

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

M-92-R-33

M I N U T E S

OCTOBER 5, 1992

I. CALL TO ORDER

With a quorum present, Mayor Saul N. Ramirez, Jr. called the meeting to order.

II. PLEDGE OF ALLEGIANCE

Mayor Saul N. Ramirez, Jr. led in the Pledge of Allegiance.

III. ROLL CALL

IN ATTENDANCE:

SAUL N. RAMIREZ, JR.,	MAYOR	
JOSE R. PEREZ,	COUNCILMEMBER,	DISTRICT I
JACINTO P. JUAREZ,	"	, DISTRICT II
CECILIA MAY MORENO,	"	, DISTRICT IV
BLAS CASTANEDA,	"	, DISTRICT V
EDUARDO PERALES,	"	, DISTRICT VI
JOSE GERARDO (JERRY) PEREZ,	"	, DISTRICT VII
FELIPE CARDENAS,	"	, DISTRICT VIII
GUSTAVO GUEVARA, JR.,	CITY SECRETARY	
CARLOS VILLARREAL,	ASSISTANT CITY MANAGER	
JOSE SALVADOR TELLEZ,	CITY ATTORNEY	

ABSENCES:

Motion to excuse Cw. Aldridge due to an out-of-town commitment.

Moved : Cm. G. Perez

Second: Cm. Perales

For: 6

Against: 0

Abstain: 0

(Cm. Juarez was not present at this time.)

IV. APPROVAL OF MINUTES

2. Regular City Council Meeting: September 21, 1992
Special City Council Meeting: September 28, 1992

Motion to approve.

Moved : Cm. G. Perez

Second: Cm. Perez

For: 6

Against: 0

Abstain: 0

(Cm. Juarez not present at this time.)

V. INTRODUCTORY ORDINANCES

3. Authorizing the execution of a grant of an easement between the City of Laredo and the Central Power and Light Company.

Ordinance Introduction: City Council

4. Approving a four-day lease with Circus Vargas Corporation for the approximate 13 acres located along Saunders Avenue, at the Laredo International Airport, for the purpose of holding a circus.

Ordinance Introduction: City Council

5. Authorizing the City Manager to execute a lease amendment to the lease agreement with Jose Muhlenbruch d/b/a M & M Delivery Service, authorized by Ordinance No. 83-O-099, dated October 18, 1983, and as amended by Ordinance No. 84-O-101, dated July 3, 1984, for the approximate 6,683 square feet constituting Section No. 1 of Building No. 170, located at 5103 Maher Avenue, at the Laredo International Airport.

Ordinance Introduction: City Council

VI. FINAL READINGS

Motion to waive the final reading of Ordinances #92-O-179, #92-O-180, #92-O-181 and #92-O-182.

Moved : Cm. G. Perez

Second: Cm. Cardenas

For: 6

Against: 0

Abstain: 0

6. 92-O-179 Street Improvements Project 41; declaring the necessity for and ordering the paving and improvements of certain streets in the City of Laredo, Texas; approving the street paving assessment roll and cost estimates as prepared by the City Engineer; and directing the City Secretary to file this ordinance with County Clerk as a notice of its enactment and ordering and setting a public hearing on the 16th day of November, 1992.
(City Council)

Motion to approve.

Moved : Cm. G. Perez

Second: Cm. Cardenas

For: 6

Against: 0

Abstain: 0

Laredo Narcotics Task Force to the Personnel
Account of the Laredo Narcotics Task Force.
(City Council)

Motion to approve.

Moved : Cm. G. Perez

Second: Cw. Moreno

For: 6

Against: 0

Abstain: 0

11. 92-0-187 Closing the hearing on Project 39 Paving Assessment Street Improvements Project and fixing a lien and charge. (City Council)

Motion to approve.

Moved : Cm. G. Perez

Second: Cw. Moreno

For: 6

Against: 0

Abstain: 0

Motion to waive the final reading of Ordinances #92-0-190, and #92-0-191.

