

CITY OF LAREDO

CITY COUNCIL MEETING

CIGARROA RECREATIONAL CENTER
2201 ZACATECAS STREET
LAREDO, TEXAS 78040
5:30 P.M.

M99-R-33

MINUTES

NOVEMBER 22, 1999

I. CALL TO ORDER

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

II. 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 Alvarado,	Councilmember, District VII
Consuelo "Chelo" Montalvo,	Mayor Pro Tempore, District VIII
Gustavo Guevara, Jr.,	City Secretary
Florencio Pena, III	City Manager
Jaime L. Flores,	City Attorney

III. PLEDGE OF ALLEGIANCE

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

IV. APPROVAL OF MINUTES

1. City Council Workshop, November 1, 1999

Motion to approve.

Moved: Mayor Pro Tempore Montalvo Against: 0 Abstain: 0
Second: Cm. Valdez
For: 8

V. COMMUNICATIONS AND RECOGNITIONS

a. Announcements

1. City Manager, Florencio Pena, introduced Rosario Cabello as the new Finance Director.
2. Cm. Agredano introduced Jose Perez, former Cm. from District I.

Mr. Perez commented that in the last 10 years the City has spent over \$45 million dollars in projects, which consists of street paving, new water and sewer lines, the construction of two water towers in Los Presidentes and Sierra Vista areas. In addition, the construction of a 24 inch water line from the line tanks connected to the new water and sewer lines; the light enhancement programs. Also constructed was this recreational park, Cigarroa Recreational Center, established the COPS program, purchased an ambulance for the South Laredo Fire station, and the newly opened Fire station located at the Hwy. 359 area.

3. Rene De La Viña, a concerned Teacher and Citizen, stated that several teachers have noticed that when US Senator Phil Graham; US Senator Kay Bailey Hutchinson; and US Representative Henry Bonilla come to Laredo, it is always a 'business related' type issue. They would like to be advised whenever Federal Representatives will be coming to town because they have some educational issues that they would like to address to them. On another issue is the \$50 limit tax base in which he is not in agreement. On a 3rd issue he recommends a heated indoor swimming pool for therapeutic purposes.
4. Jeffrey Coffey, from Houston, Texas, stated that today they had the pleasure of turning in their qualification statement at the Council's request to look at secondary source of water.
5. Ms. Sonia Jodry requested that the Mayor proclaim this Wednesday as Cigarroa High School Toros Day.
6. Mayor Flores made a statement concerning the executive session held on November 15, 1999:

"The Council met in Executive Session and discussed first in private and later with the City Manager what it felt were several issues concerning the performance of the City Manager; while I cannot give you the specifics because it is a subject for continuing executive session deliberation and more importantly, the very nature of the matter requires our careful, and respectful consideration. I can provide you with a few comments.

We realize that there is public interest in this subject and rightfully so. There are probably few if any, more important people decisions that this Council can make than the decision it makes concerning its City Manager. So where are we regarding the Council's working relationship with the City Manager, where we are with our current City Manager, is really about where we are and where we want to be with our City; and that is a real motivator, the nut shell if you will.

Laredo is at a crossroads as are many other cities perhaps, but not more than Laredo. Laredo is on the threshold of taking great strides. The

Council and I see Laredo on the verge of great days locally, statewide, and nationally. We have always seen and been at our country's southern border. We have been momentous and historic many times before. We have had other opportunities to grow and to prosper, but I am here to tell you that never before had the opportunity been there as we have it before us today. We have no time to lose. We have many serious challenges before us. We have no time to be reluctant even tentative about developing a strategy for success. Everything that this Council and city staff do in the next year and the next 10 years must be focused on communicating a total commitment and a resolve to lead. We already see progress in many areas, but that is not enough. We cannot afford to have any semblance of obstructionist leadership. We can and should lead in the development of not just Laredo but of all border cities, of our state and nation, as well as our international partners in as many positive ways and directions as we can. And we must start with our own house. And that is where we are today.

The Council and I want to be careful, but we need to be bold. We have had good leadership in the past few years, but we must ask ourselves, as your elected representatives, can we do better? And that is where we are today. The leadership that the City needs must start at the top. Obviously we have concerns whether Mr. Pena is the person to take the City into the next millennium. The unanimous vote last Monday said that. Perhaps a 45 day period is not what we needed, perhaps the Council itself should be more prompt in moving ahead, but we want to be careful, we want to be thorough, fair and we will be. We do know, that we must be bold and waste no time in forming the best possible City leadership for tomorrow."

