

The Board of Commissioners for the City of Alamo, Texas met for the first regular meeting on Tuesday, November 6, 2018 at 7:00 pm at the City of Alamo Municipal Building.

COMMISSION PRESENT:

Diana Martinez, Mayor
Trino Medina, Commissioner
Robert De La Garza, Commissioner
Pilar Garza, Commissioner

COMMISSION ABSENT:

Pete Morales, Mayor Pro-Tem

STAFF PRESENT:

Luciano Ozuna, Jr., City Manager
Rick Palacios, City Attorney
Martha Alvarado, Executive Secretary
Bobby Salinas, C.P. & D. Director
Melissa Rodriguez, Purchasing Agent
Ronnie Cruz, City Engineer
Julio Villarreal, Public Works Director
Roy Contreras, Fire Chief
Alicia Cano, Human Resources

Yvette Mendoza, Finance Director
Baudelio Castillo, Police Chief
Michael Torres, IT Director
Rafael Tapia, AEDC Director
Alex Oyoque, Museum Curator
Melissa Leal, Utilities Supervisor

I. CALL MEETING TO ORDER

Mayor Diana Martinez called the first regular meeting held on Tuesday, November 6, 2018 to order at 7:00 pm at the City of Alamo Municipal Building. Mayor Diana Martinez led in the Pledge of Allegiance and Melisa Gonzalez said invocation.

C. Presentation and Announcements.

Melisa Gonzalez announced the Chamber's Dinner at the Park event on Thursday and the Lions Club Veterans Day Celebration on Nov. 11 at 3:00 pm at Veterans Park.

Mike Torres, IT Director, gave a brief overview of the new iPad pros to be used by the Commission and said a more detailed presentation would be given at a later workshop.

D. Proclamation honoring Guadalupe "Lupe" G. Rodriguez.

Mr. Guadalupe "Lupe" G. Rodriguez's granddaughter read the proclamation and Mayor Diana Martinez and Commissioner Trino Medina thanked the Rodriguez family for being present and congratulated them for their father's service.

E. Public Hearings:

1. Consideration and action on a re-zone request from an M (Industrial District) to a C (Commercial District) for the following properties by the City of Alamo:

Fresh Tex Lot 1, physically located at 1305 W. Acacia Ave.

Rio No. 2 W50.02' A-3, W30' B-3, All of Lots A-4 & B-4, physically located at 1214 W. Bus 83.

Rio No. 2 W155.33' – E255.33' Lots A-3 & B-3, physically located at 1206 W. Bus 83.

Rio W100' Lot A-1, All Lots A-2 & B-2; Rio No. 2 E50' Lots A-3 & B-3, physically located at 1128 W. Bus 83.

Rio E205.35' Lot A-1, physically located at 101 N. Alamo Rd.

Lettered Lots (Alamo) 100.12' X 420.5' BTWN Alamo BLVD & 10th St. Lot B, 0.96AC Net 0.85AC Net, physically located at 104 N. Alamo Rd.

Lettered Lots (Alamo) 100.13' X 570.66' ADJ to N R/R R.O.W. Depot & Trackage BTWN N 8th & N 9th St. Lot C & All Lot E, physically located at 106 N. 9th St.

Lettered Lots (Alamo) N100.13' – Trackage Lot D, physically located at 111 N. 7th St.

Lettered Lots (Alamo) All of Lot F, physically located at 111 N. 7th St.

Lettered Lots (Alamo) W386' Lot G, physically located at 103 N. 7th St.

G Lettered Lots (Alamo) ANN IRR TR E835.09' – N196.35' ADJ to Railroad Lot 3.38 AC Net, physically located at 101 N. Tower Rd.

Planning Director, Bobby Salinas, stated the properties are located west of 13th Street to Tower Road along the north side of Business 83. All the tracts are being proposed to be rezoned to commercial since most of the properties are already being used as commercial. By changing the zone to commercial, the businesses already there will be protected from potential businesses that could have a negative impact in the area. Industrial type businesses are more suitable east of Tower Road on the north side of Business 83. Planning & Zoning Commission approved the rezone except for Fresh Tex Lot located at 1305 W. Acacia Ave.

Mr. Kenny Alfred, owner of Fresh Tex Produce, addressed the Commission saying they have been in business for eighteen years and has invested very much in the business. Mr. Alfred stated he eventually would be selling the business and was requesting to keep his business zoned as industrial. Mr. Alfred stated he has invested a lot of money in adding and improving the building as a produce business and when he sells it, that is the way he will sell it. Changing the zone to commercial would not give him the value he has invested in it.

Planning Director stated all the owners required to be notified were advised of the proposed zone change. With no further comments, Mayor Diana Martinez closed the public hearing.

Commissioner Trino Medina motioned and Mayor Diana Martinez seconded to approve the re-zone request from an M (Industrial District) to a C (Commercial District) for all the properties presented with the exception of Fresh Tex Lot 1, physically located at 1305 W. Acacia Ave. Motion carried.

