

**CITY OF LAREDO
CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
5:30 P.M.**

M99-R-12

M I N U T E S

APRIL 26, 1999

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, Jr.,	City Secretary
Florencio Pena, III	City Manager
Jaime L. Flores,	City Attorney

Motion to move up items #18(B)1, #20, #25, #27, #28, #29, #22, and #18(C)2.

Moved : Cm. Alvarado

Second: Cm. Galo

For: 7

Against: 0

Abstain: 0

IV. INTRODUCTORY ORDINANCE

1. Ordinance authorizing the City Manager to execute all necessary documents associated with a public sale to convey "Surface Only" of a 0.8557 acre tract of non-aeronautical use land (approximately 37,274 square feet) being part of Block No. 21 - Subdivision Plat of Laredo Airport located at the Laredo International Airport, together with improvements located

thereon and subject to that Lease Agreement between the City of Laredo, as Lessor and Mercy Regional Medical Center, as Lessee, for a portion of Lot No. 2 and being more particularly described by metes and bounds to H. Rentals for the purchase price of \$188,000.00. Said tract of land is located at the 100 block of Gust Street.

Ordinance Introduction: City Council

2. Ordinance authorizing the City Manager to execute all necessary documents associated with a public sale to convey "Surface Only" of a 0.6754 acre tract of non-aeronautical use land (approximately 29,420 square feet) known as Lot No. 3 and to convey the "Surface Only" of a 0.5709 acre tract of non-aeronautical use land (approximately 24,868 square feet) known as Lot No. 4, all being part of Block No. 21 - Subdivision Plat of Laredo Airport located at the Laredo International Airport, together with improvements located thereon being more particularly described by metes and bounds to Commerce Bank for the purchase price of \$160,500.00 for Lot No. 3 and \$151,200 for Lot No. 4 for a total of \$311,700.00. Said tracts of land are located on the 100 Block of Gust Street.

Ordinance Introduction: City Council

3. Ordinance authorizing the City Manager to execute a lease amendment to the existing lease agreement approved by Ordinance No. 95-O-295 between the City of Laredo and Texas Migrant Council (CCMS Unit). The amendment reflects an increase in monthly rental from \$2,912.04 to \$4,352.04. Furthermore, Texas Migrant Council agrees to pay a one time lump sum payment for April, May, and June 1999 in the amount of \$19,536.12 and the remaining term at a revised rental of \$4,352.04.

Ordinance Introduction: City Council

4. Ordinance authorizing the City Manager to execute Lease Amendment to the Foreign-Trade Zone Operators Agreement with T.F.S. U.S. Customs Brokers, Inc. dated October 19, 1998 and approved by Ordinance No. 98-O-265. Said amendment increases the Zone Site Operator's activated area from 29,825 square feet to 117,228 square feet of warehouse space within Lot 6a, Block 4, of the Killam Industrial Park, Unit 4.

Ordinance Introduction: City Council

5. Ordinance authorizing the City Manager to remove (15) fifteen parking meters from both sides of the 1000 block of Flores Street between Victoria and Washington Streets.

16. Presentation and possible action for approval regarding the Project Plaque for Fire Station No. 10 located at 5210 Hwy 359 at Las Cruces Subdivision, Unit I and Fire Station No. 11 located at 11015 McPherson Road North of Loop 20.

Motion to approve the plaque with the inclusion of the Fire Chief's name.

Moved : Cm. Guerra

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

17. Presentation by the City Manager on the creation of an Assistant City Manager position.

Florencio Pena, City Manager, stated that another Assistant City Manager will allow him to have approximately seven people report to him as opposed to the seventeen that currently do. The goal is to streamline the operation and to decrease his spanning control. The creation of this position requires an additional secretary who will be working with the two Assistant City Managers. Also, changes in our building's third floor will be made to accommodate for these new positions. The new Assistant City Manager's position will improve the way department heads report to the City Manager. Hopefully, things will get done a lot faster and more efficiently. The cost of this transition will be about \$80,000 for the rest of this year. Next year's budget will have to include the entire cost for the 12-month period. Both, the current position and the new position for Assistant City Manager will be reclassified to 45-A which salary range is \$62,400 to \$101,566. The funds will come from the reserve fund.