(End of statement)

- b. Invitations
- c. Recognitions
- d. Communiqués

VI. APPOINTMENTS TO COMMISSION, BOARDS AND COMMITTEES

None

VII. PUBLIC HEARINGS

2. Public hearing concerning an application by Z&R Investments, amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 0.7645 acres, as further described by metes and bounds on attached Exhibit "A", located west of Cheyenne Dr. and north of Hwy 359, from R-1A (Single Family Reduced Area District) to R-1MH (Single Family Manufactured Housing District). The Planning and Zoning Commission has recommended approval of the proposed zone change.

Ordinance Introduction: Cm. Bruni

4. Public hearing concerning an application by David E. Garcia, amending The Zoning Ordinance (Map) of the City of Laredo by rezoning Lots 7, 8, and 9, Block 26, Eastern Division, located at 717 and 719 Chihuahua St., from R-O (Residential/Office District) to B-1 (Limited Business District). The Planning and Zoning Commission has recommended approval of the proposed 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 26, Eastern Division, located at 717 and 719 Chihuahua St., from R-O (Residential/Office District) to B-1 (Limited Business District).

Motion to open the public hearing.

Moved: Cm. Alvarado

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

David Garcia spoke in favor of a zone change to a B-1 for an office building and children's party house. He asked for a change in the children's party house.

Keith Selman, City Planner, announced that staff does not support the proposed zone change while the Planning and Zoning recommended approval.

Motion to close the public hearing and go with staff's recommendation to deny the zone change.

Moved: Cm. Galo

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

5. Public hearing concerning an application by Ed Ramirez amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 2.126 acres, as further described by metes and bounds, located on the east side of San Ignacio Avenue and south of Adriana Court, from M-1 (Light Manufacturing District) to R-3 (Mixed Residential District). The Planning and Zoning Commission has recommended approval of the proposed zone change.

INTRODUCTION OF AN ORDINANCE

Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 2.126 acres, as further described by metes and bounds, located on the east side of San Ignacio Avenue and south of Adriana Court, from M-1 (Light Manufacturing District) to R-3 (Mixed Residential District).

Motion to open the public hearing.

Laredo, annexing additional territory of 110.003 acres, located in Porcion 34 as further described by metes and bounds in Attachment "A", specifically the Wormser Ranch I Tract, providing for the effective date of the ordinance, authorizing the City Manager to execute a contract adopting a service plan for the annexed territory, and establishing the initial zoning of R-1-MH (Single Family Manufactured Housing District).

Motion to open the public hearing.

Moved: Cm. Alvarado

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

Cris C. Baeza representing the neighbors of Century City, Los Presidentes, Independent Hills and also her colleagues at United South High and Middle School, Ruiz and Salinas Elementary, spoke against the zone change and including item #9.

Juanita Martinez turned in petition list with 251 names that are against the zone change to allow mobile homes in their area.

Robert Chapa appeared in his official capacity as Risk Manager for U.I.S.D., spoke against the proposed zone change.

Juan Narvaez, mobile home dealer, spoke in favor of the zone change request.

Sergio Alarcon from Sunrise Subdivision spoke against the zone change request.

Richard Hachar spoke in favor of the zone change request.

Efrain Sanchez, U.I.S.D. Board Trustee representing this area, spoke against the zone change for mobile homes.

Antonio Asforlogica, resident of Century City, spoke against the zone change.

Motion to close the public hearing and follow staff recommendation to approve the voluntary annexation and deny the recommendations of Planning and Zoning for the initial zone change.

Moved: Cm. Agredano

Second: Cm. Galo

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Agredano

9. Public hearing concerning an application by Elaine Wright Calk, altering and extending the boundary limits of the City of Laredo, annexing additional territory of 125.026 acres, located in Porciones 35 and 36 as further described by metes and bounds in Attachment "A", specifically

the Wormser Ranch II Tract, providing for the effective date of the ordinance, authorizing the City Manager to execute a contract adopting a service plan for the annexed territory, and establishing the initial zoning of R-1-MH (Single Family Manufactured Housing District). The Planning and Zoning Commission has recommended approval of the proposed annexation with the initial zoning.

INTRODUCTORY ORDINANCE

Ordinance altering and extending the boundary limits of the City of Laredo, annexing additional territory of 125.026 acres, located in Porciones 35 and 36 as further described by metes and bounds in Attachment "A", specifically the Wormser Ranch II Tract, providing for the effective date of the ordinance, authorizing the City Manager to execute a contract adopting a service plan for the annexed territory, and establishing the initial zoning of R-1-MH (Single Family Manufactured Housing District).

Motion to open the public hearing.

Moved: Cm. Bruni

Second: Cm. Galo

For: 8

Against: 0

Abstain: 0

Juan Narvaez stated his testimony is the same as #8.

