

The Board of Commissioners for the City of Alamo, Texas met for the First Regular Meeting on Tuesday, March 6, 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

**COMMISSION ABSENT:**

Pilar Garza, Commissioner

**STAFF PRESENT:**

Luciano Ozuna, City Manager  
Rick Palacios, City Attorney  
Margot Salas, City Secretary  
Bobby Salinas, CPD Director  
Yvette Mendoza, Finance Director

Arnold Robles, Parks & Recreation Director  
Rafael Tapia, AEDC Director  
Acting Fire Chief Roy Contreras  
Ronnie Cruz, City Engineer  
Lieutenant Albert Caballero

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**I. CALL MEETING TO ORDER**

Mayor Diana Martinez called the first regular meeting held on Tuesday, March 6, 2018 to order at 7:00 p.m. at the City of Alamo Municipal Building. Mayor Diana Martinez led the Pledge of Allegiance and Pastor Tuttle led the Invocation.

**C. Presentation and Announcements.**

Gloria Espinosa formally introduced Miss Alamo 2018 Ms. Venessa Dias; Alamo Princess 2018 Lorie de los Santos; Alamo Dutchess 2018 Alexis Barrios; Alamo Ambassador 2018 Nora Cardin and in the audience was Ms. Alamo 2016, Ms. Ambassador 2017 Vivian Salazar.

Mayor Pro-tem Pete Morales asked for a moment of quiet for the Chief.

Vivian Salazar stated that when she was 16 years old she was diagnosed with Epilepsy, epilepsy is a neurological seizure disorder that affects many individuals around the world. She was left to be part of the Chelsea Hutchinson Foundation that focuses on helping individuals like her with services that they may need to provide a safe environment full of awareness. She stated that this September the foundation will be hosting their 10<sup>th</sup> annual Stomp out Epilepsy 5-K and about 15 other states are joining force with them this year. She stated that she is trying to organize the first ever stomp out Epilepsy here in Texas and host it in Alamo. She stated that with their permission this foundation will provide her with everything need, expenses, registration forms, volunteer forms, sponsor letters, 5-K t-shirts and finishing medals. She stated that if this does happen in Alamo, she is planning to passing out one raffle ticket to each register runner allowing them to enter a drawing to receive a gift card to shop in Alamo. She stated that any proceeds made will go back to the Chelsea Hutchinson foundation in order to donate individuals with a service dog or equipment that notify them when they are about to either to get a seizure and it alerts any family members individuals around them. She stated that it would be appreciate if

this great cause could start a new beginning in Alamo and grow as the years go by. She stated that the anticipated date is Saturday, September 15, 2018 at 8:00 a.m. at Central Park in Alamo. She stated that she spoke with Arnold Robles and he gave her the map certification and she also spoke with Steve Vela and they are all for it and they are helping her out with timers, and anything else that is needed.

Mayor Diana Martinez thanked Vivian for coming forward and presenting the 5-K Run on September 15. She asked Arnold Robles to work with Vivian so that the event could be successful the 1<sup>st</sup> year here in Alamo.

Mayor Pro-tem Pete Morales congratulated the Ladies Softball Team. He stated that this week they were at the Border Olympics in Laredo. He stated that they won the Silver bracket. They only lost to Edinburg which are ranked number eight in the state.

**D. Consideration and action to approve the minutes for the First Regular Meeting held on Tuesday, December 5, 2017.**

*Commissioner Pilar Garza motioned to approve the minutes for the First Regular Meeting held on Tuesday, December 5, 2017. Mayor Diana Martinez seconded the motion. Motion carried.*

**E. Consideration and action on an ordinance to amend the General Fund Budget for the Police Department to provide funding for cost reimbursement in the amount of \$11,698.50 for 30 bullet proof shooter kits.**

Ms. Melissa Gonzalez, Grant Writer, stated that this was a grant that was awarded from the Office of the Governor for the officers to get their shooter kits. It is a cost reimbursement grant so in order for the department to move forward to buy them and then get reimbursed, they need to move over some monies to their line item so they can actually do the process of buying them and then once we spend the money they will submit for reimbursement and it comes back to the general fund.

