

**CITY OF LAREDO
CITY COUNCIL MEETING**

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

MINUTES

M-96-R-12

MAY 6, 1996

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 led in the Pledge of Allegiance.

III. ROLL CALL

JOSE R. PEREZ, JR.,	COUNCILMEMBER,	DISTRICT I
LOUIS H. BRUNI,	" "	, DISTRICT II
ALFONSO I. "PONCHO" CASSO	" "	, DISTRICT III
CECILIA MAY MORENO,	" "	, DISTRICT IV
BLAS CASTANEDA,	" "	, DISTRICT V
JOE A. GUERRA,	" "	, DISTRICT VI
FELIPE CARDENAS	" "	, DISTRICT VIII
GUSTAVO GUEVARA, JR.,	CITY SECRETARY	
PETER H. VARGAS,	CITY MANAGER	
CARLOS R. VILLARREAL,	ASST. CITY MANAGER	
JESUS NAVA,	ASST. CITY MANAGER	
FAUSTO SOSA,	CITY ATTORNEY	

ABSENCES:

Motion to excuse Cm. Jerry Perez.

Moved : Cm. Guerra
Second: Cm. Cardenas

For: 6

Against: 0

Abstain: 0

(Cm. Casso was not present)

IV. APPROVAL OF MINUTES

2. City Council Meeting of May 15, 1996
City Council Meeting of May 22, 1996

Moved : Cm. Castañeda
Second: Cm. Cardenas

For: 6

Against: 0

Abstain: 0

V. INTRODUCTORY ORDINANCES

3. Amending Ordinance No. 94-O-228 dated November 21, 1994, closing as a public easement the west 69.44' of Rosario Street between Texas and Louisiana Avenues, including the intersection of Rosario and Texas, bounded by the south right-of-way line of the Texas-Mexican Railroad and the east right-of-way line of the U.S. Highway 83; this amendment being to correct the linear feet of the west 69.44' of Rosario Street to read as the west 58.94' of Rosario Street.

Ordinance Introduction: City Council

4. Authorizing the City Manager to execute all necessary documents to effectively convey fee simple title to Ms. Rosalinda Espinoza for the sale at fair market value of the "surface only" of certain City property known as that section of the west 58.94 feet of Rosario Street between Texas Avenue and Louisiana Avenue including the intersection of Rosario Street and Texas Avenue, situated in the Eastern Division, City of Laredo, Webb County, Texas, and providing for an effective date.

Ordinance Introduction: City Council

5. Authorizing the City Manager to execute all necessary documents to effectively convey fee simple title to H.E. Butt Grocery Company for the sale at fair market value of the surface only of a 0.079 acre (3,441.24 square feet) tract of land out of the former Urbahn Avenue between Zacatecas Street and Highway 83, situated in the Eastern Division, City of Laredo, Webb County, Texas, and providing for an effective date.

Ordinance Introduction: City Council

6. Authorizing the City Manager to execute a lease with Laredo Independent School District for approximately 4,241 square feet constituting the southernmost portion of Building #574 located at 5103 Foster Avenue at the Laredo International Airport;
 1. Lease term is for one (1) year commencing May 1, 1996, and ending April 30, 1997, and may be extended for one (1) year ending April 30, 1998; 2. Monthly rent shall be \$500.00, and will be adjusted during the primary and extension term of this lease according to changes in the consumer price index; providing for an effective date.

Ordinance Introduction: City Council

7. Authorizing the City Manager to execute a lease amendment to the lease agreement between the City of Laredo, and M & M Air Cargo and Delivery Service, Inc., dated November 6, 1995, and approved by Ordinance No. 95-O-241, in order to increase the

square footage of the leased premises, change the effective date of the primary term, delete the renewal options, adjust the monthly rent obligation accordingly, and change the anniversary date for the annual rent adjustment; providing for an effective date.

Ordinance Introduction: City Council

8. Authorizing the City Manager to execute a lease with Bowden Medical, incorporated, for approximately 3,588 square feet constituting Building #1432, located at 1803 Pappas Street and Building #1338 and #1439 located at 1719 Pappas Street at the Laredo International Airport;
 1. Lease term is for one (1) year commencing May 1, 1996, and ending April 30, 1997; 2. Monthly rent shall be \$600.00; providing for an effective date.