Cris Baeza stated that the developers can built affordable structural homes.

Juanita Martinez stated her testimony is the same as #8.

Sergio Alarcon stated her testimony is the same as #8.

Motion to close the public hearing and introduce.

Moved: Cm. Agredano

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Agredano

10. Public hearing concerning an application by the City of Laredo, altering and extending the boundary limits of the City of Laredo, annexing additional territory of 5.314 acres, located in Porcion 20 as further described by metes and bounds in Attachment "A", specifically the Bridge IV Tract, providing for the effective date of the ordinance, adopting a service plan for the annexed territory, and establishing the initial zoning of B-4 (Highway Commercial District). The Planning and Zoning Commission has recommended approval of the proposed annexation with the initial zoning.

INTRODUCTORY ORDINANCE

Ordinance altering and extending the boundary limits of the City of

Laredo, annexing additional territory of 5.314 acres, located in Porcion 20 as further described by metes and bounds in Attachment "A", specifically the Bridge IV Tract, providing for the effective date of the ordinance, adopting a service plan for the annexed territory, and establishing the initial zoning of B-4 (Highway Commercial District).

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. Alvarado

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Alvarado

11. Public hearing concerning an application by United States of America and its assigns, altering and extending the boundary limits of the City of Laredo, annexing additional territory of 9.709 acres, located in Porcion 20 as further described by metes and bounds in Attachment "A", specifically the INS Facility Tract, providing for the effective date of the ordinance, authorizing the City Manager to execute a contract adopting a service plan for the annexed territory, and establishing the initial zoning of M-1 (Light Manufacturing District). The Planning and Zoning Commission has recommended approval of the proposed annexation with the initial zoning.

INTRODUCTORY ORDINANCE

Ordinance altering and extending the boundary limits of the City of Laredo, annexing additional territory of 9.709 acres, located in Porcion 20 as further described by metes and bounds in Attachment "A", specifically the INS Facility Tract, providing for the effective date of the ordinance, authorizing the City Manager to execute a contract adopting a service plan for the annexed territory, and establishing the initial zoning of M-1 (Light Manufacturing District).

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. Guerra

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Guerra

12. Public hearing altering and extending the boundary limits of the City of Laredo, annexing additional territory of 2,447.7141 acres, located in Porciones 39 through 46 as further described by metes and bounds in Attachment "A", specifically the South Laredo Tract, providing for the effective date of the ordinance, adopting a service plan for the annexed territory, and establishing the initial zoning of R-1 (Single Family Residential District). The Planning and Zoning Commission has recommended approval of the proposed annexation with the initial zoning.

INTRODUCTORY ORDINANCE

Ordinance altering and extending the boundary limits of the City of Laredo, annexing additional territory of 2,447.7141 acres, located in Porciones 39 through 46 as further described by metes and bounds in Attachment "A", specifically the South Laredo Tract, providing for the effective date of the ordinance, adopting a service plan for the annexed territory, and establishing the initial zoning of R-1 (Single Family Residential District).

Motion to open the public hearing.

Moved: Cm. Galo

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

Mayor Flores read a letter into the record from Chevron, letter quotes:

"Please be advised that Chevron U.S.A. Inc. opposes the annexation of 2,447.7141 acres, more or less, known as Tract 7, located between the city limit line and the north border of the City of Rio Bravo.

Chevron U.S.A. Inc. owns several oil and gas leases covering lands within said Tract 7. Under the terms of these leases, Chevron has drilled or has caused to be drilled numerous wells which have been producing in paying quantities for over twenty years.

Chevron's first objection to this proposed annexation involves the issue of safety. There is always an element of risk involved when residential development encroaches upon an area containing producing wells. Chevron's first priority is to always conduct its operations in a manner that puts the safety of people and the environment first. However, this annexation by the City of Laredo increases the potential of an undesirable event because of the proximity of new residential development to existing production facilities.

In addition to the above objection, the proposed annexation of said 2,447.7141 acres into a R-1 Zone (Single Family Residential District) will severely restrict Chevron's ability to conduct reworking and recompletion operations on existing wells and to conduct new drilling operations on said lands.

The prior rights of the working interest owners and mineral owners to produce and develop the minerals under said lands should be protected from restriction necessitated from subsequent residential development.

If the City of Laredo nevertheless decides to annex this land over Chevron's objections, please bear in mind that we will need a buffer zone around our existing facilities in which to perform future reworking and recompletion operations. We therefore ask that no residential building or structure be permitted within 400 feet of our existing facilities (or within 600 feet for schools, hospitals, churches or public buildings). Since Chevron would be prohibited from placing our facilities within 400-600 feet from existing buildings, we believe it only fair that the City refuse to permit new buildings from being built within 400-600 feet from our existing facilities.