Moved : Cm. Cardenas

Second: Cm. Perez

For: 6

Against: 0

Abstain: 0

12. 92-0-190 Final reading of an ordinance amending Division 3 (Rates and Charges) of Chapter 31 (Utilities) of the Code of Ordinances, specifically to amend Section 31-138 providing for the rates to be charged for water, by an escalating rate from \$0.74 to \$1.05, for both residential and commercial customers within the City Limits; and Section 31-138 for water outside the City Limits; adding Section 31-138(A), the fees and service charges to perform the special water and sewer functions. (City Council)

Motion to approve.

Moved : Cm. G. Perez

Second: Cm. Cardenas

For: 6

Against: 0

Abstain: 0

13. 92-0-191 Final reading of an ordinance amending Section 31-92(A) pertaining to the schedule of sewer rates of Chapter 31 (Utilities) of the Code of Ordinances, to increase the rates charged for sanitary sewage disposal, by an escalating rate from \$0.86 to \$0.95 for residential customers, and from \$0.86 to \$1.10 for commercial customers, by increasing the maximum monthly residential rate from \$20.35 to \$25.00; and by increasing the rates from service outside the

City Limits to rates one and one half (1 1/2) times those set out above; providing for publication and effective date. (City Council)

Motion to approve.

Moved : Cm. G. Perez

Second: Cm. Cardenas

For: 6

Against: 0

Abstain: 0

Motion to waive the final reading of Ordinances #92-O-200, #92-O-202, #92-O-203, #92-O-204, #92-O-205, #92-O-206, #92-O-207, #92-O-208, #92-O-209, #92-O-210 and #92-O-211.

Moved : Cm. Perez

Second: Cm. G. Perez

For: 6

Against: 0

Abstain: 0

14. 92-O-200 Amending Ordinance No. 92-O-055 to change the 4500 to 4699 Block of Dogwood to the 4500 to 4699 Block of Cherry Hill Drive. (Cm. Juarez)

Motion to approve.

Moved : Cm. G. Perez

Second: Cm. Cardenas

For: 6

Against: 0

Abstain: 0

15. 92-O-202 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Block 924, Lots 10, 11, and 12, Eastern Division, from R-O (Residential Office District) to R-2 (Multi-Family Residential District); providing for publication and effective date. (Cm. Rash-Aldridge)

Motion to approve.

Moved : Cm. G. Perez

Second: Cm. Cardenas

For: 6

Against: 0

Abstain: 0

16. 92-O-203 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Block 90, Del Mar "C" Section, from RSM (Residential Suburban Multi-Family Residential District) to R-1 (Single Family Residential District); providing for publication and effective date. (Cm. Castaneda)

Motion to approve.

Moved : Cm. G. Perez

Second: Cm. Cardenas

For: 6

Against: 0

Abstain: 0

17. 92-O-204 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Block 1099, Lots 1, 2, 3,, Western Division, from R-3 (Mixed Residential District) to B-3 (Community Business District); providing for publication and effective date. (Cm. Jerry Perez)
- Motion to approve.
- Moved : Cm. G. Perez
Second: Cm. Cardenas
For: 6 Against: 0 Abstain: 0
18. 92-O-205 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning a 11.13 acre tract (located south of F.M. 1472) from AG (Agricultural District) to M-1 (Light Manufacturing District); providing for publication and effective date. (Cm. Jerry Perez)
- Motion to approve.
- Moved : Cm. G. Perez
Second: Cm. Cardenas
For: 6 Against: 0 Abstain: 0
19. 92-O-206 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning a 6.03 acre tract (located south of F.M. 1472) from AG (Agricultural District) to M-1 (Light Manufacturing District); providing for publication and effective date. (Cm. Jerry Perez)
- Motion to approve.
- Moved : Cm. G. Perez
Second: Cm. Cardenas
For: 6 Against: 0 Abstain: 0
20. 92-O-207 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning a 11.44 acre tract (located south of F.M. 1472) from AG (Agricultural District) to M-1 (Light Manufacturing District); providing for publication and effective date. (Cm. Jerry Perez)
- Motion to approve.
- Moved : Cm. G. Perez
Second: Cm. Cardenas
For: 6 Against: 0 Abstain: 0
21. 92-O-208 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning a 6.82 acre tract (located south

of F.M. 1472) from AG (Agricultural District) to B-4 (Highway Commercial District); providing for publication and effective date. (Cm. Jerry Perez)

Motion to approve.