2. Consideration and action on a re-zone request from an R-1 (Single-Family Dwelling District) to a C (Commercial District) for the following properties by the City of Alamo:

Alamo Original Townsite E85' Lot 10 & S25' – E85' Lot 11, Block 30, physically located at 103 N. 9th St.

Alamo Original Townsite N25' – E85' Lot 11 & E85' Lot 12, Block 30, physically located at 125 & 127 N. 9th St.

Alamo Townsite Lot 12, Block 31, physically located at 109 N. 9th PL.

Planning Director, Bobby Salinas, explained the properties are being recommended to rezone to commercial. Planning & Zoning Commission approved the request at their October 17 meeting. With no public comments, Mayor Diana Martinez closed the public hearing.

Commissioner Robert De La Garza motioned and Commissioner Trino Medina seconded to approve the rezone request from an R-1 (Single-Family Dwelling District) to a C (Commercial District) for the properties presented. Motion carried.

- F. **Consideration and action to approve minutes for the regular meeting of October 2, 2018. (Tabled 10/16/18)**

Mayor Diana Martinez motioned and Commissioner Trino Medina seconded to remove item from table. Commissioner Robert De La Garza motioned and Commissioner Pilar Garza seconded to approve the minutes for the regular meeting of October 2, 2018 as presented. Motion carried.

G. Consideration and action to approve minutes for the regular meeting of October 16, 2018.

Commissioner Robert De La Garza motioned and Commissioner Pilar Garza motioned to approve the minutes for the regular meeting of October 16, 2018 as presented. Motion carried.

H. Consideration and action to approve an Interlocal Cooperation Agreement with Lower Rio Grande Valley Development Council on Emergency Communications/9-1-1 Division.

City Manager, Luciano Ozuna, Jr. informed the Commissioners this was a standard contract with the Lower Rio Grande Valley Development Council presented annually for 911 services. Commissioner Pilar Garza motioned and Commissioner Trino Medina seconded to approve the Interlocal Cooperation Agreement with the Lower Rio Grande Valley Development Council on Emergency Communications/9-1-1 Division. Motion carried.

I. Consideration and action on a request by VIDA for a donation to continue student human capital investment.

City Manager, Luciano Ozuna, Jr. informed the Commissioners this item had been presented in the past. Mr. Ozuna stated the amount being requested was \$12,500. Commissioner Robert De La Garza motioned and Commissioner Pilar Garza seconded to approve the request by VIDA for a donation to continue student human capital investment. Motion carried.

J. Consideration and action to appoint a member to the Tax Increment Investment Zone.

Commissioner Robert De La Garza motioned and Mayor Diana Martinez seconded to appoint Asael Alaniz as member to the Tax Increment Investment Zone. Motion carried.

K. Consideration and action to appoint a Chairman of the Tax Increment Investment Zone.

Commissioner Robert De La Garza motioned and Commissioner Pilar Garza seconded to appoint Keith Hackland as Chairman of the Tax Increment Investment Zone. Motion carried.

L. Consideration and action to create the position of Human Resources Clerk, approve the job description and set salary.

Commissioner Robert De La Garza motioned and Commissioner Pilar Garza seconded to approve the creation of the Human Resources Clerk position, job description and set salary. Motion carried.

M. Consideration and action to appoint a City Secretary and set salary.

Commissioner Robert De La Garza motioned and Commissioner Pilar Garza seconded to appoint Alejandra Rangel and set salary at \$39,500. Commissioner Trino Medina stated it was brought to his attention that Mr. Juan Cedillo had submitted an application but as per Human Resources Director, Alicia Cano, the application was submitted after the deadline. Commissioner Trino Medina asked legal counsel if the appointment could be done without conducting any interviews. He had reviewed the applications but did not have the opportunity to interview the applicants. Legal counsel responded that the charter called for an appointment but did not contemplate interviews. The Commission has the power to appoint without even having to go through the application process. Commissioner Trino Medina abstained from voting citing he had not interviewed any of the applicants. Motion carried.

For the record, legal counsel requested clarification on salary to which Commissioner Robert De La Garza stated salary would be set at \$39,500 with additional consideration after six months' evaluation.

N. Consideration and action on a variance request to allow for a 6" rear setback instead of the required 5' rear setback for accessory structures minimum required by code, physically located at 605 E. Ellis Ave., legally described as Lot 10, Block 80, Alamo Original Townsite.