Ordinance Introduction: City Council

VI. FINAL READINGS

Motion to waive the final reading of ordinances 96-O-057, 96-O-058, 96-O-059, 96-O-060, 96-O-061, 96-O-062, 96-O-063, 96-O-064, 96-O-065, 96-O-066, 96-O-067, and 96-O-068.

Moved : Cm. Castañeda

Second: Cm. Cardenas

For: 6

Against: 0

Abstain: 0

9. 96-O-057 Establishing a rental fee for reservations of the City of Laredo Education and Recreation Department Thomas Pool "Lite Up Laredo" Pavilion and Del Mar Park and providing for an effective date.
(Unanimous City Council) (As Amended)

Cw. Moreno asked if it was clear that the \$50.00 fee is if you get both the pool and the pavilion and only \$25.00 if you get one or the other. She added that in her opinion that one should be \$25.00 and if both then it should be \$50.00 and that people ought to have the option of renting one without having to rent the other, since people sometimes would like to have a picnic but not have the liability of the swimming pool.

Motion to amend the ordinance to change item #1 to reflect \$25.00 for a five (5) hour period and if you use both, it will be \$50.00 for the swimming pool and the pavilion.

Moved : Cw. Moreno

Second: Cm. Castañeda

For: 6

Against: 0

Abstain: 0

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

Against: 0 Abstain: 0

39. Acceptance of five (5) blocks of the Bond Issue Street Paving Assessment Project 43 (36.5 Blocks) constructed by the Department of Public Works and Utilities Department.

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

Against: 0 Abstain: 0

40. Approval of change order no. 3 an increase of \$7,522.50 to Lambda Construction Company, New Braunfels, Texas, construction contract for the Repairs of Lift Stations and Related Improvements in South Laredo to construct an additional concrete rip-rip and three manhole steel grates at the Santo Niño Lift Station.

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

Against: 0 Abstain: 0

41. Approval of change order no. 1, an increase of \$61,517.50 to add 55 blocks to the City of Laredo Street Recycling Project 1995-1996 with Cutler Repaving, Inc., Lawrence, Kansas, for a new total of 199.50 Blocks.

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

Against: 0 Abstain: 0

42. Refund of property taxes in various amount to the following individuals or companies:
- a. Nueces Power Equipment in the amount of \$2,437.77, as a result of a clerical error,
 - b. First Bank Financial Corp. in the amount of \$1,294.98, since the property did not exist the first part of 1994 and 1995,
 - c. Rodolfo Guardiola & Wife in the amount of \$560.26, since improvements to the property did not exist in the first part of the year,
 - d. Juan G. & Maria D. Lopez in the amount of \$718.80, as a result of an overpayment, and
 - e. Countrywide in the amount of \$8,650.65, as a result of the mortgage company's use of an incorrect account number.

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

Against: 0 Abstain: 0

43. Award of a contract to the Low Bidder, Castle Construction, Laredo, Texas, in the amount of \$23,900.00, for the construction of an eight (8) foot wide walking trail at the

Freddie Benavides Recreational Complex.

Moved : Cm. Castañeda

Second: Cm. Cardenas

For: 7

Against: 0

Abstain: 0

IX. COMMUNICATIONS

- a. Presentation of a plaque of appreciation to Councilmember Blas Castañeda for his 8 years of distinguished and dedicated service to the citizens of Laredo.

Mayor Ramirez recognized Cm. Blas Castañeda and presented him with a plaque in recognition for his 8 years of dedicated service to his community.

- b. Recognition of the "Outstanding Group Contribution Award" to City of Laredo employees for their contributions to the 1995 United Way Campaign.

Mayor Ramirez presented a plaque to Phyllis Colon who received it on behalf of the City of Laredo employees.

- c. Mayor Saul Ramirez, introduced Eliseo Valdez, Jr., District V Councilmember elect who would be joining the council at the next meeting.

- d. Mayor Ramirez spoke on an article of a San Antonio Express newspaper affecting Laredo on the high crime rate in Laredo.

