

The Board of Commissioners for the City of Alamo, Texas met for a Regular Meeting on Tuesday, August 7, 2018 at 7:00 p.m. at the City of Alamo Municipal Building.

COMMISSION PRESENT:

Mayor Diana Martinez
Pete Morales, Mayor Pro-Tem
Trino Medina, Commissioner
Robert De La Garza, Commissioner
Pilar Garza, Commissioner

STAFF PRESENT:

Luciano Ozuna, Jr., City Manager
Rick Palacios, Palacios, Garza & Thompson
Dalia Zuniga, Planner I
Bobby Salinas, C.P. & D. Director
Melisa Gonzales, Special Projects Director
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
Arnold Robles, Parks Director
Alejandro Oyoke, Museum Curator
Melissa Leal, Water Billing

I. CALL MEETING TO ORDER

Mayor Diana Martinez called the regular meeting held on Tuesday, August 7, 2018 to order at 7:00 p.m. at the City of Alamo Municipal Building. Alamo Parks & Recreation Track Team led the Pledge of Allegiance and Reverend Tuttle led the invocation.

C. Presentations and announcements.

Arnold Robles, Parks Director announced that 42 athletes attended the games of Texas in College Station about 10 days ago and it went really well. 16 athletes came back with gold, silver and bronze medals. We would like to recognize them this evening, Coach Cepeda with tennis and Coach Perez with track.

Coach Cepeda announced that they had a successful summer, they took 12 athletes to the Taft games this summer and came back with 10 medals. The following players are girl's doubles gold medalists are Cindy Hernandez and Meagan Silva, boy's doubles gold medalists Leo Cortez and Leo Mendoza, boy's doubles gold medalist Ian Cruz and Arturo Cantu. Leo Cortez also got a gold medal in singles. Mixed doubles silver medalists Nathan Perales and Cindy Villasana. Girls singles silver medalists Jolie Millan and participating with us Rene Leal, Jackie Silva and Michelle Rodriguez.

Coach Perez announced Mayor and City Commission from the deepest of our heart thanks so much for allowing us to do what we do for the past 20 years. We have grown and experienced so much and we try to teach the kids much more and there are hundreds of success stories of these young athletes on being young adults. We want to compete and bring back the gold medals of course, but I learned 15 years ago that's it's athletes first and winning is second. We if we care for the kids and show them the right things. We try to teach them lifelong lessons besides the coaching part of track and field, I appreciate and thank the Lord for allowing me to do this. Alamo is the envy of the Valley, there are a lot of coaches that speak to me and they just love the program and support we get from our City and Parks Department. Our staff is here and I will let them introduce themselves Macario Zarate, coach for the hurdles; Sarina Salinas, relays; Luis Garza, girl's discus; Guillermo Martinez, horizontal and vertical jumps; Coach Perez, pole vault and running program; Nichol Lozano, shot put and disc and Joanna Martinez, tiny tots and registration. The athletes are Cruz Gomez, who received double gold for the 16 and 32 hundred meters. Noe is one of the best runners in the State of Texas and he broke the 2-mile record and ran a fast time at 9:21, and won gold in the mile as well. The girl's discus we have Charlie Salinas with gold; Joe Derick Barras with a silver medal jumping 13' 6"; Chase Harold, shot put.

Mayor Diana Martinez, stated she wanted to thank the coaches for the tremendous work they do for our community.

Commissioner Trino Medina, wanted to congratulate them and also sees them all the time practicing early morning and Coach Cepeda, I see you practicing all the time as well and we see

the fruits of all your hard work from the both of you. Congratulations on behalf of the Council and the community.

Mayor Pro-Tem Pete Morales, stated he would like to commend the coaches, staff and all the players. He stated he was out there on Saturday and Sunday and was talking to all the coaches, how you work out here in the Valley to get ready for the temperature settings over there in north Texas. I want to thank you for that.

Arnold Robles, Parks Director stated that he also wanted to thank the school district for being generous in lending the facilities and providing buses and in some cases personnel to help us throughout the summer.

Mayor Diana Martinez stated maybe we can write them a letter from the City Commission thanking them.

City Manager, Mr. Luciano Ozuna, Jr. announced Ms. Elena Sandoval from the school called about a pep rally to be held on August 25th at 5:00 p.m. starting at the HEB south parking lot and at 7:00 p.m. the pep rally would start at the Wolverine High School stadium and they would like for the Mayor and City Commissioners to say a few words there.