In addition to the buffer zone around existing facilities, we will of course need to be assured of continued access to our facilities and the continued ability to transport production to market.

The City's Planning and Zoning Commission decided to recommend this annexation despite the objections received from Chevron and other interested parties. Chevron prays that the City of Laredo will give full consideration to Chevron's objections to this annexation, and give strong consideration to Chevron's request regarding the limit on new building permits.

If you should need any further information regarding Chevron's objections and concerns regarding this annexation zoning matter, please call Paula M. Rimel at (281) 561-3647."

End of letter.

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Galo

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Galo

13. Public hearing concerning an application by Killam Ranch Properties, altering and extending the boundary limits of the City of Laredo, annexing additional territory of 113.0189 acres, located in Porcion 18 as

further described by metes and bounds in Attachment "A", specifically the Killam Ranch I Tract, providing for the effective date of the ordinance, authorizing the City Manager to execute a contract adopting a service plan for the annexed territory, and establishing the initial zoning of M-1 (Light Manufacturing District). The Planning and Zoning Commission has recommended approval of the proposed annexation with the initial zoning.

INTRODUCTORY ORDINANCE

Ordinance altering and extending the boundary limits of the City of Laredo, annexing additional territory of 113.0189 acres, located in Porcion 18 as further described by metes and bounds in Attachment "A", specifically the Killam Ranch I Tract, providing for the effective date of the ordinance, authorizing the City Manager to execute a contract adopting a service plan for the annexed territory, and establishing the initial zoning of M-1 (Light Manufacturing District).

Motion to open the public hearing.

Moved: Cm. Alvarado

Second: Mayor Pro Tempore Montalvo

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Alvarado

Second: Cm. Moreno

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Alvarado

14. Public hearing concerning an application by Killam Ranch Properties, altering and extending the boundary limits of the City of Laredo, annexing additional territory of 202.4838 acres, located in Porcion 18 as further described by metes and bounds in Attachment "A", specifically the Killam Ranch II Tract, providing for the effective date of the ordinance, authorizing the City Manager to execute a contract adopting a service plan for the annexed territory, and establishing the initial zoning of M-1 (Light Manufacturing District). The Planning and Zoning Commission has recommended approval of the proposed annexation with the initial zoning.

INTRODUCTORY ORDINANCE

Ordinance altering and extending the boundary limits of the City of Laredo, annexing additional territory of 202.4838 acres, located in Porcion 18 as further described by metes and bounds in Attachment "A", specifically the Killam Ranch II Tract, providing for the effective date of the ordinance, authorizing the City Manager to execute a contract adopting a service plan for the annexed territory, and establishing the

initial zoning of M-1 (Light Manufacturing District).

Motion to open the public hearing.

Moved: Cm. Alvarado

Second: Cm. Galo

For: 8 Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Mayor Pro Tempore Montalvo

Second: Cm. Alvarado

For: 8 Against: 0 Abstain: 0

Ordinance Introduction: Cm. Alvarado

- 15. Public hearing concerning an application by the City of Laredo, altering and extending the boundary limits of the City of Laredo, annexing additional territory of 10.2917 acres, located in Porcion 18 as further described by metes and bounds in Attachment "A", specifically the Killam Industrial Boulevard Tract, providing for the effective date of the ordinance, and adopting a service plan for the annexed territory. The Planning and Zoning Commission has recommended approval of the proposed annexation.

INTRODUCTORY ORDINANCE

Ordinance altering and extending the boundary limits of the City of Laredo, annexing additional territory of 10.2917 acres, located in Porcion 18 as further described by metes and bounds in Attachment "A", specifically the Killam Industrial Boulevard Tract, providing for the effective date of the ordinance.

Motion to open the public hearing.

Moved: Cm. Alvarado

Second: Cm. Galo

For: 8 Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Valdez

Second: Cm. Agredano

For: 8 Against: 0 Abstain: 0

Ordinance Introduction: Cm. Valdez

- 16. Public hearing amending Section 24.62.8 of the Laredo Land

Development Code to change the no fee period for a newly annexed area from sixty (60) days to one hundred eighty (180) days, following the date of the annexation; and providing for publication and effective date. The Planning and Zoning Commission has recommended approval of the proposed amendment.

INTRODUCTION OF AN ORDINANCE

Ordinance amending Section 24.62.8 of the Laredo Land Development Code to change the no fee period for a newly annexed area from sixty (60) days to one hundred eighty (180) days, following the date of the annexation.