J.L. Martinez, Police Chief, gave a uniform crime and traffic report to the council which a breakdown for the past four years is shown below:

	1992	1993	%	1994	%	1995	%
1. Murders	23	19	-17	24	+26	14	-41
2. Forcible rapes	14	6	-57	4	-33	21	+425
3. Robbery	159	164	+3	206	+25	172	-16
4. Aggravated Assault	715	869	+21	748	-13	882	+17
5. Burglary	2030	1692	-16	1740	-2	1606	-7
6. Theft	6152	6230	-1	5451	-12	6542	+20
7. Motor Vehicle Theft	1132	1190	+5	916	-23	943	+2
TOTALS	10225	10170	-1%	9089	-11	10180	+12

- e. Cm. Cardenas wanted staff to look into the site on IH35 and Moctezuma St. located before the underpass because trailers were parked there and the concern was the prevention of accidents. He also invited everyone to the Mother's Day Concert this coming Friday at the Civic Center from 7:00 p.m. to 1:00 a.m.

X. CITY COUNCIL DISCUSSION AND PRESENTATION

44. Request by Mayor and City Councilmembers for discussion and presentation.

A. Requests by Councilmember Louis H. Bruni

1. Status report on Ordinance No. 95-0-115 concerning the City of Laredo's conservation and drought contingency plan with possible action.

Cm. Bruni stated that he wants to make sure that this ordinance is implemented and enforced and that it's time the City did something to conserve water. He added that TNRCC informed us that as of April 20, 1996, our water reservoir, Amistad Dam, has a normal conservation level is 1117, which right now is 42 feet below normal; Falcon Dam reservoir is also 42 feet below normal. The total acre feet in the system, (both reservoirs) is down to 1.249.348 acre feet of water, which equals the present consumption to 11 months of water for the City of Laredo. The United State's share of water is about 989,877 acre feet of water which is the lowest level of water that has been available to the City of Laredo and the U.S. since Falcon Reservoir and Amistad reservoir were built. The total water left in the system is 37.56, which is also an all time low for the system. This is one reason this ordinance needs to be implemented and that he was in favor of the cloud seeding program.

He reported that several schools were paying very high water bill for one month only. The following were:

Memorial Middle School Meter #1	\$ 1,500.00
" " " #2	3,200.00
Christen Middle School	21,778.64
Martin High School	16,441.68
Cigarroa High School	12,000.00
Lamar Middle School	4,600.00
Laredo Community College	8,553.00
Cigarroa High School	12,000.00
Leyendecker Middle School	3,000.00
Ryan Elementary School	4,000.00
Height Elementary School	42.00
D.D. Hachar	42.00
Bruni Elementary School	274.00
Pete Gallegos Paving	5,000,000 gal. of water
Price Contruction	3,000,000 gal.
Pinto Valle	1,000,000 gal.
U.I.S.D./Geo. Washington School	2,700,000 gal.
Residence at 101 Top Drive	1,300,000 gal.

Cm. Bruni further stated that it is time for the City to promote a conservation project and to advertise that our precious resources are being used or abused in Laredo and to lower their consumption.

Mr. Fernando Roman, Acting Water Utilities Director, made a brief presentation of (3) three step program to promote this conservation project. Step 1 would contain a public education, which calls for the creation of an information center and voluntary involvement. Step 2 involves having a voluntary conservation directed through the City Manager and city staff. Step 3 would involve mandatory conversation if needed. He also added that at the following meeting he will bring forth a report from cities in the valley with conservation programs.

Mr. George Gonzalez from the Texas Agricultural Extention Service, 7209 E. Saunders, right across Life Down entrance (210-721-2626) made a brief presentation concerning this water agency promoting the best way to economize and conserve our water resources.

Cm. Joe Guerra requested from staff to bring a report as to how our enforcement efforts are progressing with the high consumption users at the following meeting.

Motion to instruct staff to present the mild drought recommendation at our first regular meeting in June, so that it would be considered at that time.

Moved : Cm. Bruni

Second: Cm. Casso

For: 7

Against: 0

Abstain: 0

B. Requests by Councilmember Alfonso I. "Poncho" Casso

1. Discussion and possible action regarding the curb and gutter for the 1900 Block of Piedra China.

Peter Vargas, City Manager, stated that this block can be moved up to project 58 which will be ready in 1-1/2 months.

Cm. Casso requested a list like the one provided to Cm. Bruni of the streets that are paved and the ones that have curb and gutter, and the ones that do not.