Commissioner Trino Medina, announced that the Alamo Lion's Club would be hosting their annual back to school health fair and would be giving out school supplies and having a hamburger brown bag sale. All those funds go back into the community and scholarships for needy families. He also stated if you are a vendor, you can get a free table and everything as far as school supplies, backpacks, and bikes would be free. From 9:00 to 1:00 at the Resurrection Community Center hosted by Alamo Lions Club.

Mayor Diana Martinez, congratulated Melisa Gonzales and Lieutenant Caballero for writing the grant for the vests that the Police Department received. She thanked them for an awesome job.

Melisa Gonzales, announced she wanted to remind everybody that Friday night is our National Night Out and starts from 6:30 p.m. to 9:00 p.m. at Downtown Central Park with a bike rodeo, Medivac helicopter and a lot of activities for the kids with free food, music and school supplies give away and next Friday at Downtown Central Park it's our final musical night for the summer, Tejano night starts at 7:30 please spread the word.

D. Consideration and action to approve the minutes for special meeting of Thursday, July 26, 2018.

Commissioner Robert De La Garza motioned to approve the minutes for the special meeting of Thursday, July 26, 2018. Commissioner Pilar Garza seconded the motion. Motion carried.

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

Commissioner Trino Medina motioned to appoint Ms. Rosario Coplea at a set salary of \$36,000.00 a year. Commissioner Robert De La Garza seconded the motion. Motion carried 3 to 2.

F. Consideration and action to appoint members to the Tax Increment Reinvestment Zone Board.

Commissioner Robert De La Garza motioned to appoint: Ramona Barron, Myra Bennedetti, Albert Cazares, Keith Hackland and from the County Valde Guerra. Commissioner Trino Medina seconded the motion. Motion carried.

G. Consideration and action on a request by the former Boys and Girls Club for the payment of office items and other equipment to be transferred to the Alamo Youth Center.

Commissioner Robert De La Garza asked City Manager Luciano Ozuna, Jr. if the items were bought with Urban County money.

City Manager Luciano Ozuna, Jr. stated they were not. He also stated that he contacted Urban County and identified the items that had been bought by Urban County funding and these were not included in there.

Mayor Pro-Tem Pete Morales asked City Manager Luciano Ozuna, Jr. of the prices on the items included in the report is that including depreciation or is it retail as far as brand new.

City Manager Luciano Ozuna, Jr. stated he couldn't answer that. If they would like to table the item, we can go back and look at it again and I can come back and bring you that information.

Mayor Pro-Tem Pete Morales motioned to table this item. Commissioner Robert De La Garza seconded the motion. Motion carried.

H. Consideration and action on a change order for the Plena Vista Subdivision sewer construction improvements with M.J.A Construction LLC.

City Manager Luciano Ozuna, Jr. stated the contract was about \$268,642.00 however, the final count that was made by the engineer, our staff and the contractor, there were various additions and deductions that occurred with the change order. After going through all of the deducts and additions, the net change order was \$3,195.00 to close out the program.

Commissioner Robert De La Garza motioned approve the change order for Plena Vista Subdivision. Mayor Pro-Tem Pete Morales seconded the motion. Motion carried.

I. Consideration and action on a Waterline Access Agreement with North Alamo Water Supply Corporation for Palazzo Vegas Ranches Subdivision.

City manager Luciano Ozuna, Jr. stated this is an agreement that we go into with North Alamo Water Supply for subdivisions that are newly created and are serviced by North Alamo Water Supply, because it's in their service area. This subdivision is "Palazzo Vegas Ranches" and is located on the southwest corner of Eldora and Alamo Road. He stated this water line access agreement means they are servicing, but are not guaranteeing fire protection, this is something they require to make sure we don't come back and sue them because they had already told us in advance that they didn't have fire protection.

Commissioner Trino Medina asked legal counsel if they had a chance to read the water access agreement.

City Attorney Rick Palacios responded that was not provided the agreement previous to the meeting, so he did not get an opportunity to look at it.

City Manager Luciano Ozuna, Jr. stated there would be no problem for us to table this item and bring it back at the next meeting.

Commissioner Trino Medina asked City Manager Luciano Ozuna, Jr. would this delay the project.

City Manager Luciano Ozuna, Jr. responded no, the project is going on and there are homes already being built.

Commissioner Trino Medina motioned to table the Waterline Access Agreement. Commissioner Pilar Garza seconded the motioned. Motion carried.