Moved : Cm. G. Perez

Second: Cm. Cardenas

For: 6

Against: 0

Abstain: 0

22. 92-0-209 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning a 23.66 acre tract (located south of F.M. 1472) from AG (Agricultural District) to R-2 (Multi-Family Residential District); providing for publication and effective date. (Cm. Jerry Perez)

Motion to approve.

Moved : Cm. G. Perez

Second: Cm. Cardenas

For: 6

Against: 0

Abstain: 0

23. 92-0-210 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning a 12.8 acre tract (located south of F.M. 1472) from AG (Agricultural District) to R-1 (Single Family Residential District); providing for publication and effective date. (Cm. Jerry Perez)

Motion to approve.

Moved : Cm. G. Perez

Second: Cm. Cardenas

For: 6

Against: 0

Abstain: 0

24. 92-0-211 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning a 15.3 acre tract (located south of F.M. 1472) from AG (Agricultural District) to B-4 (Highway Commercial District); providing for publication and effective date. (Cm. Jerry Perez)

Motion to approve.

Moved : Cm. G. Perez

Second: Cm. Cardenas

For: 6

Against: 0

Abstain: 0

VII. RESOLUTIONS

(Cm. Juarez came in at this time: 5:41 p.m.)

25. 92-R-110 Honoring Viola R. Gonzalez for her unrelenting

dedication to education, and for her 35 years of service to the Laredo Independent School District as a teacher.

Motion to table this item due to Ms. Gonzalez absence at this time.

Moved : Cm. Perez
 Second: Cm. G. Perez
 For: 7 Against: 0 Abstain: 0

Ms. Viola R. Gonzalez was asked to be recognized by Dr. Jacinto Juarez.

Motion honoring Viola R. Gonzalez for her unrelenting dedication to education, and for her 35 years of service to the Laredo Independent School District as a teacher.

Moved : Cm. Juarez
 Second: Cm. Perez
 For: 7 Against: 0 Abstain: 0

26. 92-R-111 Authorizing the City Manager to execute a water rights sales agreement for the purchase of 150 acre feet of Class "B" irrigation water rights, from Anna Mahone Wood and Stephen F. Wood, Co-Trustees of the Testamentary Trust Under the Last Will and Testament of A. Wayne Wood, Deceased, for \$43,200.00.

Motion authorizing the City Manager to execute a water rights sales agreement for the purchase of 150 acre feet of Class "B" irrigation water rights, from Anna Mahone Wood and Stephen F. Wood, Co-Trustees of the Testamentary Trust Under the Last Will and Testament of A. Wayne Wood, Deceased, for \$43,200.00.

Moved : Cw. Moreno
 Second: Cm. G. Perez
 For: 7 Against: 0 Abstain: 0

27. 92-R-112 Authorizing the City Manager to execute a water rights sales agreement for the purchase of 37.50 acre feet of Class "B" irrigation water rights, from Anna Mahone Wood and Stephen F. Wood, Co-Independent Executrix and Co-Independent Executor of the Estate of A. Wayne Wood, Deceased, for \$10,800.00.

Motion authorizing the City Manager to execute a water rights sales agreement for the purchase of \$37.50 acre feet of Class "B" irrigation water

rights.

Moved : Cm. G. Perez

Second: Cm. Cardenas

For: 7

Against: 0

Abstain: 0

28. 92-R-113 Accepting a grant in the amount of \$87,523 from the Environmental Protection Agency for the Laredo Recycling Awareness Project to be cooperatively operated by the City of Laredo Health Department and the Public Works Department; and authorizing the City Manager to execute the contract for this project for Fiscal Year 1992-1993.