*Mayor Pro-tem Pete Morales motioned to approve the ordinance to amend the General Fund Budget for the Police Department to provide funding for cost reimbursement in the amount of \$11,698.50 for 30 bullet proof shooter kits. Mayor Diana Martinez seconded the motion. Motion carried.*

**F. Consideration and action on the inter-local agreement with Hidalgo County for improvements to Rancho Blanco Road from FM 907 east approximately 1300 linear feet.**

Mr. Bobby Salinas, CPD Director, stated that this was an inter-local agreement between Alamo and the Precinct #2. What they are trying to do is repair a little over 1300 feet from Alamo Road to the city limit line. They couldn't do work within the city limits unless they have this inter-local agreement. He stated that they are trying to repair that section of the road just south of Regency Acres where the city is currently do some water improvements as well.

Mayor Diana Martinez stated at no cost to the city.

Bobby Salinas stated that it would not be no cost to the city.

***Commissioner Robert de la Garza motioned to approve the inter-local agreement with Hidalgo for improvements to Rancho Blanco Road from FM 907 east approximately 1300 linear feet. Commissioner Pilar Garza seconded the motion. Motion carried.***

**G. Consideration and action to enter into an inter-local agreement with Harris County Department of Education for the purpose of contracting for the performance of governmental functions and services (cooperative purchasing).**

Bobby Salinas stated that they has a workshop on the 27<sup>th</sup> in regards to the possibility of getting a lettermen tent from Choice Partners. He stated that Harris County Department of Education is considered Choice Partner so this would be the inter-local agreement that they would enter in order for them for them to submit the city a letter of intent on what they would be able to do to be able to provide those water meters.

***Commissioner Robert de la Garza motioned to enter into an inter-local agreement with Harris County Department of Education for the purpose of contracting for the performance of governmental functions and services (cooperative purchasing). Mayor Pro-tem Pete Morales seconded the motion. Motion carried.***

**H. Presentation by Police Chief Baudelio Castillo on items he has implemented within the Police Department.**

Police Chief Baudelio Castillo stated that he's official 1<sup>st</sup> day as Police Chief was February 26<sup>th</sup>. He stated that he wants to bring them up to date as to what has been done, what has been changed in the police department in a week. He stated that he started with a mandatory meeting with all his personal staff, they were advise of his goals, his expectations and what direction he would be taking the department. He stated that he is also have a one on one meeting with each employee of the department, getting some feedback, what they like and what they don't like within the department and give their input. He stated that they started and have almost completed an inventory of all their equipment. He stated that he has reviewed all their personnel files with TCLEO, making sure they are in compliance, the TCLEO is the one that holds their peace officers license in the Stated of Texas. He stated that he talked with the Superintendent Dr. King and Mr. Palacios, he started a good working relation with the school district. He stated that he has an officer working on all campus providing security on their off duty and he received a call from Dr. King that effective March 19<sup>th</sup> the first Monday after spring break they will have a officer in each campus and they will be working off duty and be getting paid \$25.00 an hour. He stated that they are also working very closely with San Juan PD and the Sheriff's Office. Every other Saturday they are conducting, and looking at all the campuses, doing some layouts, training in case of a crises situations, they will be ready. They are preparing a plan of action. Having all the officers know the layout of every school. He stated that the created a major crime respond unit, which consist of three officers. These officers will be targeting the city's high crime area. He stated that they are expecting a good result with this. He stated that he has the officers training in the next two weeks with the DEA, they are saddling them with paper work,

confidential informant. He stated that he has meeting with the supervisors twice a week, every Tuesday and Thursday, the reason is to keep everybody up to date on what occurred the prior date or any concerns or questions that they may have and bring it to his attention. He stated that he has implemented a patrol change, they were working a ten hour shift, now they are going to be working eight hours shifts. The reason he did that, they will bring up the manpower in patrol, they had three officers on the road, now they will have six to seven per shift. He stated that they are looking to changing the colors of the patrol units as well, change the image of the police department, slowly but surely. He stated that every Saturday and Sunday they will have bicycle patrol at the Peter Piper, Palm Plaza, H.E.B and Walmart from 2:00 p.m. to 6:00 p.m. This will deter burglar of vehicles. He created a National Review Board for officers involved accidents with unit fleet. He stated that he will be sending an officer to get certified in internal affairs investigations. All internal cases will be investigated throughly. He stated that he opened up a Cold Case Unsolved Homicide since 2009, they will be looking into that case as well. He stated that he also opened up a missing Rifle from the department since 2013. He stated that they have a strong lead and an arrest will be made pretty soon on that case. He stated that he has meeting setup for the remainder of the week with FBI, DEA, US Customs, ATS and Homeland Security. He stated that his goal is to assign an officer for this taskforce which will bring forfeitures in seized items to the department. He stated that those are the items that he has worked on this past week.

Mayor Diana Martinez stated that she wanted to thank him for texting them on things that are happening with the city, like that young kid that went missing and the other stuff.