J. Consideration and action on the 2018 Effective Tax Rate, Rollback Tax Rate and the proposed 2018-2019 Tax Rate.

City Manager Luciano Ozuna, Jr. stated we have Mr. Julio Espinoza from the County Tax Office present.

Mr. Julio Espinoza from the Tax office stated he was presenting item J, in the packets you should have the bench mark tables with rates and also the tax rate calculation worksheets. In looking at the bench mark the effective rate came out to be .5517 generating an estimated \$2.9 million in tax levy and further down is the roll back rate which is .6023 generating an estimated \$3.1 million about \$266,000.00 more than the effective tax rate and as a reference there is last year's tax rate of .5565 which would generate \$2.9 million about \$25,000.00 more than last year. He stated these rates as we know the effective tax rate is basically the rate that will generate the same levy as this past year, the rollback rates the max rate the City Commission can approve without being subject

to a rollback election anything higher than that would obviously be subject to the citizens petitioning for a rollback election.

City Manager Luciano Ozuna, Jr. asked Mr. Julio Espinoza, what amount is that sir.

Mr. Julio Espinoza responded it's the .6023 and anything above the effective tax rate would require a record vote and we would also need to set dates for the two public hearings after that.

City Manager Luciano Ozuna, Jr. asked Mr. Julio Espinoza, are you requiring a vote tonight to set the tax rate.

Mr. Julio Espinoza responded this would be to propose a tax rate and that particular tax rate would be published before September 1st.

Commissioner Robert De La Garza motioned to approve a tax rate of 0.5817. Mayor Pro-Tem Pete Morales seconded the motion. Motion carried.

K. Consideration and action to approve the Inter-local agreement with the University of Texas Rio Grande Valley for the preparation of the Texas Pollutant Discharge Elimination System (TDPES) Stormwater Permit Application and Stormwater Plan, fee is \$6000.00.

Ms. Melisa Gonzalez stated this is an Inter-local we do with our task force every 5 years so they can prepare our MS4 Permit for the state as well as our state storm mandated plan, our storm water management plan. She stated we paid this 2 years ago and it did go up from \$4,000.00 to \$6,000.00, because they merged from TAMUK to the University of Texas RGV and they have set fees. She stated the \$6,000.00 would be included for my budget for next year, because it won't be billed to us until after October 1st.

Commissioner Robert De La Garza motioned to approve the inter-local agreement with UTRGV. Commissioner Trino Medina seconded the motion. Motion carried.

L. Consideration and action to approve the Memorandum of Understanding with the Learning for Life (Boys Scouts of America) for the establishment of an Alamo Police Department Explorers club/post and authorizing Police Chief to be the executive officer/designee.

Ms. Melisa Gonzalez stated in speaking to the Police Chief, I am excited to start the explorers program, but in order for them to be a legal competitive program they have to become a member of Boys Scouts of America. She stated this memorandum agreement would allow our post to be recognized as a state post and they would be able to compete against other post around the state and get all their training at Camp Prairie. To my understanding they have done \$6.7 million dollars of improvements at Camp Prairie specifically for the explorer's program and it's a very exciting time to get these teens out. There would be two posts with the middle school kids being called Clubs and the high school kids being called Posts. They would be recruiting youths between the ages of 12 to 16, so I am asking for approval so we can get this Explorers Program started.

Mayor Pro-Tem asked Ms. Melisa Gonzalez if this was only limited to Alamo kids.

Ms. Melisa Gonzalez responded at this time yes and we do have the Police Liaison starting on October 1st as well and they would be working with Officer Lopez whom is in charge of the Explorers Program to help recruit our kids.

Mayor Diana Martinez motioned to approve the Memorandum of Understanding. Commissioner Robert De La Garza seconded the motion. Motion carried.

M. Consideration and action on an ordinance amending the City's zoning code Section 10-5-6 Conditional Use Permits and 10-13-8 Requirements of a Conditional Use Permit to create an additional conditional use for non-residential parking in an R-1 zone.

Mr. Bobby Salinas stated, basically we are just adding a conditional use under the R-1 zone and under the conditional use process we are allowing the possibility of having a commercial property that is adjacent to a residentially zoned property that would like to expand it for commercial parking, then a conditional use process through the R-1 zone is what this would change and within the ordinance I am including certain regulations that they must meet in order to be able to utilize the conditional use permit in this way.

Mayor Diana Martinez asked Mr. Bobby Salinas to give an example on this like Palazzio.