Motion accepting a grant in the amount of \$87,523 from the Environmental Protection Agency for the Laredo Recycling Awareness Project to be cooperatively operated by the City of Laredo Health Department and the Public Works Department.

Moved : Cm. G. Perez

Second: Cm. Cardenas

For: 7

Against: 0

Abstain: 0

29. 92-R-114 Accepting grants and a contract amendment in the amount of \$1,581,759 in funds and \$541,474 in direct assistance from the Texas Department of Health for public health services; and authorizing the City Manager to execute the contract for Fiscal Year 1992-1993.

Motion accepting grants and a contract amendment in the amount of \$1,581,759 in funds and \$541,474 in direct assistance from the Texas Department of Health for public health services; and authorizing the City Manager to execute the contract for Fiscal Year 1992-1993.

Moved : Cm. G. Perez

Second: Cw. Moreno

For: 7

Against: 0

Abstain: 0

30. 92-R-115 Accepting a grant from the Texas Department of Health in the amount of \$15,143 for the Tuberculosis Elimination Program of the City of Laredo Health Department.

Motion accepting a grant from the Texas Department of Health in the amount of \$15,143 for the Tuberculosis Elimination Program of the City of Laredo Health Department.

Moved : Cm. Juarez

Second: Cm. Castaneda

specifications, Border Insulation Company, Laredo, Texas, in the amount of \$6,960.00, for furnishing and installation of all needed acoustical ceiling tiles for the Northwest Fire Station Project on the condition that it meets fire specifications and rating and if it does not then to go with the second lowest bidder.

Moved : Cm. Castaneda
Second: Cm. G. Perez
For: 7

Against: 0 Abstain: 0

38. Approval of the General Fund and Airport contract with the Laredo Development Foundation for the Fiscal Year beginning October 1, 1992 to September 30, 1993, in the amount of \$86,600.

Motion to approve the General Fund and Airport contract with the Laredo Development Foundation for the Fiscal Year beginning October 1, 1992 to September 30, 1993, in the amount of \$86,600.

Moved : Cm. Castaneda
Second: Cm. G. Perez
For: 7

Against: 0 Abstain: 0

39. Approval of the General Fund contract with the Animal Protective Society for the Fiscal Year beginning October 1, 1992 to September 30, 1993, in the amount of \$101,000.

Motion to approve the General Fund contract with the Animal Protective Society for the Fiscal Year beginning October 1, 1992 to September 30, 1993, in the amount of \$101,000.

Moved : Cm. Castaneda
Second: Cm. G. Perez
For: 7

Against: 0 Abstain: 0

IX. CITY MANAGER'S REPORT

40. Presentation of the Webb County Appraisal District budget for the City Council's review and recommendation.

Mr. Alfredo Castillo, City Tax Assessor-Collector, made a presentation before the City Council.

Carlos Villarreal, Assistant City Manager, stated that they had looked into the budget in conjunction with Mr. Castillo and that there seems to be an increase in the budget every year. He added that there was a concern in some of the positions, not because of the positions being cut, but because we see to certain extent a reduction in the number of people that are there. He added there are certain items in the budget that has been provided where we have different items which we discussed with Mr. Castillo. The way they

position the Chief Appraiser or the Director at \$36,000 is being projected to 1992-93; for the Special Project Supervisor at \$40,137 so we have the Special Project Supervisor being higher than the other position that's called for. Mr. Villarreal added that they have a concern as to the raises that are being called for. Mr. Villarreal further stated that its been 6%, 6% and this year it's 4% and we are looking at the escalating budget and some of the items in the budget, that we think the budget might be more than what we would recommend.

Carlos Villarreal, Assistant City Manager, stated that staff's recommendation is that we see the budget overall, which still leaves some scrutinizing and something to be desired. He added that staff's recommendation was not to approve.

Motion to reject the budget that has been presented to council with the suggestion that the Mayor follow staff's recommendation.