Commissioner Pilar Garza asked that in regards to the officer in every campus that Dr. King called him about, was that including the elementary campuses also.

Police Chief Baudelio Castillo stated that all seven campuses, they will be an officer in each campus. He stated that the has a great group at the police department, everybody has been very supportive and cooperative and very helpful with their resources. He stated that the planning of Chief Espinosa was done as a team effort and he want to recognize the department for their effort out there.

#### **I. Consideration and action regarding presentation on the Hidalgo County Small Town Economic Development Grant Program.**

Bobby Salinas stated that Nestor Lopez with the Economic Development Department from the County was present.

Mr. Nestor Lopez, Economic Development Department, stated that they have recently launched a program aimed to promote small businesses in the rural area of the County along with the smaller cities. He handed out some pamphlet. He stated that essentially the program is to promote small businesses and any businesses is able to apply as long as they reside within a community and a jurisdiction of less than 20,000 people. He stated that they don't have the exact data of the population of Alamo, it's around there but he talked to the County Judge and they are allowing Alamo to be part of this program. So in short this program is aimed to promote the businesses in the smaller community and the rural areas. Anybody is able to apply up to \$20,000.00 for the

first year. The money they are using is State Comptroller money, this money is to be used for economic development purposes, so we're using it for this. Since this money does fluctuate through out the year they are only committed to the pilot program. He stated that he didn't know whether they were familiar with the Ruby Red program from Mission but they mold it around that because that program had a lot of success. So in short any business is able to apply for this if it resides within Alamo or any other municipality within the County that small enough.

He stated that it's a process to apply for the first deadline is coming up on March 15 which is next Thursday and they have received some applications but they are trying to get the EDC and the Councils and try to promote this because essentially this money for the business and anybody is able to apply. They are trying to keep it as open as possible, they are not putting restrictions on the type of business, they are not putting up restrictions on pretty much anything. He stated that the committee that would be grading and deciding the granting of the grants, they're try to keep it non political, these are business expect through out the community, through UTRGV, past Ruby Red winners. They are trying to keep this non political. He stated that they have about a week and half left to apply. He stated that they don't require any action tonight but if there's any question he would be happy to answer them.

Mayor Pro-tem Pete Morales asked how often does this come up for people to apply for these grants.

Mr. Lopez stated that this was a pilot program and they are right in the beginning of it so this is the first, it's going to be a yearly thing so they are trying to push it now because once the process gets started, it's pretty much going to move forward. He stated that they are only committing for the first year but they do expect to be able to do this in a yearly basis.

Commissioner Trino Medina asked how many awards are they going to be awarding.

Mr. Lopez stated that they are trying to be less restricted as possible, they are looking at anywhere between three to six, it really depends on the applications that they get.

Commissioner Pilar Garza asked whether the applications were pretty long.

Mr. Lopez stated that it's a process, they are partner with UTRVG the small business center and part of it is, it's as application get narrow down to the final selection the owner of the businesses are going to attend UTRVG where they are going to classes that are usually a few hours long, one or two, where they are going to help them develop a business plan and try to make sure that these businesses are they are able to send.

Commissioner Pilar Garza asked whether it's like the Small Business Association does.

Mr. Lopez stated that he believes so.

Commissioner Pilar Garza asked whether there were no restrictions for who can apply.

Mr. Lopez stated that no there is no restriction to that. He stated that they have been working

closely with UTRGV because they did work with the Mission Program and they had a lot of success and a lot of people learned a lot through that program. He stated that is for existing or new business too so the business does not have to be up right now.

Mayor Pro-tem Pete Morales asked whether he had visited with Mr. Tapia the AEDC Director.

Mr. Lopez stated that he has talked to him. He stated that he will be leaving some pamphlets and his contact information is on there.

Commissioner Trino Medina suggested that he get together with Mr. Tapia and doing a workshop for the businesses.

Mr. Lopez stated that could be done.

Mayor Pro-tem Pete Morales asked Mr. Tapia if he could put it on the AEDC website.

Mr. Rafael Tapia, AEDC Director, stated that could be done.

Mr. Lopez stated that they are also working with LRGVDC.

Mayor Diana Martinez stated that no action was required for this item.