Cw. Moreno raised the issue of last year's motion that read: Motion to freeze the classification steps for this year in order to improve the pay plan. She asked, "If we have frozen the steps that everybody was in, how did anybody get to 11?"

Mr. Migura replied that when the "freezing" took place, a lot of things were done at the low end of our pay plan, but things were intact in the upper end. Steps were renamed. He added that someone could have been moved to step 11 because of reclassification or downgrade.

Cw. Moreno requested from Mr. Migura a report on those positions that were moved to step 11. Then asked the City Attorney if council has to take action in order to go back to the original process, since action (freezing the steps) was taken for that year only, but they expect the process to go back to what it used to be where people move up to the next

step.

Mr. Migura replied that since the language of that motion specifically states "for this year", it is assumed that if no action is taken again by October 1, 1999; the pay plan will revert to its original process.

Motion to proceed draft order to create an additional Assistant City Manager position along with an additional secretarial position.

Moved : Cm. Bruni

Second: Cm. Alvarado

For: 8

Against: 0

Abstain: 0

IX. COMMUNICATIONS

- A. Cm. Bruni informed council on the current Rain Enhancement Project. He said that effective May 1st, our Weather Modification Project will kick-in. By April 28, an aircraft with all the back-up equipment will be stationed at the Laredo International Airport. Another aircraft as well as the doppler radar will be stationed at Cotulla, La Salle County.

South Texas Weather Modification Programs: Acreage

South Texas Weather Modification Assoc. (Atascosa, Frio, Wilson, Karnes, McMullen, Live Oak, and Bee Counties).	4.4 million
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Texas Border Weather Modification Assoc. (Val Verde, Maverick, and Kinney Counties).	3.7 million
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South West Texas Rain Enhancement Program (Dimmit, Zavala, La Salle, and Webb Counties).	4.9 million
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Edwards Aquifer Authority Program (Kerr, Real, Uvalde, Bandera, Kendall, Comal, Bexar, Hays, Medina, Guadalupe, Blanco, and Caldwell Counties).	6.4 million
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Total Acreage	19.4 million
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Cm. Bruni submitted for the record the above report along with a map that reflects the regions in which rain enhancement programs will take place. He added that most of the weather modification will take place in the Rio Grande watershed-northwest of Amistad all the way down to Laredo.

- B. Cm. Bruni received two letters via e-mail and submitted them to the Police Chief. These letters address problems occurring on Sunday night with cruisers on San Bernardo Street.

Note: Letters were not submitted to the City Secretary Office.

- C. Mayor Flores welcomed Eugene Amaya to our Communications Department.
- D. Jerry Garza, Public Information Officer, announced that one of the projects that they have been working on is to make sure that the citizens of Laredo are aware of all the services and activities that the city does for them. He thinks it is vital that the Public Information Office facilitates that dissemination of information to the public.

One of the goals assigned to him by the City Manager was to develop a news magazine, which would run in our Public Access Channel, for the citizens of Laredo. He announced that the pilot episode or the first half-hour episode is almost complete and ready for airing. It should air tomorrow (April 27th) at 9:00 on the Public Access Channel. It will be shown five times before their next show will come out. It is called, "Laredo at a Glance".

He explained it will break down into four segments. The first is comprised of everything the city has done the previous two weeks, in forms of proclamation, ribbon cuttings, etc. The second segment would be a highlight of city departments. This first pilot highlights the Airport Department, grants received, and construction done at the airport.

The last segment consists of an interview with members of the City Council or City Departments, in which they will be able to voice everything they have done in their particular district or things that have been stored for the districts or for the City of Laredo. Finally, the news magazine closes with a calendar of events for the next two weeks.

Note: Video presentation on the pilot program was shown.

- E) City Manager Pena said he wants a confirmation on setting a meeting date. He said that a notice advising about our Community Development meeting for April 29th was sent out. He thinks there might be a quorum, but there are some council members that might be out-of-town. He wants to know if they want to re-schedule this meeting. He added that they need to hold this meeting within the next two weeks.

Council concurred with holding the meeting on April 29th.

- F) City Manager Pena also questioned in reference to the Strategic Planning Session date. May 12th is the date he has set and wants to know if City Council is in concurrence. The purpose of this session is to set goals for next year. General topics include financial status, growth management, etc.