Motion to open the public hearing.

Moved: Cm. Galo

Second: Cm. Moreno

For: 8

Against: 0

Abstain: 0

Jose Rugama stated that he was a property owner in South Laredo and that his suggestion to Council is that if there is an involuntary annexation, instead of zoning it right there as an R-1 or give a 180 days extension, that Council allow the property owner, if they do not have any immediate plans to change the zoning, to change the zoning at the time he is ready to design.

Motion to close the public hearing and introduce as amended to allow one (1) free zone change, only in the case of an involuntary annexation as per Mayor Flores.

Moved: Cm. Guerra

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

17. Public hearing authorizing the City Manager to transfer approximately \$50,000 worth of office supplies, rental services, computers, and for the purchase of information to the Drug Enforcement Administration Office, San Antonio Office. Items are to be paid through High Intensity Drug Traffic Agency (HIDTA) funds. Committee board members from HIDTA recommended and approved that the Laredo Narcotics Task Force purchase this equipment in a joint cooperation involving cases between both agencies.

INTRODUCTORY ORDINANCE

Ordinance authorizing the City Manager to transfer approximately \$50,000 worth of office supplies, rental services, computers, and for the purchase of information to the Drug Enforcement Administration Office, San Antonio Office. Items are to be paid through High Intensity Drug Traffic Agency (HIDTA) funds. Committee board members from HIDTA recommended and approved that the Laredo Narcotics Task Force purchase this equipment in a joint cooperation involving cases between

both agencies.

Motion to open the public hearing.

Moved: Cm. Guerra

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

18. Public hearing and consideration of an appeal of the Historic District/Landmark Board order denying demolition of:
 Location: W 2 vrs. Of Lot 6 and E 14 vrs. Of Lot 7, Block 32WD
 Commonly known as: 806 Iturbide
 Petitioner: Minerva G. Stellema
 Old Mercado Historic District

Motion to open the public hearing.

Moved: Cm. Alvarado

Second: Cm. Galo

For: 8

Against: 0

Abstain: 0

Ron Whitehawk, representing the petitioner Mrs. Minerva Stellema, spoke in favor of demolishing the building.

Motion to close the public hearing and introduce to demolish.

Moved: Mayor Pro Tempore Montalvo

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: Mayor Pro Tempore Montalvo

19. Public hearing amending the City of Laredo FY1999-2000 annual budget by reclassifying nine (9) firefighters to three (3) captains, three (3) drivers and three (3) assistant drivers, to man fire station number ten (#10) as authorized by City Council to be effective upon adoption and authorizing the City Manager to implement said budget.

INTRODUCTORY ORDINANCE

Ordinance amending the City of Laredo FY1999-2000 annual budget by reclassifying nine (9) firefighters to three (3) captains, three (3) drivers

and three (3) assistant drivers, to man fire station number ten (#10) as authorized by City Council to be effective upon adoption and authorizing the City Manager to implement said budget.

Motion to open the public hearing.

Moved: Cm. Galo

Second: Cm. Moreno

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Agredano

Second: Cm. Moreno

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

20. Public hearing to amend the City of Laredo's annual budget by increasing the revenue and expenditure appropriations in the amount of \$583,989.53 for the lease purchase of 175 portable units for the Laredo Police Department. The portable units will be purchased from the Police Trust Fund.

INTRODUCTORY ORDINANCE

Ordinance to amend the City of Laredo's annual budget by increasing the revenue and expenditure appropriations in the amount of \$583,989.53 for the lease purchase of 175 portable units for the Laredo Police Department. The portable units will be purchased from the Police Trust Fund.

Motion to open the public hearing.

Moved: Cm. Galo

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Galo

Second: Cm. Valdez

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

21. Public hearing amending the City of Laredo FY 1999-2000 Annual Budget in the amount of \$7,000 for a grant from the University of Texas Health

Science Center – South Texas/Border Region Health Professional Education Initiative, for library materials and equipment, providing for an effective date.

INTRODUCTORY ORDINANCE

Ordinance amending the City of Laredo FY 1999-2000 Annual Budget in the amount of \$7,000 for a grant from the University of Texas Health Science Center – South Texas/Border Region Health Professional Education Initiative, for library materials and equipment, providing for an effective date.

Motion to open the public hearing.

Moved: Cm. Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved: Cm. Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

Ordinance Introduction: City Council

VIII. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

22. Discussion with possible action to limit the 3rd meeting of the month to Public Hearings, Executive Sessions and business related items. (Mayor and City Council)

Motion to approve.