Mr. Bobby Salinas stated the Palazzio Event Center that is on Tower and 495 is a good example. He stated there is a property adjacent to this which is zoned R-1 and they could come and apply for a conditional use permit to try and convert this into a commercial parking area. He stated with the conditional use permit process it is required that we notify the home owners within a 200' radius in that area and of course they would have a voice in whether this is going in or not.

City Manager Luciano Ozuna, Jr. asked Mr. Bobby Salinas would it allow for paving.

Mr. Bobby Salinas responded yes and in paving of the parking area they would have to submit a drainage plan so it won't affect the residential areas, comply with landscaping requirements, sidewalk requirements and there would be no semi-truck parking allowed.

Commissioner Robert De La Garza asked Mr. Bobby Salinas and this would be a conditional use.

Mr. Bobby Salinas responded yes, this would have to be renewed every year and be brought in front of the commission every year and if there are any complaints throughout the year, we would know about it.

Commissioner Robert De La Garza asked Mr. Bobby Salinas wouldn't it be asking a lot from the customer to provide asphalt or concrete and then be guaranteed one year out of it.

Mr. Bobby Salinas stated we can increase the term, if that is what you would like to do and this is for your consideration or if it something you would like to look at, we can modify it.

Commissioner Trino Medina stated this is good for the businesses that want to expand and I know I have spoken to you about businesses that have asked about limited parking in their areas, so I hope it helps some of our businesses in expanding and of course not affect our residential areas.

Commissioner Trino Medina motioned to approve amending of Section 10-5-6 Conditional Use Permits and 10-13-8 Requirements of Conditional Use Permit. Commissioner Pete Morales seconded the motion. Motion carried. 4 to 1

N. Consideration and action on a conditional use permit for the sale and onsite consumption of alcohol at "Prims Place Live", physically located at 741 Main St., legally described as all of Lot 5, 6, 7, 8, 9, 10 and 11, Block 44, Alamo Original Townsite for Griselda Garcia.

Mr. Bobby Salinas stated Prim's is located south of Central Park, this CUP was previously approved by the Planning & Zoning Board on 2/21/2018, however the business is now changing ownership which requires for the new renter to go through the CUP. He stated the Planning and Zoning Commission reviewed this at the meeting of July 18th and approved it and staff is recommending approval for 1-year subject to the waiver of the 300' separation requirement and provide uniform security for this business.

Commissioner Robert De La Garza motioned to approve the conditional use permit. Mayor Pro-Tem Pete Morales seconded the motion. Motion carried.

O. Consideration and action on a variance request to Title 10; Chapter 8; Section 10-8-2; to allow for an outdoor event center in a C-1 (Light Commercial) zone, physically located 737 E. Acacia Ave., legally described as Alamo Original Townsite, E28' Lot 4 & All Lot 5, Block 28 for Maria Martinez.

Mr. Bobby Salinas stated the site is located 250' east from 8th St. along the south side of Acacia, the applicant is proposing an open outdoor event center. He stated under the proposed use staff found that this use is not within the permitted use of a C-1 it's under a Commercial zone which is a heavier zone, we explained to the applicant that such uses were not normally found in a C-1 zone due to potentially loud music and late hours, things that would not be beneficial to the surrounding neighborhood and they still decided to apply for the variance. He stated Title 10 Zoning Regulations; Chapter 8 & 9, under the City's zoning code only the commercial zone allows for this type of business and again it's to keep these type of uses away from residential areas that could have a negative impact in the area. This property was previously used as a residential home; in fact, the current owner had purchased a permit to attempt to improve the existing home in order to

rent it out for rental income. He stated permitted uses for C-1 do not include any use that is similar to the proposed use and staff fears that this use would be detrimental to the existing residential neighborhood and would set a bad precedence on future zoning variances. Staff recommends denial due to the reasons stated above and we had our meeting with the Planning and Zoning Commission on July 18th and they voted to deny this item.

Commissioner Robert De La Garza asked Mr. Bobby Salinas were letters sent out and were there any complaints.

Mr. Bobby Salinas responded yes.

Commissioner Robert De La Garza asked Mr. Bobby Salinas were there any complaints.

Mr. Bobby Salinas responded I believe we didn't, no.