Cm. Juarez clarified, "they are telling us that the budget has increased two times and that some economies of scale have to be incorporated into the budget that they are presenting."

Moved : Cm. Juarez
Second: Cm. Perez
For: 7

Against: 0 Abstain: 0

41. Authorizing the City Manager to extend the Fiscal Year 1991-1992 contract with the South Texas Development Council for Title III-B funds for the continuation of the Community Development Family Care Program for the period of October 1, 1992 through March 31, 1993.

Motion authorizing the City Manager to extend the Fiscal Year 1991-92 contract with the South Texas Development Council for Title III-B funds for the continuation of the Community Development Family Care Program for the period of October 1, 1992 through March 31, 1993.

Moved : Cm. Perales
Second: Cm. G. Perez
For: 7

Against: 0 Abstain: 0

42. Discussion and update concerning the median on Del Mar Boulevard at San Dario, and possible executive session under Article 6252-17, Section 2(e) to discuss contemplated litigation.

Mr. Carlos Villarreal, Asst. City Manager, stated that we have conducted to two studies which concludes and indicates that the medians are warranted as presented by the developer.

Mr. Del Trautman stated that they first hired a traffic consultant to insure the safety traffic with the development of the new mall.

Mr. Joe Guerra and his attorney Mr. Ken Valls appeared before the council who in turn presented the council with two options.

Mr. Richard Maroquin, from the Border Patrol Dept., appeared on their concern as to how it's going to affect their operations.

Motion to go into executive session under Article 6252-17, Section 2(e) to discuss contemplated litigation.

Moved : Cm. Cardenas
Second: Cm. Castaneda
For: 7

Against: 0 Abstain: 0

After executive session Mayor Saul N. Ramirez, Jr. announced that no action was taken.

Motion to instruct our City Attorney and staff to negotiate the construction of a median from the access road all the way up to Spring Road with property owners on both sides of Del Mar Blvd. and that this item be brought to the City Council at the next Regular Council Meeting.

Mayor Saul N. Ramirez clarified the motion, "instructing our City Attorney and staff to negotiate a median on Del Mar Blvd. from IH 35 or the intersection of IH 35 on Del Mar and Spring Road and that property owners on both north and south be included in these discussions to come up with a recommendation that is viable for both sides of property owners on Del Mar Boulevard."

Moved : Cm. Cardenas
Second: Cm. Castaneda
For: 7

Against: 0 Abstain: 0

X. COMMUNICATIONS

Cm. Juarez requested that persons with checks for water utility payments be provided with a deposit box both inside and outside (City Hall) and to advertise it to the public.

Alfredo Castillo stated that he will advertise this and that both of his requests are already in place.

Cm. Perales stated that the Laredo Little Theater is very concerned about the parking that was assigned to La Azteca and asked staff to advise them as to what they are going to do at the next meeting.

Carlos Villarreal, City Manager, stated the are looking at different alternatives and that a recommendations will be given at the next council meeting.

Motion was made to move the meeting of the October 19th to October 26th with zoning matters due to scheduling problems with various Councilmembers for the meeting of the 19th.

Moved : Cm. Juarez

Second: Cm. Perez

For: 7

Against: 0

Abstain: 0

XI. PUBLIC HEARINGS

Motion to open the public hearing(s):

Moved : Cm. Juarez

Second: Cw. Moreno

For: 7

Against: 0

Abstain: 0

43. Public hearing concerning amending Chapter 5.5 Article I. (Ambulances) of the Code of Ordinances by deleting Section 5.5-5(b) and Section 5.5-8(b); amending Section 5.5.28 (C)(1) to increase Ambulance service rates and charges; and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Amending Chapter 5.5 Article I. (Ambulances) of the Code of Ordinances by deleting Section 5.5-5(b) and Section 5.5-8(b); amending Section 5.5.28 (C)(1) to increase Ambulance service rates and charges; providing for publication and providing for effective date.

Motion to open the public hearing.