City Council concurred to Wednesday, May 12th from 5:30 p.m. to 10:00 p.m. at the 3rd Floor Conference Room.

- G) Rafael Rodriguez, Mayor of El Cenizo, asked that the City of Laredo sell them a trash truck. He informed that in response to a letter they sent us making this request, they received a quote of \$6,000 on such truck. But, for the past two weeks, they have not been able to get in contact with City Council to see what would be the best way whereby City Council can help them. He added that they are willing to pay the trash truck in payments as they have indicated in their letter. Currently, they are making payments on a previous 1992 account they have with the City of Laredo.

He was before City Council asking that the City of Laredo help them, that council consider them, and answer their request.

Mayor Flores replied that the issue was not in the agenda, so the item cannot be discussed, but they will take this request in consideration and will put this item in the next agenda.

Mr. Rodriguez asked that they be notified at the next meeting and asked that they be granted approval on their request.

- H) Cm. Alvarado brought to Council and to the public's attention the reconstruction work in Santa Maria. The section being worked is from Markley through Calton. There is only one lane open, and it is difficult for traffic to traverse through that area. He asked motorists that do not have to use that particular section to please look for an alternate route.

He talked to the Engineering Department in reference to this issue and asked them to send letters explaining the situation and circulation patterns being worked to all the businesses along the Santa Maria Avenue area.

- I) Jesus Ponce spoke in reference to the poor lighting in the downtown area. He asked that council go to downtown during the evenings and see the poor lighting. He spoke of an accident that occurred. He thinks this is something that should be taken care of.
- J) Mayor Flores presented plaques of recognition to two "Tiger

Legends" Mr. Rogelio Rivera and Cw. Cecilia May Moreno for their outstanding accomplishments and achievements in civic service in our community.

X. CITY COUNCIL PRESENTATION AND DISCUSSION

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

A. Request by Mayor Elizabeth G. Flores

1. Status report on Legislative issues.

Note: Mayor Flores announced that they have decided to do via phone conference calls with city legislative liaison every Monday at every council meeting until the Legislature ends in order to keep the public informed on issues that are of interest to Laredo.

Mr. Mario Martinez and Representative Henry Cuellar placed a call to council and spoke on concerns of tax issues.

Mr. Martinez reported that he received a couple of phone calls from some City Departments earlier today. One call was from Mr. Robinson on some of the Bills that will be up for hearing tomorrow. It is his understanding that Mr. Robinson will be traveling to Austin this evening to attend a couple of those hearings. They will meet Mr. Robinson prior to the hearings to go over the issues, and they will set him up for witness testimony.

He added that another concern that Mr. Pena expressed Friday evening is in reference to the tax issue that would have an impact on the city. He said that Mr. Bob Strauss, another consultant for the City would elaborate on the issue.

Mr. Bob Strauss elaborated that the primary issue was Senate Bill 441 that would not permit a city to opt out of the sales tax exemption that it has on some personal items. He said the bills that are likely to pass is a package of five House Bills. One of the bills would permit to opt out and not grant the sales tax exemption.

He continued briefing City Council on several proposed House Bills and exemptions.

Florencio Pena, City Manager, said he likes the idea of

opting in or opting out, but he would recommend to council that we don't have to take action and it stays in. And if we have to take action, that would be to take those items out.

Mr. Strauss, Mr. Martinez, and Representative Cuellar updated council on other bills.

Note: At this point, council went back to item #14.

B. Request by Council member Louis H. Bruni

1. Discussion with private parties interested in acquiring, pumping, treating, and delivering to Laredo drinking water from the Carrizo Aquifer Northwest in Webb County sufficient to supply Laredo current and future needs with possible action.
(Co-sponsored by Cm. Joe A. Guerra and Cm. John C. Galo)

Even though the city has no immediate intent to accept an offer to have water piped into its distribution system from a secondary source, council members said they were interested in learning more about the idea.

Rod Ponton, of Waterbridge in Houston, presented his offer to the council. He proposes that his company form a non-profit corporation and use tax-free revenue bonds to build a system of wells on private property in north-west Webb County. The wells would draw water from the Carrizo aquifer, which would be treated, stored and then piped to Laredo. The deal would allow the infrastructure of the system to revert into the ownership of the city after 15 years.