Commissioner Trino Medina stated he went to the site and if you looked at the picture it looks terrible and I talked to Ms. Martinez and she is claiming she would be fixing all that up, this is a light commercial property and I liked the ideas about maybe restricting the hours and possibly a wooden fence, just to give her an opportunity and allow it maybe for 1-year possibly. He stated I spoke to the neighbors and no one had any complaints and she is the neighbor to several of them and all of them were supportive of them in trying to do this business and the main thing would be to knocked down that ugly house that is there and put in a business that would be productive to our city and if we give them a year and get a lot of complaints then do something different.

Mayor Diana Martinez asked if Ms. Martinez was present.

Mr. Bobby Salinas responded yes.

Mayor Pro-Tem Pete Morales asked Mr. Bobby Salinas if he explained the noise ordinance policy that we have in the City to the applicant.

Mr. Bobby Salinas responded no, because I am recommending against this, but if it were to be approved then we would go through landscaping, parking, buffer requirements and regular business requirements.

Mayor Pro-Tem Pete Morales stated I just want them to know what they are applying for since we do have the noise ordinance and what is latest they are going to have the business and all that so they can have a better decision on what they want to do.

Mr. Bobby Salinas stated in gathering what they want to do, it's more like kid's parties and stuff like that and those are normally held during the day and it would be up to the commission to decide hours of operation if you would like to impose a certain time, you can do that.

Mayor Diana Martinez asked Ms. Martinez what is it that you want to do.

Ms. Martinez responded we want to demolish and build some restrooms a small outdoor kitchen and rent it out for piñata parties.

Commissioner Trino Medina stated I think this is something that is needed in our community and I hope that it goes well.

Mayor Pro-Tem Pete Morales stated just so you know there is a noise ordinance for 10:00 p.m. for the music and for the neighbors.

Commissioner Trino Medina motioned to approve the variance. Mr. Pete Morales seconded the motion. Motion carried. 4 to 1.

P. Consideration and action on proposed "Mezquite Moore Subdivision" being a 10.00-acre tract of land out of Lot 1, Block 30, Alamo Land and Sugar Company Subdivision. Developer: Ricardo Cazares, Engineer: Nain Engineering, LLC.

Mr. Bobby Salinas stated this area is 2,000' east of Tower Road along the south side of Moore, which is outside our city limits and within the city ETJ, it has 36 residential lots with potentially the first 2 lots adjacent to Moore Road being used as commercial. He stated the water and sewer

CCN belong to Military Highway Water Supply Co. and they are meeting or exceeding the city's minimum requirements for water and sewer. The developer is dedicating sufficient right of way that would be needed along Moore Rd. He stated he spoke to the county about the widening of Moore Road and they did ask for the city to be in charge of the escrow for the widening cost in that area and I also spoke to the owner and engineer and they are okay with that. In regards to the storm drainage they are proposing to dedicate an additional 30' of right of way along the drain ditch and they would be handling drainage for the subdivision, through the use of 24" and 18" reinforced concrete piping. He stated as far as other comments there a 5' sidewalks required along Moore Road at subdivision stage and they must comply with the street light and street name alignment policy, staff is recommending approval subject to the aforementioned items and meeting the county's model subdivision rules and any other county format findings that they might have. This was considered by the Planning and Zoning Commission on July 18, 2018 and they voted to approve.

Mayor Pro-Tem Pete Morales asked Mr. Bobby Salinas exactly where is that, I have been trying to figure this out.

Mr. Bobby Salinas responded east of the Plena Vista II, adjacent to the drainage ditch.


Mayor Diana Martinez motioned to approve the subdivision subject to staff's recommendations. Mr. Trino Medina seconded the motion. Motion carried.

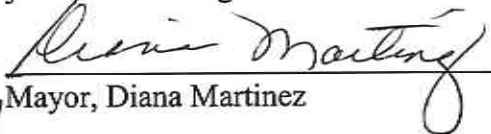
CITIZENS PARTICIPATION: Five minutes per person with no response from the City Commission, Residents must sign up prior to the City meeting.

Ms. Myra Benedetti my concern is with the track immediately north of the Wolverine High School for leisure or exercising health persons. I know that the City and Parks & Recreation and also the school participate in maintaining that area with the grass, brush and all that and many people take their pets and I was wondering if the city could participate in installing signs regarding picking up after your pet, because they do leave a messy area along the track and some areas are not well lit and we have come across a surprise and it's not a good site to have that kind of mess there, maybe some signage along the track, this is just something to take into consideration.

II. ADJOURNMENT: Mayor Diana Martinez adjourn the meeting.

ATTEST:


Luciano Ozuna, Jr., City Manager


Mayor, Diana Martinez