Moved : Cm. Juarez

Second: Cw. Moreno

For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved : Cm. Juarez

Second: Cm. G. Perez

For: 7

Against: 0

Abstain: 0

Ordinance Introduction: City Council

44. Public hearing concerning approval of the budget for a recycling awareness project funded by the Environmental Protection Agency in the amount of \$92,514 for the period of

October 1, 1992 through September 30, 1993. This budget is comprised of \$87,523 in federal grant funds, and \$4,991 of in-kind services. This project will be cooperatively operated by the City of Laredo Health Department and the Public Works Department; and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Approval of budget proposal from the Environmental Protection Agency in the amount of \$87,523 in federal funds for a recycling awareness project. The budget period is from October 1, 1992 through September 30, 1993; increasing revenue line item fund #226-0000-322-6011 from \$0 to \$87,523; and increasing expenditure line items in fund #226-7100 from \$0 to \$87,523.

Motion to open the public hearing.

Moved : Cm. Juarez
Second: Cm. G. Perez
For: 7

Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved : Cm. Juarez
Second: Cm. G. Perez
For: 7

Against: 0 Abstain: 0

Ordinance Introduction: City Council

45. Public hearing concerning approval of an amendment to the contract with the Texas Department of Health for public health services for Fiscal Year 92-93 in the amount of \$2,123,233; and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Approval of contract amendment from the Texas Department of Health in the amount of \$2,123,233 to provide public health services at the City of Laredo Health Department for Fiscal Year 92-93.

Motion to open the public hearing.

Moved : Cm. Juarez
Second: Cm. Cardenas
For: 7

Against: 0 Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved : Cm. Juarez
Second: Cm. G. Perez
For: 7

Against: 0

Abstain: 0

Ordinance Introduction: City Council

46. Public hearing concerning approval of an amendment to the contract with the Texas Department of Health, Tuberculosis Elimination Program, and providing additional funds in the amount of \$15,143; and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Approval of contract amendment for the Tuberculosis Elimination Program with the Texas Department of Health for the period beginning August 1, 1992 through January 31, 1993; and increasing revenue line item #226-0000-323-4041 from \$0 to \$15,143; and increasing expenditure line item #226-6065 from \$0 to \$15,143.

Motion to open the public hearing.

Moved : Cm. Juarez
Second: Cm. G. Perez
For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved : Cm. Juarez
Second: Cm. G. Perez
For: 7

Against: 0

Abstain: 0

Ordinance Introduction: City Council

47. Public hearing concerning establishing a laboratory user fee for the Adult Health Chronic Disease Prevention Program of the City of Laredo Health Department; and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Establishing a laboratory user fee for the Adult Health/Chronic Disease Prevention Program of the City of Laredo; providing for effective date and publication.

Motion to open the public hearing.

Moved : Cm. Juarez
Second: Cm. G. Perez
For: 7

Against: 0

Abstain: 0

There was no public input.

Motion to close the public hearing and introduce.

Moved : Cm. Juarez
Second: Cm. G. Perez
For: 7

Against: 0

Abstain: 0

Ordinance Introduction: City Council

XII. ADJOURNMENT

Motion to adjourn.

Moved : Cm. G. Perez
Second: Cm. Cardenas
For: 7

Against: 0

Abstain: 0

Adjournment time was at 7:40 P.M.

I HEREBY CERTIFY THAT THE ABOVE MINUTES CONTAINED IN PAGES 01 TO 18 ARE TRUE, COMPLETE AND CORRECT PROCEEDINGS OF THE REGULAR CITY COUNCIL MEETING HELD ON THE 5TH DAY OF OCTOBER, 1992. A CERTIFIED COPY IS ON FILE AT THE CITY SECRETARY'S OFFICE.

GUSTAVO GUEVARA, JR.
CITY SECRETARY

MINUTES PREPARED BY: Delia Rodriguez, Deputy City Secretary II

APPROVED BY CITY COUNCIL ON: **OCT 26 1992**

CORRECTIONS: Correction to page 14, La Azteca should be La Aguila.