, impacting cable prices on the selection of channels with possible action.

Motion to table item.

Moved : Cm. Bruni

Second: Cm. Alvarado

For: 5

Against: 0

Abstain: 0

## D. Request by Council member Mario G. Alvarado

1. Discussion and possible action on the third party funding request by the Webb County Community Action Agency.

Cm. Alvarado informed that he has received many complaints regarding a newspaper article stating that the Community Action Agency (CAA) is stocking and piling air condition units as well as heating units. He has a copy of a memorandum drafted by Texas Department of Housing and Community Affairs that includes a tentative list of some concerns that they have with CAA. Some of the issues addressed are discrepancies between the number of heating units purchased with 1997 funds and the number of units being stocked, which is over 200. There is also questioning regarding the process of allocating the air conditioning units since some people received them without the proper required documentation. It also addresses the moral problems among CAA members.

Cm. suggested that we freeze the funding until we get a report on CAA since there are several issues concerning mismanagement of funds, abusive treatment of employees, and the fact that Jose Valdez got a \$12,000 raise. Also, the CAA Director continues to request funds from this Council without submitting the appropriate forms and application that we do require for all other agencies requesting funds.

He mentioned that this City Council has several members on the CAA Board and that some members are represented by alternate members. He knows that there is one vacancy on the CAA board on behalf of the city, that is from former council member Casso, who was on CAA's board and has not advised the City Council of such vacancy.

Cm. Galo expressed that as elected officials it is our duty to do everything to assure that things are being done correctly so people that need CAA's services do not get hurt.

Mayor Flores reiterated that CAA has provided valuable services to the citizens of Laredo and hopes that they continue to do so.

There was mentioning of the incident in which some air conditioning units were drop off at private ranch, and that a complaint has been filed with the District Attorney's office.

Motion that CAA follows the same Third Party Funding procedures that other agencies follow, which includes completing the proper application; and that we freeze the funding until we get a report by the Texas Department of Housing and Community Affairs on the accountability of the allegations concerning CAA.

Moved : Cm. Alvarado

Second: Cm. Guerra

For: 5

Against: 0

Abstain: 0

2. Discussion and possible action on creating an ad-hoc committee to work with both railroad companies on issues concerning railroad crossings.

Cm. Alvarado addressed the problems that citizens have regarding the railroad crossings. He suggested that maybe the Transportation and Traffic Safety Committee should oversee this matter. Mayor Flores recommended that the Transportation Committee can be the standing committee but that a specific sub-committee is required for the railroad issues, she suggested that such sub-committee be composed by Cw. Montalvo, Cm. Galo and Cm. Alvarado.

Cm. Alvarado requested a list of all the railroad crossings from both Union Pacific and Tex Mex railroad companies, and wants them to inform us of any maintenance programs that they may be planning for these crossings. He mentioned also that there is concern as to who is responsible for the maintenance of the spurs that go into private properties. And last, he would like to know what are the railroads Capital Improvement Project Plans since at an earlier meeting, a railroad company was going to provide us with their CIP plan.

Mayor Flores stated that the railroad's CIP plans may be changing since the City has been making several proposals, but the railroads are working their CIP along ours.

Larry Dovalina, Assistant City Manager, stated that Community Development found out that there are some abandoned tracks that have not been used for a period of time. Letters, relating to those abandoned structures,

were sent to both Union Pacific and Tex Mex. Since then we have learned that in most parts of the city, where the abandoned spurs are, the railroad does not own the property. In fact, the city allowed them to use such property, so now we have to research on this issue because we may have the right to go back and claim back those streets.

## XI. PUBLIC HEARINGS

33. Public hearing regarding an application by Francis Richter Farm Partners, amending Ordinance No. 95-O-100 authorizing the issuance of a Conditional Use Permit for a concrete batch plant on 5.0 acres, as further described by metes and bounds, located west of US 83 and north of Masterson Road, by renewing the term of the Conditional Use Permit for another five years. This is an appeal from an unfavorable recommendation by the Planning and Zoning Commission.