Moved: Cm. Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

Confirmation from City Council to hold the December 6, 1999 regular council meeting at Washington Middle School in District VII, with possible action. (Mayor and City Council)

Motion to approve.

Moved: Cm. Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

(Recess)

(Press Availability)

10-minute recess was taken

IX. INTRODUCTORY ORDINANCES

23. Ordinance appointing Alfonso H. Ornelas, Jr., as associate municipal court judge for the City of Laredo for a limit of two (2) years; providing for effective date and severability.

Ordinance Introduction: Cm. Valdez

X. FINAL READINGS OF ORDINANCES

Internet available: <http://www.cityoflaredo.com>

Motion to waive the final reading of ordinances #99-O-338, #99-O-339, and #99-O-340.

Moved: Cm. Bruni

Second: Cm. Galo

For: 8

Against: 0

Abstain: 0

24. 99-O-338 Ordinance amending the City of Laredo FY1999-00 annual budget by appropriating additional funds for the Department of Public Works Facility Project, and authorizing the City Manager to implement said budget. A contract is scheduled to be awarded to Marshall Company for \$7,147,000. Currently the project has an unencumbered balance of \$6,078,359. Therefore, a transfer of \$1,200,000 is needed in order to award the contract. The following transfers are needed: \$500,000 from the Solid Waste Management Fund which will be paid back over a five year period, \$300,000 from the Wastewater Fund from projected savings in the Chacon Creek Interceptor project, \$300,000 from the Capital Improvements Fund from savings for the Killam Industrial Blvd. Extension, and \$100,000 from the Capital Improvement Fund from savings of the Calton Road Widening project. Any balance left over will be used for testing fees and contingencies.
(Consuelo "Chelo" Montalvo)

Motion to approve Ordinance #99-O-338.

Moved: Cm. Bruni

Second: Cm. Moreno

For: 7

Against: 0

Abstain: 1
Cm. Moreno

- 99-O-339 Ordinance authorizing the City Manager to execute Lease No. DTFA07-95-L-01050 between the City of Laredo and the United States of America for a land site for maintaining and operating a Medium Intensity Approach Lighting System with Runway Alignment Indicator Lights (MALSR), Runway 17R, at the Laredo International Airport. Lease term is for one (1) year commencing on October 1, 1999 and ending on September 30, 2000, with one (1) year renewal options until September 30, 2009. There is no rental cost since the Federal Aviation Administration maintains and operates the approach lights at no cost to the City of Laredo. (Louis H. Bruni)

Motion to approve Ordinance #99-O-339.

Moved: Cm. Bruni

Second: Cm. Moreno

For: 8

Against: 0

Abstain: 0

- 99-O-340 Ordinance authorizing the City Manager to execute a lease with Justin P. Baron for a three (3) bedroom home located at 3106 E. Travis Street. Lease term is for two (2) years commencing on November 1, 1999 and ending on October 31, 2001, and may be terminated by either party upon giving a thirty (30) day written notice from the party terminating to the other. Monthly rent shall be \$400.00 plus a \$400.00 rent deposit payable before occupancy of the leased premises. This residential home was acquired through the FAR Part 150 Noise Compatibility Program. (City Council)

Motion to approve Ordinance #99-O-340.

Moved: Cm. Bruni

Second: Cm. Moreno

For: 8

Against: 0

Abstain: 0

XI. RESOLUTIONS

25. 99-R-161 Authorizing the City Manager to accept a grant from the University of Texas Health Science Center at San Antonio for the South Texas/Border Region Health Professional Education Initiative in the amount of \$7,000 and authorizing the City Manager to sign contracts and submit any and all related documents as required.

Motion to approve Resolution #99-R-161.

Moved: Cm. Bruni

Second: Cm. Alvarado

For: 8 Against: 0 Abstain: 0

26. 99-R-163 Authorizing the adoption and implementation of the provisions of H.B. 1777, providing for the new Telecommunications Franchise Fee Collection Law and electing option number 1B, to calculate the base amount of revenue from Certificated Telecommunication Providers (CTP's) based on an amount not greater than 21% of the total revenue of municipal sales and use taxes, for the 1998 base year, for the use of public right of way.

Motion to approve Resolution #99-R-163.

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

Against: 0 Abstain: 0

27. 99-R-164 Amending Resolution No. 98-R-133 dated August 24, 1998 and authorizing the City Manager to submit an application to the United States Foreign-Trade Zones Board on behalf of Unitec Industrial Center increasing Foreign-Trade Zone No. 94, Site No. 6, from 665 acres to approximately 682 acres located within the Unitec Industrial Center.

Motion to approve Resolution #99-R-164.