According to Mr. Ponton, it is believed the system could begin delivering, in about two years, up to 21 million gallons of water per day to Laredo, and then expand to provide even more water as needed. Currently the city uses anywhere from 30 to 45 million gallons of water per day.

Mr. Ponton said, however, that in order to determine specific information about the aquifer, such as quantities that can be drawn from it or how long it would last, engineering studies must be made. He is offering to do the studies without charge. Also added that the deal would require the city, for the next 15 years, to sign a "take or pay" agreement, in which the city would be required to purchase a minimum amount of water, whether all of it is used or not.

He requested council to sign a "letter of intent" to mean it would be willing to enter into an agreement with the company pending the outcome of engineering studies yet to be done by the firm, free of charge to the city. Then his company will several thousand dollars worth of work to prove up the well field, share that information with the city's staff, and then come before council to conclude negotiations of the contract.

Mr. Ponton told the council that San Antonio officials are allegedly interested in drawing water from the same aquifer.

City Manager Pena, said it is hard not to be in favor of the plan proposed by Mr. Ponton. He mentioned that we have a contract with CH2MHILL which is doing the same thing that Mr. Ponton's company will do. Some council members expressed interest in learning the results of the studies and comparing them to CH2MHILL's findings which are due this fall.

City Attorney Jaime Flores said that a letter of intent could possibly bind the city to an agreement with Waterbridge. Therefore, the council decided it would sign a letter of interest, which would not bind the city to accept Mr. Ponton's offer after his engineering studies are complete.

Motion to instruct the City Attorney to meet with Waterbridge Company and negotiate a non-committal declaration of interest, and to bring back to council.

Moved : Cm. Bruni

Second: Cm. Galo

For: 8

Against: 0

Abstain: 0

C. Request by Council member John C. Galo

1. Motion to require City staff to notify City Council at least 120 days before the termination date of any contract.

Cm. Galo explained that this is just to clarify that this is not including contracts that are mandated to go out for bids.

Florencio Pena asked if they can exclude contracts under \$15,000.00? What about Inter-governmental contracts?

Cm. Galo said this motion is only for contracts that need to be brought to council and for things that council needs to know about.

Cm. Guerra asked about contracts with non-performance nature such as defaults on a building, etc.? Are we leaving it at staff's discretion to act accordingly?

Mayor Flores said the discussion here is that if council needs to take action, that they be given plenty of time not only 30 days before the contract is due. That they be given four months (120 days) notice.

City Manager Pena expressed that it is not clear in some areas.

Cm. Bruni clarified that they only want all the contracts before City Council 120 days before they expire, because the 30-day notice is not adequate.

After discussion it was agreed, in order to avoid additional paper work for staff, that staff prepare a listing of contracts, place the listing in the internet, and for the listing to include the contract's terms and expiration dates. The exception will be competitive bid contracts.

Motion to approve that all contracts that need to come before City Council for action and all the contracts that council needs to know about, be brought before Council, and that Council be notified 120 days prior to expiration of such contracts, with the exclusion of competitive bid contracts.

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

Against: 0 Abstain: 0

2. Discussion with possible action on the ordinance dealing with the qualifications for the application for firefighters.

Cm. Galo explained what brought this item up. A gentleman applied for a firefighter position, and although this person scored #1 on the test, he was subsequently denied because he is not a citizen of Laredo. However, this person has been a resident of Laredo for 21 years. He can join the Army and serve this country, but cannot belong to the Fire Department nor the Police Department. Cm. Galo wants clarification whether

this ruling is correct, and if it is, what can be done about it.

Jaime Flores, City Attorney, reported that the gentleman was denied, not because of his citizenship status, but upon a misrepresentation on the application. There was misrepresentation of the citizenship question on the application that led to the examination. He added that the local government code in civil service doesn't require citizenship for firefighters but does require it for the members of the commission. He recommended that we need to look into the issue of citizenship for different positions.

Cm. Galo spoke in defense of Mr. Menchaca who checked the citizenship status incorrectly, but did provide a copy of his resident alien card. Cm. Galo thinks this is a technicality rather than a misrepresentation.

Mr. Menchaca came before Council and gave a brief narrative about the ordeal has gone through.