### INTRODUCTION OF AN ORDINANCE

Ordinance amending Ordinance No. 95-O-100 authorizing the issuance of a Conditional Use Permit for a concrete batch plant on 5.0 acres, located west of US 83 and north of Masterson Road, by renewing the term of the Conditional Use Permit for another five years; providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Bruni

Second: Cm. Alvarado

For: 5

Against: 0

Abstain: 0

Mr. Ron Whitehawk, on behalf of the Richter Family, spoke in favor and requested that this public hearing be recessed for one (1) week.

Motion to close the public hearing and table for one (1) week.

Moved : Cm. Bruni

Second: Cm. Guerra

For: 5

Against: 0

Abstain: 0

34. Public hearing regarding an application by Santa Fe Development, Richard Hachar, amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 6.5930 acres, as further described by metes and bounds, located on the southeast corner of the intersection of Organo Blvd. and Santa Martha Blvd., 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 6.5930 acres, located on the southeast corner of the intersection of Organo Blvd. and Santa Martha Blvd., from R-3 (Mixed Residential District) to R-1-MH (Single Family Manufactured Housing District); providing for publication and effective date.

Motion to open to open the public hearing.

Moved : Cm. Galo  
Second: Cm. Bruni  
For: 5

Against: 0

Abstain: 0

There was no public input.

Motion to close the public haring and introduce the ordinance.

Moved : Cm. Alvarado  
Second: Cm. Bruni  
For: 5

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Agredano

35. Public hearing regarding an application by Celestino Mendiola III, Owner and Ramiro Del Bosque, Applicant, amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 7, Block 90, Eastern Division, located at 103 Corpus Christi St., from R-3 (Mixed Residential District) to B-3 (Community Business District). The Planning and Zoning Commission recommends approval of this zone change.

**INTRODUCTION OF AN ORDINANCE**

Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 7, Block 90, Eastern Division, located at 103 Corpus Christi St., 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: Cm. Alvarado  
For: 5

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: 5

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Galo

36. Public hearing regarding the application by Berta Alicia Cadena, amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 8, Block 1632, Eastern Division, located at 104 N. Arkansas Ave., from B-3 (Community Business District) to R-3 (Mixed Residential District). The Planning and Zoning Commission recommends approval of this zone change.

**INTRODUCTION OF AN ORDINANCE**

Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 8, Block 1632, Eastern Division, located at 104 N. Arkansas Ave., from B-3 (Community Business District) to R-3 (Mixed Residential District); providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Alvarado  
Second: Cm. Bruni  
For: 5

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: 5

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Galo

37. Public hearing regarding an application by Burger King, amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 7, 8 and 9, Block 791, Eastern Division, located at 1420 Chihuahua St., from R-O (Residential/Office District) to B-3 (Community Business District). The Planning and Zoning Commission recommends approval of this zone change.

**INTRODUCTION OF AN ORDINANCE**

Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 7, 8 and 9, Block 791, Eastern Division, located at 1420 Chihuahua St., from R-O (Residential/Office District) to B-3 (Community Business District); providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Bruni

Second: Cm. Galo

For: 5

Against: 0

Abstain: 0

Mr. Arnulfo Ortega, Operations Director for Burger King, spoke in favor of the zone change.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Galo

Second: Cm. Alvarado

For: 5

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Galo

38. Public hearing regarding the application by Border Maintenance Service, and 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 Ave. 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.

#### INTRODUCTION OF AN ORDINANCE

Ordinance 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 Ave. 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. Guerra

Second: Cm. Galo

For: 5

Against: 0

Abstain: 0

Mr. Vicente Segura talked on behalf of Mr. Delgado and spoke in favor of the zone change. Mr. Delgado also spoke in favor.

Motion to close the public hearing and table this item.

Moved : Cm. Guerra

Second: Cm. Alvarado

For: 5

Against: 0

Abstain: 0

39. Public hearing regarding the application by El Expreso Bus Company, Edward Soto, Terminal Supervisor, and Anna Alexander Mata, Owner (Site), amending the Zoning Ordinance (Map) of

the City of Laredo by rezoning Lots 1, 2 and 3, Block 176, Western Division, located at 1005 San Bernardo Ave., from CBD (Central Business District) to B-4 (Highway Commercial District). This is an appeal from an unfavorable recommendation by the Planning and Zoning Commission.