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

Against: 0 Abstain: 0

28. 99-R-165 Authorizing the City Manager to submit a grant application in the amount of \$264,000 for technical assistance from the Border Environment Cooperation Commission (BECC) for the Colonias Water and Wastewater Improvements Project.

Motion to approve Resolution #99-R-165.

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

Against: 0 Abstain: 0

XII. MOTIONS

29. Consideration to award a contract for \$54,500 to Ferris Engineering of Harlingen, Texas, for design and construction services of two water pressure booster stations, one to serve the Highlands area and the other to serve the Loop 20 area around the Milo Industrial Park. The need for the booster stations comes as a result of the Utilities Department redefining

the pressure zones in the City in order to address low-pressure problems in some areas.

Motion to approve.

Moved: Cm. Alvarado

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

30. Consideration to award a construction contract to the LOW BIDDER, Pete Gallegos Paving, Inc., Laredo, Texas, in the base amount of \$253,500 for the CDBG Sidewalks in District IV Project (City of Laredo Sidewalk Construction Project No. 10). Funding is available in the Community Development 25th Action Year, 19th Action Year and 24th Action Year – Sidewalks.

Jorge Dominguez stated that if the Council approves the bid to Pete Gallegos Paving the alternative bid of \$18,000 would be added to the base bid of \$253,500 for the removal of trees along the sidewalks and that the City of Laredo would benefit with \$13,798.40 savings.

Motion to approve the low bidder, Pete Gallegos Paving, Inc.

Moved: Cm. Bruni

Second: Cm. Moreno

For: 6

Against: 2

Abstain: 0

Cw. Montalvo

Cm. Guerra

31. Consideration to award a construction contract to the LOWEST BIDDER, Marshall Company, Corpus Christi, Texas, in the amount of \$7,147,000 for the City of Laredo Service Center (EDA Project No. 08-01-03159) to be located adjacent to the Laredo International Airport along Thomas Avenue connecting to Gale Street for Public Works, Risk Management, and Utilities Departments. This construction contract award consists of the base bid amount of \$4,987,000; plus Alternate #1: Thomas Ave. Storm Drainage in the amount of \$113,800; plus Alternate #2: Gale Street Storm Drainage in the amount of \$632,700; plus Alternate #4: Site Work and Utilities in the amount of \$1,413,500. Funding is available in the DPW Infrastructure Development Buildings.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Alvarado

For: 8

Against: 0

Abstain: 0

32. Consideration to award a contract to Grupo Empresarial, Nuevo Laredo, S.A. de C.V., a Mexican Corporation which runs the Tecolotes De Los Dos Laredos, a professional 'Triple A' Mexican Baseball League, for twenty (20) regular season games to be played at Veterans Field during the 2000 season. Funding is available in the Tecolotes Contract line item.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

33. Consideration to award a one year contract with, Juan Gamez, Miguel Gamez, and Hector Chapa d/b/a, J&H Concessions to provide food and beverage concession and alcoholic beverage operations at Veterans Field for a twelve (12) month term. Services will be provided for a 20 game season plus any other city sponsored events. The concessionaire will pay 20% of its food and beverage (to include alcohol) sales to the city.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

34. Consideration of amendment no.4 for \$49,421.81 to the contract with NRS Engineers on the 60 MGD Raw Water Intake, to reflect the additional archaeological work required during the excavation of the intake by the river, plus additional construction services and inspection necessary due to project time increases. The project is approximately 95% complete and will be finished in December 1999. The amendment will increase the contract from \$437,325.50 to \$486,747.31. Funds for this amendment are available in the 94 Water Bond Issue.

Motion to approve.

Moved: Cm. Galo

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

35. Consideration to authorize the City Manager to submit a grant application in the amount of \$66,000 to the Texas Telecommunications Infrastructure Fund for the project period beginning January 14, 2000 through January 15, 2001. The purpose of the Texas Telecommunications Infrastructure grant would be to increase health department connectivity to the Internet; provide access to medical information; and/or provide telemedicine services for direct patient care.

Motion to approve.

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

Against: 0

Abstain: 0

36. Consideration to authorize the City Manager to execute all documents in the acceptance of the warranty deed of a tract of land comprised of 22.087 acres out of the James Robert Muller Tracts 2 and 3 as recorded in Volume 647, pages 36-57 of the Deed Records of Webb County, Texas, being also out of Porcion 18, Jose D. Bustamante, Original Grantee, Abstract #21, in the City of Laredo, Webb County, Texas and with subject to reservations from the exceptions to this conveyance:
1. For the use of a public park to be named in perpetuity the Robert Muller Park.
 2. Grantor reserves unto itself any and all oil, gas, and other minerals situated on or under the property, together with all water rights that may be associated with the property.
 3. Grantor reserves the right to reenter into the property and terminate this conveyance in the event that the property seizes to be used for the aforesaid purposes and/or grantee fails to maintain the park improvements as stated.