Motion to instruct staff to refer this issue to a State Representative or Senator and have him/her ask for an Attorney General's opinion on citizenship as a criteria for firefighters and to instruct staff to review Code of Ordinances for citizenship requirements.

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

Against: 0 Abstain: 0

D. Request by Council member Eliseo Valdez Jr.

1. Status report on the traffic circulation study at Alma Pierce; what are your recommendations and when will they be implemented; also consideration of Tomas Sanchez Elementary School in the listing of schools for traffic circulation study.

Roberto Murillo, Traffic Engineer, reported that Traffic Engineers, a company from Houston, was selected to conduct early this year a study at Alma Pierce. Other four schools are included in this study -Ryan, Diaches, Memorial and Lamar. The study was as a result of several meetings held with LISD who provided a priority listing of the schools they wanted a study conducted on. The preliminary report was received three weeks ago. Staff submitted their comments, but are still waiting comments from LISD. As soon as that happens, a final report will

be submitted for consideration.

In regards to including Tomas Sanchez School, he said he contacted Mr. Conrado Cruz from LISD. He mentioned that the five schools they sent as a first time priority being studied was a result of the committee that provided those priorities. They do not have any specific schools to consider for the next batch of schools to study. He added that Tomas Sanchez can be submitted to them for consideration as being the next one. He is looking at about three or four weeks for the study to be completed, depending on the LISD review.

He added that this request (Tomas Sanchez request) can be brought up to LISD's attention to find out what school they want to consider next, since it requires joint funding from both entities (school/city).

2. Request for city staff to review any ordinance for trash hauling trailers along sidewalks and street curbs particularly the ones that have become idle fixtures.

Cm. Valdez said he receives calls every month in reference to these trailers that have been sitting there for months obstructing the view. He wants to know what the city can do without having to issue citations, but at least to letting the people know that they have 30 or 60 days to either go dump the trash or pull their trailers into their driveway. In some areas the idle trailers are there for months and some don't even have adequate reflectors.

City Manager Pena answered that there is an ordinance. He questioned, "When they were cited is it because they were not moved for more than 48 hours?" The problem is if they move it and then put it back. He added that they can be cited, however if they have trash it might be a separate section of our ordinances. He asked for the address locations and said they will look into the issue.

Cm. Bruni asked that they look at everything east of Bartlett from Market to 83.

Cm. Valdez said that two weeks ago, he called staff and reported accumulated trash on specific sites, and today he received another call from one of the residents in that area complaining of the same problem. He said he addressed these problems two weeks ago, and questioned why does he have to drive around the neighborhood and address this to staff. He thinks it is somebody else's

responsibility and job, not his to ride around the city and take inventory of lights that don't work, trash that needs hauled, etc.

Mayor Flores said that this a problem with enforcement.

Cm. Bruni suggested that maybe the Sanitation Department can jot down these violations and deliver a report to the supervisor who would in turn submit it to the City Manager's Office.

Mayor Flores said this is a good idea since the Sanitation Department personnel works on all the streets. She asked Assistant City Manager Dovalina to look into this issue and see if they have the time to report all the things that are out of order.

Cm. Galo inquired about the Customer Service position.

Horacio De Leon, Assistant to the City Manager, reported that they do get council's calls everyday and staff is working on those calls, plus they have a log where all this requests are worked on a daily basis. He added that sometimes the complaints/requests take more than five or ten days to get completed because it depends on the workload they have.

In reference to the Customer Service Coordinator, he said they are currently receiving applications, but they are still not ready for interviewing. They will move on this as soon as possible.

Cm. Agredano spoke in reference to tagged vehicles and asked what the procedure was on this.

Agustin Dovalina, Chief of Police, indicated that the vehicles are red tagged and logged down. The officer who does the actual tagging goes back to follow-up. He makes sure that vehicle is either out of the way or he verifies that the tag is still in place. If the vehicles hasn't been moved and its allotted time is expired, then the officer will give orders to have it picked up. He added that once a vehicle is tagged, it has 48 hours to be removed.

3. Request for City staff to review the existing Conditional Use Permits issued for compliance and if not in compliance possible revocation of CUP and return to original zoning.

There was no public input.

Motion to close the public hearing and introduce.