2. Discussion and possible action regarding the misrepresentation by the City Attorney to the City Council at the City Council Meeting held on April 15, 1996.

Cm. Casso stated that on April 15, 1996 he found that Mr. Laurel had forwarded some material to the council and the City Attorney's transcript had said that the account was a private account and could not find where the Attorney General's says that this account is a private account. He added that he wants a copy of a letter that answers all the questions that Cm. Guerra had.

Mr. Vargas stated that an internal auditor reviewed all the expenses and income as well. He agreed to provide Cm. Casso with all the information.

Cm. Casso concluded by saying that he wants what was provided to everyone else.

3. Discussion and possible action regarding the City of Laredo's method for attempting to comply with the Texas Open Meetings Act (Keeping notes as opposed to recording executive sessions).

Cm. Casso wants to make sure that in the future he is not part of not keeping a copy of the certified agenda and in turn have people suing the city. Cm. Casso also stated that he doesn't want to be part of an executive session and then be accused of not complying with the law. He asked for advise from the attorney on how to avoid those problems and then presented the option of recording the meetings and then sealing them.

Mayor Ramirez stated that he wants to wait until all the council is sworn in before changing any policy.

C. Requests by Councilmember Cecilia May Moreno

1. Request for school speed zone signs to be placed around the 2000 block of Lyon Street.

Motion to instruct staff to place school speed zone signs around the 2000 block of Lyon Street.

Moved : Cm. Moreno

Second: Cm. Cardenas

For: 7

Against: 0

Abstain: 0

D. Requests by Councilmember Joe A. Guerra

1. Status report on the placement of a traffic signal on McPherson Road at the entrance to the United High School with possible action.

Mr. Vargas stated that the City of Laredo will pay for half and that United High School was willing to pay the other half of the cost. A letter was received in writing from the school.

Roberto Murillo, Traffic Engineer, stated that this location shows that a light is warranted and that the estimated cost is approximately \$40,000.

Motion to allow Peter Vargas, City Manager, to order the equipment.

Moved : Cm. Guerra
Second: Cm. Castañeda
For: 7

Against: 0 Abstain: 0

Mayor Ramirez asked that a traffic light at Calton and Yeary be placed on the agenda for the next meeting.

2. Discussion and possible action concerning a proposed gentleman's club in north Laredo.

Fausto Sosa, City Attorney, stated that there has been no applications filed for any club as of yet.

Cm. Castañeda asked staff to look at the long term plan for the City regarding this particular area since there was a similar confrontation that really needed to be mobilized and acted with the City, County, and State. He added that this needed a more elaborated ordinance or if planned, to look at the planning zoning aspects. The City has gotten a clear message from the community to terms as what they want and what they don't want, but we also need to look at what is allowable under the law. He also asked the administration Mr. Vargas, Mr. Villarreal and Mr. Nava to work with the City Attorney to see how we could work with the Planning and Zoning umbrella to look at it a little bit more at a long term affect.

Cm. Guerra asked that staff keeps them informed and to stay on top of the situation.

Ms. Patricia Moore spoke opposing this issue.

XI. RECESS AND CONVENE AS THE LAREDO MASS TRANSIT BOARD

Motion to recess as City Council and convene as the Laredo Mass Transit Board.

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

Against: 0 Abstain: 0

45. Award of an annual contract to the Sole Bidder, Stewart and Stevenson Services, Inc., Corpus Christi, Texas, in the estimated amount of \$300,000.00, for providing Detroit Diesel engine and Allison Transmission parts and service to the Transit System (El Metro).

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

Against: 0 Abstain: 0

Motion to recess as the Mass Transit Board and reconvene as City Council.

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

Against: 0

Abstain: 0

XII. ADJOURNMENT

Motion to adjourn.

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

Against: 0

Abstain: 0

Adjournment time: 7:20 p.m.

I HEREBY CERTIFY THAT THE MINUTES CONTAINED IN PAGES 01 TO 20 ARE TRUE COMPLETE AND CORRECT PROCEEDINGS OF THE REGULAR CITY COUNCIL MEETING HELD ON THE 6TH DAY OF MAY, 1996. A CERTIFIED COPY IS ON FILE AT THE CITY SECRETARY'S OFFICE.


GUSTAVO GUEVARA, JR.
CITY SECRETARY