Planning Director, Bobby Salinas, informed the Commission the owner at said property had built an 18x30 carport in backyard without a permit. Owner has now applied for a variance in the back portion of the property. There is an alley in the back and no adjacent structure exists. The request can either be denied and make owner comply with the 5' setback or approve the request as long as the carport is perpetually open. There is no recommendation from Planning & Zoning Commission. Commissioner Trino Medina asked Fire Chief Contreras if they would have any access problems to which he responded as long as there was a 20 ft alley, there would be no problems. Commissioner Robert De La Garza motioned and Commissioner Pilar Garza seconded to approve a variance request to allow for a 6" rear setback instead of the required 5' rear setback for accessory structures minimum required by code, physically located at 605 E. Ellis Ave., legally described as Lot 10, Block 80, Alamo Original Townsite. Motion carried.

O. Consideration and action to approve the use of the "Reservation of Rights" letter for the issuance of Small Cell Node Permits

Planning Director, Bobby Salinas, informed the Commission this item was regarding the new technology coming in where small cell antennas are being installed in city right of ways. Because the City of Alamo is involved in a lawsuit along with the City of McAllen, McAllen sent some language that allows the city to reserve its rights in regards to the compensation or fees in case the lawsuit goes through. Staff is requesting authorization to utilize the reservation of rights for small cell permits to make sue the city is protected. Mayor Diana Martinez motioned and Commissioner Robert De La Garza seconded to approve the use of the "Reservation of Rights" letter for the issuance of Small Cell Node Permits. Motion carried.

P. Consideration and action regarding a request by the Police Chief to travel out of state.

Commissioner Robert De La Garza motioned and Mayor Diana Martinez seconded to deny request to travel out of state. At this time, Commissioner Trino Medina addressed legal counsel and stated he did not understand why this item was being brought back to the Commission if it had already been approved. He said the travel expenses had already been approved in the budget hearing. Legal Counsel said the budget had been approved but the question is how the monies are being used and requests are submitted to the city manager. City Manager, Luciano Ozuna, Jr. stated the request had been submitted to him the previous week but had not approved it yet. He said he had not approved it because he had requested additional information on the training and had not received the information until today. Mr. Ozuna stated in the meantime Commissioner Robert De La Garza had asked him if there was a travel request from the Police Chief to travel out of state and Mr. Ozuna had informed him there was. Commissioner Robert De La Garza requested the item be placed on the agenda. Commissioner Trino Medina requested Police Chief be given the opportunity to explain the item and state why he wants to send his staff to the training. Commissioner Robert De La Garza stated the same training was available within state. Mayor Diana Martinez stated she had done some research and had found the same training was being offered in New Braunfels. Instead of using taxpayer monies to go to Las Vegas, they should go to New Braunfels. Chief Baudelio Castillo stated the course, Homicide and Forensics, was only offered in Las Vegas. There are other homicide courses but were not the exact as this particular one. Chief Castillo stated he was surprised when he saw the item on the agenda because he had a copy of the request that was signed by Mr. Ozuna on October 17. Chief Castillo stated the class was very important because they make sure all the cases they turn over to the District Attorneys Office result in convictions. They make sure the cases are well prepared and solid because it reflects back on him. He stated all the decisions he has made in the past eight months have been positive decisions for the betterment of the department and community. The class would give them insight into the new technology and procedures for to

investigations. If there was to be a homicide in the city, they themselves would take the lead in the investigation and not pass it on to the Texas Rangers or another agency. Mr. Ozuna reiterated the exact same course was being offered in six months in New Braunfels by the same agency offering it in Las Vegas at a lower cost. Chief Castillo said he had not seen the course being offered in New Braunfels and stated it was probably not the same course. Mr. Ozuna provided a copy of the New Braunfels course to Chief Castillo. Commissioner Trino Medina asked Chief Castillo if it would be possible for them to attend the New Braunfels course instead of the one in Las Vegas to which Chief Castillo said there was not problem. Mayor Diana Martinez motioned and Commissioner Robert De La Garza seconded to deny request by the Police Chief to travel out of state. Motion carried.

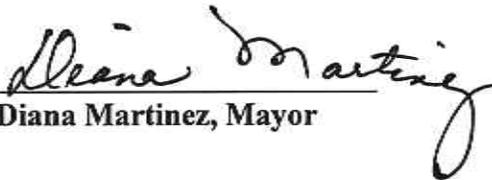
CITIZEN PARTICIPATION: Five minutes per person with no response from the City Commission.

Mr. Albino Oviedo, Jr. addressed sewer backup issues at his home at 1145 Jasmine Colonia Buena Vista stating it has been years with the same problem. City Manager, Luciano Ozuna, Jr., stated the problem had been addressed and resolved and apologized to Mr. & Mrs. Oviedo for the problems they have had.

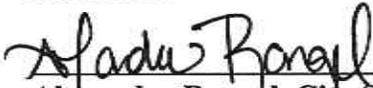
Commissioner Trino Medina requested a report from city manager on all the clay pipes in the city including cost estimates.

I. ADJOURNMENT

There being no further business, Mayor Diana Martinez adjourn the meeting at 7:44 pm.


Diana Martinez, Mayor

ATTEST:


Alexandra Rangel, City Secretary