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

Against: 0 Abstain: 0

Ordinance Introduction: Cw. Montalvo

- 20. Public hearing concerning application by Servando Hinojosa amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 7, Block 480, Eastern Division, located at 420 E. Eistetetter St., from R-1 (Single Family Residential District) to R-2 (Multi-Family Residential District). The Planning and Zoning Commission has recommended denial of this item. This is an appeal from an unfavorable recommendation by the Planning & Zoning Commission.

INTRODUCTION OF AN ORDINANCE

Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 7, Block 480, Eastern Division, located at 420 E. Eistetetter St., from R-1 (Single Family Residential District) to R-2 (Multi-Family Residential District).

Motion to open the public hearing.

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

Against: 0 Abstain: 0

Servando Hinojosa, petitioner, asked council to consider the zone change to build two apartments there.

Keith Selman, Planning Director, informed that of the 29 letters mailed to surrounding property owners none was received in favor, but one in opposition. Also he provided staff's reasons for opposing this change. The R-1 lines are clearly defined, also this is a low density area that if changed to a R-2 would be maxed-out in terms of density.

Ricardo Perez, a resident, spoke against the zone change request.

Motion to close the public hearing and follow staff's recommendation (not to support the proposed change).

Moved : Cm. Valdez
Second: Cm. Agredano

they would request that one of the conditions placed on it would be that it would be restricted to on-site activity.

Mr. & Mrs. Victor Cabello spoke in favor and were present to answer any questions.

Mayor Flores explained that the location criteria for a B-4 zoning has specific dimensional requirements. The site that is being proposed does not meet the 10,000 square foot minimum lot size at 5,750 sq.ft., also it does not have the 100 foot width that is required for a B-4 zoning. These are the reasons why Planning and Zoning thought that they rather recommend a Conditional Use Permit.

Mr. Selman explained that as it will probably be introduced, a C.U.P. would simply restrict the use and activity that Mr. Cabello is proposing to do. The difficulty in a B-4 is that once a B-4 is in place, any use allowable on a B-4 could be done, and since this site does not meet the criteria required for a B-4, there are concerns about it and added that City Council can place a time stipulation at their discretion.

Motion to close the public hearing and introduce with a C.U.P. (Conditional Use Permit) with the criteria presented to council.

Moved : Cm. Valdez

Second: Cm. Galo

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Valdez

25. Public hearing concerning an application by Export Storage Co., J.C. Pepe Trevino amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 8 and the north 7.4 varas of Lot 6, Block 202, Western Division, located at 1119 Santa Cleotilde Ave., from R-O (Residential/Office District) to M-1 (Light Manufacturing District). The Planning and Zoning Commission recommended approval of the proposed zone change.

INTRODUCTION OF AN ORDINANCE

Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 8 and the north 7.4 varas of Lot 6, Block 202, Western Division, located at 1119 Santa Cleotilde Ave., from R-O (Residential/Office District) to M-1 (Light Manufacturing District).

Motion to open the public hearing.

Moved : Cw. Montalvo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

Drew Claes spoke in favor of the zone change.

Motion to close the public hearing and introduce the ordinance with a conditional use permit.

Moved : Cw. Montalvo

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cw. Montalvo

- 26. Public hearing concerning an application by D&D Automotive Paint amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 1 and the west 13.44' of Lot 2, Block 1413, Eastern Division, located at 2401 Market St. from R-3 (Mixed Residential District) to B-3 (Community Business District). The Planning and Zoning Commission recommended denial of a B-3 zone change and approval of a B-1.

INTRODUCTION OF AN ORDINANCE

Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 1 and the west 13.44' of Lot 2, Block 1413, Eastern Division, located at 2401 Market St. from R-3 (Mixed Residential District) to B-3 (Community Business District).

Motion to open the public hearing.

Moved : Cm. Bruni

Second: Cm. Alvarado

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce as recommended by P&Z to deny a B-3 zone change and to approve as a B-1.

Moved : Cm. Agredano

Second: Cm. Galo

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Galo

- 27. Public hearing concerning an application by Rafael Cisneros amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 7, 8 and 9, Block 1723, Eastern Division, located

and bounds, located at 9205 San Dario Ave., from R-1 (Single Family Residential District) to M-1 (Light Manufacturing District).

Motion to open the public hearing.