**INTRODUCTION OF AN ORDINANCE**

Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 1, 2 and 3, Block 176, Western Division, located at 1005 San Bernardo Ave., from CBD (Central Business District) to B-4 (Highway Commercial District); providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Alvarado  
Second: Cm. Bruni  
For: 5                                      Against: 0                                      Abstain: 0

Mr. Ron Whitehawk on behalf of Mr. Soto, who could not attend this meeting, asked that this public hearing be recessed for one (1) week.

Motion to close the public hearing and table for one week.

Moved : Cm. Bruni  
Second: Cm. Guerra  
For: 5                                      Against: 0                                      Abstain: 0

- 40. Public hearing amending the City of Laredo's 1998-1999 Annual Budget in the amount of \$5,000 and authorizing the City Manager to enter into an agreement with the Office of the Comptroller for the reimbursement of \$5,000 for funding a Tobacco Compliance program. This money will be used to pay overtime wages to Laredo Police Officers involved in this operation. This will be the second year the City has entered into this agreement and is at no cost to the City.

**INTRODUCTION OF AN ORDINANCE**

Ordinance amending the City of Laredo's 1998-1999 Annual Budget in the amount of \$5,000 and authorizing the City Manager to enter into an agreement with the Office of the Comptroller for the reimbursement of \$5,000 for funding a Tobacco Compliance program. This money will be used to pay overtime wages to Laredo Police Officers involved in this operation. This will be the second year the City has entered into this agreement and is at no cost to the City; providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Bruni  
Second: Cm. Galo  
For: 5                                      Against: 0                                      Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Bruni

Second: Cm. Galo

For: 5

Against: 0

Abstain: 0

Ordinance Introduction: City Council

41. Public hearing authorizing an increase in the bridge toll rate schedule for southbound noncommercial vehicles, and authorizing an increase in the bridge toll rate schedule for southbound commercial vehicles said non-commercial and commercial bridge toll rate schedule increases to be effective at our four international bridges, and hereby rescinding all conflicting sections in all ordinances currently in effect.

#### INTRODUCTION OF AN ORDINANCE

Ordinance authorizing an increase in the bridge toll rate schedule for southbound noncommercial vehicles, and authorizing an increase in the bridge toll rate schedule for southbound commercial vehicles, said non-commercial and commercial bridge toll rate schedule increases to be effective at our four international bridges, and hereby rescinding all conflicting sections in all ordinances currently in effect, and providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Alvarado

Second: Cm. Guerra

For: 5

Against: 0

Abstain: 0

Mr. Tom Wade, President of Laredo's Transportation Association, stated that they are in total agreement with the rate structure going to "per axle charge" vs. "weight charge". They also agree with the new fee structure as it stands and as it reads; as supported by the Traffic Safety Advisory Committee's recommendation.

Mr. Jesus Ponce, spoke in reference of the proposed increase in the bridge rate schedule, and not only consider the international traffic but also our local traffic. He also asked what the extra monies would be used for.

Mayor Flores stated that the additional bridge revenues will be used for our Capital Improvement Projects.

Motion to close the public hearing and introduce the



ordinance and amend it to reflect the new numbers as per the Traffic Safety Advisory Committee's recommendation.

Moved : Cm. Guerra  
Second: Cm. Alvarado  
For: 5 Against: 0 Abstain: 0

Ordinance Introduction: City Council

- 42. Public hearing repealing Chapter 14 of the City Code of Ordinances and approving and adopting Chapter 14 as written hereunder including a schedule of rates to be charged for collection and disposal of municipal wastes and national pollutants discharge elimination systems (NPDES) Stormwater Management Programs; prescribing billing and collection procedures; and establishing the City's rules and regulations for dealing with "junked" and/or abandoned vehicles.