Motion to approve.

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

Against: 0

Abstain: 0

37. Consideration to cancel December 27, 1999 City Council Meeting due to the Christmas holidays.

Motion to approve.

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

Against: 0

Abstain: 0

XIII. STAFF REPORTS

None

XIV. EXECUTIVE SESSIONS

38. Request for Executive Session pursuant to Texas Government Code Section 551.072 in regards to deliberation of the purchase, exchange, or value of real property, for the Airport Runway Protection Zone located in the vicinity of the Laredo International Airport and State Highway 59, because deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person; and return to open session for possible action.

Motion to go into Executive Session pursuant to Texas Government Code Section 551.072 in regards to deliberation of the purchase, exchange, or value of real property, for the Airport Runway Protection Zone located in the vicinity of the Laredo International Airport and State Highway 59, because deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person; and return to open session for possible action.

Moved: Cm. Valdez

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

After executive session Mayor Flores announced that no formal action was taken.

39. Request for Executive Session pursuant to Texas Government Code Section 551.072 in regards to deliberation the purchase, exchange, lease, or value of real property, for a parcel being considered for acquisition to construct a park in the Zacate Creek area, because deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person; and return to Open Session for possible action.

Motion to go into for Executive Session pursuant to Texas Government Code Section 551.072 in regards to deliberation the purchase, exchange, lease, or value of real property, for a parcel being considered for acquisition to construct a park in the Zacate Creek area, because deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person; and return to Open Session for possible action.

Moved: Cm. Valdez

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

After Executive Session Mayor Flores announced that no formal action was taken in executive session.

40. Request for Executive Session pursuant to Texas Government Code 551.071(1)(A) to consult with City Attorney regarding contemplated litigation regarding bus shelter and bench advertising contract, and return to open session for possible action.

Motion to go into for Executive Session pursuant to Texas Government Code 551.071(1)(A) to consult with City Attorney regarding contemplated litigation regarding bus shelter and bench advertising contract, and return to open session for possible action.

Moved: Cm. Valdez

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

After Executive Session Mayor Flores announced that no formal action was taken in executive session.

Motion to authorize the City Manager to accept and offer of settlement from Bonanza Consultants and Investment, Inc. in the amount of \$3,200 and full payment to the Laredo Food Bank.

Moved: Cm. Alvarado

Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

41. Request for Executive Session pursuant to Texas Government Code Section 551.071 (1) A&B to discuss pending litigation and settlement offer regarding The City of Laredo v. Leon Ramirez d/b/a The Mayan Inn, et al; Cause No. 97CVQ00170-D2; in the 111th District Court, Webb County, Texas, and return to open session for possible action thereon.

Motion to go into Executive Session pursuant to Texas Government Code Section 551.071 (1) A&B to discuss pending litigation and settlement offer regarding The City of Laredo v. Leon Ramirez d/b/a The Mayan Inn, et al; Cause No. 97CVQ00170-D2; in the 111th District Court, Webb County, Texas, and return to open session for possible action thereon.

Moved: Cm. Valdez

Second: Cm. Bruni

For 8

Against: 0

Abstain: 0

After Executive Session Mayor Flores announced that no formal action was taken in executive session.

Motion to settle the lawsuit cause No. 97CVQ00170-D2; The City of Laredo verses Leon Ramirez d/b/a The Mayan Inn, and Betty Lou Ripp in the 111th District Court, Webb County, Texas, for payment of delinquent Hotel/Motel Tax for \$17,250 in accordance with the recommendation by the Tax Attorney and Staff.

Moved: Cm. Alvarado

Second: Cm. Agredano

For: 8

Against: 0

Abstain: 0

XV. ADJOURNMENT

Motion to adjourn.

Adjournment time: 9:30 p.m.

Moved: Cm. Galo

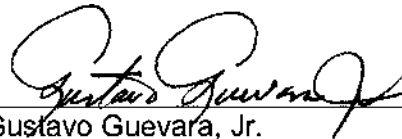
Second: Cm. Bruni

For: 8

Against: 0

Abstain: 0

I hereby certify that the above Minutes contained in pages 01 to 27 are true, complete, and correct proceedings of the City Council Meeting held on the 22th day of November, 1999. A certified copy is on file at the City Secretary's Office.



Gustavo Guevara, Jr.
City Secretary

Minutes approved December 6, 1999.