Moved : Cm. Bruni

Second: Cm. Galo

For: 8

Against: 0

Abstain: 0

Mr. Ron Whitehawk spoke on behalf of the applicants Mr. Kenneth Smartt, and Elizabeth Jimenez. They were before City Council asking that this zoning case be treated like any other zoning case, on its merits and allow the C.U.P.

City Attorney Flores explained there is an ordinance that specifically states that when annexation comes to the site of a sexually oriented business, the business is given up to one year (12 months) from the date of the annexation in order to recoup its investment. If the business brings forth evidence in an appeal to the Board of Adjustments, this Board may hear and decide an appeal that alleges error in the ordinance adopted under the ordinance's subchapter. Mr. Flores added this may be what the business is trying to do because its investment is too great to be recouped in only one year.

Motion to close the public hearing and table for further review by P&Z.

Moved : Cm. Guerra

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

29. Public hearing concerning an application by Eddie Jacaman, General Partner and John S. Jacaman Cattle, Ltd. authorizing the issuance of a Special Use Permit for a Sexually Oriented Business on 10.48 acres, as further described by metes and bounds, located at 9205 San Dario Ave. The Planning and Zoning Commission recommended denial of the Special Use Permit. This is an appeal from an unfavorable recommendation by the Planning & Zoning Commission.

INTRODUCTION OF AN ORDINANCE

Ordinance authorizing the issuance of a Special Use Permit for a Sexually Oriented Business on 10.48 acres, as further described by metes and bounds, located at 9205 San Dario Ave.

Motion to open the public hearing.

Moved : Cm. Galo

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

Mr. Ron Whitehawk spoke in favor of a Special Use Permit for a two-year Conditional Use Permit.

Motion to close the public hearing and accept the P&Z's recommendation to deny the Special Use Permit, however, to allow the enterprise to continue operating under its current license as allowed by City Ordinance 95-0-227, Section 24.93.7.13, Subtitle E of the Laredo Land Development Code, for one year or longer if the applicant is able to present evidence to the Board of Adjustments that the enterprise needs more than a year to recoup its investment.

Moved : Cm. Guerra

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

30. Public hearing authorizing the City Manager to amend the City of Laredo FY 1998-1999 Airport Construction Budget to appropriate two grants received from the Federal Aviation Administration, being Grant Project No. 3-48-0136-22 in the amount of \$1,191,494.00 to reconstruct portions of Taxiways "A", "F" and "G" and to appropriate Grant Project No. 3-48-0136-23 in the amount of \$3,500,000.00 to reconstruct a portion of the southwest air cargo apron to include construction of a new section of air cargo apron and to account for a partial reimbursement to the City regarding the acquisition by the City of an approximate 114.77 acre tract of land, which reimbursement will be used to match said grants and authorizing the City Manager to implement said budget. And authorizing the City Manager to amend the City of Laredo FY1998-99 Airport Budget to increase expenditures in the amount of \$4,691,494.00.

INTRODUCTION OF AN ORDINANCE

Ordinance authorizing the City Manager to amend the City of Laredo FY 1998-1999 Airport Construction Budget to appropriate two grants received from the Federal Aviation Administration, being Grant Project No. 3-48-0136-22 in the amount of \$1,191,494.00 to reconstruct portions of Taxiways "A", "F" and "G" and to appropriate Grant Project No. 3-48-0136-23 in the amount of \$3,500,000.00 to reconstruct a portion of the southwest air cargo apron to include construction of a new section of air cargo apron and to account for a partial reimbursement to the City regarding the acquisition by the City of an approximate 114.77 acre tract of land, which reimbursement will be used to match said grants and authorizing the City Manager to implement said budget. And authorizing the City Manager to amend the City of Laredo FY1998-99 Airport

Budget to increase expenditures in the amount of \$4,691,494.00.

Motion to open the public hearing.

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

There was no public input.

Motion to close the public hearing and introduce.

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

Ordinance Introduction: City Council

XII. ADJOURNMENT

Motion to adjourn. Adjourment time: 9:35 P.M.

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

I hereby certify that the above minutes contained in pages 01 to 31 are true, complete, and correct proceedings of the City Council Meeting held on the 26th day of April, 1999. A certified copy is on file at the City Secretary's Office.



Gustavo Guevara, Jr.
City Secretary

Minutes approved on: May 17, 1999