**J. Consideration and action on a conditional use permit for the sale and onsite consumption of alcohol at “Pizza Hut” located at 522 N. Alamo Road, legally described as McCreary Lot 1 thru 12, Block 1 for James Bodenstedt.**

Bobby Salinas, CPD Director, stated that this is located on Alamo Road north of Duranta, Pizza Hut. He stated that they are changing ownership so this is a CUP for the selling and consumption. He stated that there is no issues regarding parking or hours of operations. He stated that because it is a family orientation restaurant and it’s not going to be open after 11:00 p.m. He stated that since the sell of alcohol is not the primary item of purchase staff does not object to this proposal. He stated that they send notices 200 foot around the business and they did not receive any comments for or against this request. He stated that staff is recommending approval for one year subject to the waiver of the 300 foot separation. He stated that they did have a P & Z Commission Meeting on February 21<sup>st</sup> and it was unanimously approved.

*Commissioner Robert de la Garza motioned to approve the conditional use permit for the sale and onsite consumption of alcohol at “Pizza Hut” located at 522 N. Alamo Road, legally described as McCreary Lot 1 thru 12, Block 1 for James Bodenstedt. Mayor Pro-tem Pete Morales seconded the motion. Motion carried.*

**K. Consideration and action on a conditional use permit for the sale and onsite consumption of alcohol at “Prim Live Center”, physically located at 741 Main Street, legally described as all of Lots 5, 6, 7, 8, 9, 10 and 11, Block 44, Alamo Original Townsite of Alamo for Brenda Zuniga.**

Bobby Salinas stated that this is located 200' west of 7<sup>th</sup> Place along the south side of Main

Street. He stated that they did see this item last year in January and it was approved at that time.

The parking is on Main Street, their staffing at four, three waitress and one bartender, with security. The hours of operations is 6:00 p.m. to 2:00 a.m. He stated that they included the Police Department calls for services and in reviewing it, he didn't see any major concerns regarding the sell and on site consumption, there were more of things that did not deal with alcohol aspect of it. He stated that staff is recommending approval for one year with the waiver of the 300 foot separation requirement. He stated that they must provide the uniform security for the business. He stated that they had a Planning and Zoning Commission Meeting where it was also approved.

*Commissioner Trino Medina motioned to approve the conditional use permit for the sale and onsite consumption of alcohol at "Prim Live Center", physically located at 741 Main Street, legally described as all of Lots 5, 6, 7, 8, 9, 10 and 11, Block 44, Alamo Original Townsite of Alamo for Brenda Zuniga. Commissioner Robert de la Garza seconded the motion. Motion carried.*

**L. Consideration and action on a conditional use permit for the sale and onsite consumption of alcohol at "Prim Live Center", physically located at 739 Main Street, legally described as all of Lots 5, 6, 7, 8, 9, 10 and 11, Block 44, Alamo Original Townsite of Alamo for Brenda Zuniga.**

Bobby Salinas stated that basically this is the same thing, the one they saw before was really for this section, this is for the additional event center side. He stated that basically it's the same recommendation as the previous one.

*Commissioner Pilar Garza motioned to approve the conditional use permit for the sale and onsite consumption of alcohol at "Prim Live Center", physically located at 739 Main Street, legally described as all of Lots 5, 6, 7, 8, 9, 10 and 11, Block 44, Alamo Original Townsite of Alamo for Brenda Zuniga. Commissioner Trino Medina seconded the motion. Motion carried.*

**M. Consideration and action on a variance to allow a 5' side setback instead of the 10' side setback required by plat, physically located at 1320 Royal Palm Street, legally described at Lot 44 Widen Subdivision for Felix Hernandez.**

Bobby Salinas stated that this property is location 630' west of 13<sup>th</sup> Street along the north side of Royal Palm Street. He stated that during the process of construction, they submitted a survey to USDA where they were proposing a 10' side setback and a 5' side setback, the 10' is required because they have a utility easement on this site. When the sites were submitted they had actually shifted the home so when they did the final inspection and the final survey the home was shifted to have a 5' side setback on the west side and a little of 10' on the east side. He stated that they have a 5' encroachment into the 5' utility easement. He stated that there is 25' alley on the west side and on the north side. He stated that what he did was he called a surveyor so they could mark the utilities. He stated that because they have a large 25' alley he doesn't foresee them ever utilizing or needing the 10' utility easement. He stated that at this time he would recommend approval to allow the 5' variance but he would like to come back before the Commission with an abandonment of this particular easement that's recorded. He stated that he

would like to remove it from there because he doesn't foresee them needed it or having all that additional right-of-way on the west of the property. That way, the owners do not have to worry about the easement on the future.

Rick Palacios, City Attorney, stated that at this time he is just asking for the variance.

Bobby Salinas stated that he is just asking for the variance, and at the next meeting he would propose an abandonment.