**INTRODUCTION OF AN ORDINANCE**

Ordinance repealing Chapter 14 of the City Code of Ordinances and approving and adopting Chapter 14 as written hereunder including a schedule of rates to be charged for collection and disposal of municipal wastes and national pollutants discharge elimination systems (NPDES) Stormwater Management Programs; prescribing billing and collection procedures; and establishing the City's rules and regulations for dealing with "junked" and/or abandoned vehicles; providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Alvarado  
Second: Cm. Bruni  
For: 5 Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Bruni  
Second: Cm. Galo  
For: 5 Against: 0 Abstain: 0

Ordinance Introduction: City Council

- 43. Public hearing regarding the FY 1996/97 Annual Community Assessment (ACA) prepared by U.S. Department of Housing and Urban Development (HUD) regarding the City's administration of HUD programs including the Community Development Block Grant (CDBG), the HOME Investment Partnerships Program (HOME), and the Emergency Shelter Grant (ESG) and further providing citizens an opportunity to comment.

Motion to open the public hearing.

Moved : Cm. Alvarado

Second: Cm. Guerra

For: 5

Against: 0

Abstain: 0

Cindy Collazo, Community Development, reported that every year an annual consolidated plan, subject to review, is submitted to HUD. The last review covers the period of October 1, 1996 through September 30, 1997 and we received a satisfactory rating; also HUD made several recommendations: 1) That activities that are slow to start will not be awarded additional funding in subsequent years, so we can improve our ratio expenditure. 2) If an awarded program has no expenditures during the first two years we need to consider re-programming the funds or moving them to other projects. 3) That City funding of projects be done in phases. This is in terms of doing the design one year and then project, because many times the projects get stagnant and the expenditures do not go forth.

Ms. Collazo also stated that the projects are moving faster than before and that staff is now monitoring the expenditures and movement of projects. And as mentioned earlier, she wants to review and clean up the program years and see what balances are there and what needs to be reprogram in order to look for the funding that council requested.

There was no public input.

Motion to close the public hearing and introduce the ordinance.

Moved : Cm. Galo

Second: Cm. Guerra

For: 5

Against: 0

Abstain: 0

Ordinance Introduction: City Council

## **XII. MOTION TO RECESS AND CONVENE AS THE LAREDO MUNICIPAL HOUSING CORPORATION**

44. 98-RMH-163 Authorizing to adopt the Laredo Municipal Housing Corporation (LMHC) Annual Budget for fiscal year 1998-1999 by the LMHC Board of Directors, appropriating the estimated revenues and balances reported therein for the year beginning October 1, 1998 and ending September 30, 1999 and authorizing the LMHC Director to implement the LMHC Annual Budget. The LMHC Annual Budget for fiscal year 1998-99 may be amended at a later date based on the performance audit that was requested by the LMHC Board of Directors on September 8, 1998.

Motion to approve Resolution #98-RMH-163.

Moved : Cm. Guerra  
Second: Cm. Alvarado  
For: 5 Against: 0 Abstain: 0

- 45. Authorization to terminate the construction contract with Mr. Alfredo Quiroga d/b/a Quiroga Construction to provide the brick work for the homes under the Lease/Purchase Program due to abandonment of work and request to award a contract in the recomputed amount of \$187,242.08 to Mr. Juan Gonzalez d/b/a Juan M. Gonzalez Construction, Inc. of Laredo, Texas. Juan M. Gonzalez Construction, Inc. was the third lowest bidder for the brick work. The second lowest bidder, E.Q. General Construction, has voluntarily withdrawn from being considered for the brick work. Quiroga Construction has completed the brick work on sixteen (16) homes. Juan M. Gonzalez Construction, Inc. will be responsible to complete the brick work on the remaining thirty four (34) homes. The recomputed amount of \$187,242.08 was calculated by multiplying the original bid price per home of \$5,507.12 received from Juan M. Gonzalez Construction, Inc. times the thirty four (34) homes.

Motion to approve.

Moved : Cm. Bruni  
Second: Cm. Alvarado  
For: 5 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: 5 Against: 0 Abstain: 0


**XIII. ADJOURNMENT**

Motion to adjourn.

Moved : Cm. Bruni  
Second: Cm. Galo  
For: 5 Against: 0 Abstain: 0

Adjournment time: 7:55 P.M.

I hereby certify that the above minutes contained in pages 01 to 28 are true, complete and correct proceedings of the Regular City Council Meeting held on September 23, 1998. A certified copy is on file at the City Secretary's Office.

  
\_\_\_\_\_  
Gustavo Guevara, Jr.  
City Secretary

Minutes approved on: October 26, 1998