***Mayor Pro-tem Pete Morales motioned to approve the variance to allow a 5' side setback instead of the 10' side setback required by plat, physically located at 1320 Royal Palm Street, legally described at Lot 44 Widen Subdivision for Felix Hernandez. Commissioner Trino Medina seconded the motion. Motion carried.***

## **ADDENDUM TO THE AGENDA**

*Rick Palacios, City Attorney, stated that he would like for the City Secretary come forth because this is an addendum and she could certify on the record and to the Commission that this item was posted Friday, March 2 before 5:00 p.m.*

*Margot Salas, City Secretary, stated that for the record, this item was brought to her after the packets had already left so she had to do an addendum and it was posted on Friday, March 2<sup>nd</sup> at 5:00 p.m.*

***N. Consideration and action on approving a resolution authorizing the City Manager as the authorized official for the Local Border Star grant application being submitted through the Office of the Governor.***

Melissa Gonzalez, Grant Writer, stated that in order for them to get the application submitted through the Office of the Governor they need to have a resolution authorizing the City Manager which they have done on all the other ones. She stated that she would like to have this resolution approved. She did meet with the Police Chief and they will be requesting \$73,000.00 for overtime for the police officers and there is not match for this grant.

***Commissioner Robert de la Garza motioned to approve the resolution authorizing the City Manager as the authorized official for the Local Border Star grant application being submitted through the Office of the Governor. Commissioner Trino Medina seconded the motion. Motion carried.***

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

Joe Eufrazio stated that on Channel 5 there was a story regarding a towing incident in Alamo. He stated that there was an elderly gentleman that was involved in an accident that the vehicle was towed to the towing yard here locally. The next day the gentleman went to pick it up which was three blocks away from his home. At the end of the day, he was charged \$1099.00 to tow his car to his house. He stated that he doesn't know the gentleman, he doesn't know anybody with a towing company, he just thinks it's very unfair and he thinks that they need to, he humbly recommend that they revisit the city ordinance regarding towing fees. He stated that he went to the website that informs, this is the Texas Department of License Regulations, it informs about towing regulations within the State of Texas and just by reading the regulations the State recommends \$255.00 for each tow and it doesn't specify that it's up to the city, where the towing company operates to make their own suggestions as to how much to charge. He stated that this particular company, he went into their website, they don't have a website, they advertise on social media, and this particular company advertises a towing starting at \$45.00 in the City of Alamo. This is what they tell people, if you require their services, they will charge you \$45.00 and up. He stated that in looking at the news story the breakdown of the fees they charged this gentleman \$350.00 to go to the incident. He stated that this was a situation that happen where it's called a incident management tow where the city ordinance requires that the police department summon the towing company, in this case to a traffic accident and pick up the vehicle. The States recommends, or allows, it's says allow, \$250 for each tow for a light weight vehicles, light weight vehicles being, like in this case a small passenger car. He stated that \$350.00 was charged to this gentleman for towing the car; \$350.00 was the hoop up and \$250.00 was charged for cleanup, he's not sure what the clean up was, but all in all this gentleman ended up paying \$1099.00. He stated that when they are in a situation they are looking for each other. He commended Mayor Pro-tem Pete Morales for recognizing the late Police Chief, he inspired a lot of people to help out the community, especially the senior citizens. He stated that when they are looking at situation where these business in the community that, in his opinion, are not fair to the citizen, they have to take another look at it, they have to revisit it and say, is this fair or not. They are all in support of the businesses but when they look at a situation like this they kind of have to go back and think, is this ok and if it's not ok then lets take another look at it. Another thing, the State allows the vehicle storage facility to collect \$35.00 per day and if you look at their storage fees for that particular company, they are way above that so they need to look at that. Again, he is not complaining, he just wants to ask them as Commission to revisit this ordinance and making necessary fair adjustments to this.

Mayor Diana Martinez asked Bobby Salinas to get together with the Police Chief and look at the ordinance.

Commissioner Trino Medina stated that it's important that they look at that but also the ambulances because he had a personal family member taken to the hospital and they charged them \$3,000.00 for that, his insurance didn't pay for that so he had to pay out of pocket. He stated that some how, like Mr. Eufrazio said, how these businesses accountable and if they are

not willing to deal with our citizens then we need to not allow do businesses in Alamo. So if you can look into that.

**ADJOURNMENT**

Mayor Diana Martinez adjourned the meeting.

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Mayor Diana Martinez

**ATTEST:**

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Margot Salas, City Secretary