

The Board of Commissioners for the City of Alamo, Texas met for the First Regular Meeting on Tuesday, May 1, 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

COMMISSION ABSENT:

STAFF PRESENT:

Luciano Ozuna, City Manager
Rick Palacios, City Attorney
Margot Salas, City Secretary
Bobby Salinas, CPD Director
Yvette Mendoza, Finance Director
Melissa Gonzalez, Grant Writer
Alicia Cano, Human Resource
Melissa Rodriguez, Purchasing Agent
Lorie Solis, Library Director

Arnold Robles, Parks & Recreation Director
Rafael Tapia, AEDC Director
Julio Villarreal, Public Works Director
Ronnie Cruz, City Engineer
Police Chief Baudilio Castillo
Alejandro Oyoque, Museum Curator
Michael Torres, IT Director
Fire Chief Roy Contreras
Judge Celia Garcia

I. CALL MEETING TO ORDER

Mayor Diana Martinez called the first regular meeting held on Tuesday, May 1, 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 announcement.

Melissa Gonzalez stated that they had a clean up on the April 21st was very successful. She reminded everybody that the watermelon festival will be on Saturday, May 12th.

Mayor Diana Martinez announced that Peter Piper will be closing for remodeling June 17th and will not open until June 9th. She also announced that over 15 and a half year she was a member of the MPO and she attended the MPO and she fought for North Alamo Road to be construction with the help of Andrew Canon. She stated that last week she out that since she has been replaced by a Commission, they have not been attending the meetings. She stated that it's important for them to attend the meeting because it shows representation from the City and if they every need anything they will assist them.

Commissioner Trino Medina asked whether this was an announcement.

Mayor Diana Martinez stated that it was an announcement.

Commissioner Trino Medina stated that it was not announcement.

Mayor Diana Martinez stated that it is an announcement because they have til May 7th to attend the meeting if not they are going to lose their voting rights.

Commissioner Trino Medina stated that the alternate has been attending.

Mayor Pro-tem Pete Morales recognized the PSJA Lady Wolverines, this past week they had a softball game against Harlingen South, unfortunately the girls lost but all the Alamo kids are winners, and just for them to get to the playoffs it's a great thing. He commended every single one of the young lady wolverines.

Father Rene Angel announced the Chalupa Bingo on Saturday.

Herb Moering thanked the Commission for the proclamation regarding National Postcard Week. He stated that some will be in display at the Museum. He read the proclamation out loud.

D. Presentation of the Citizen of the Month for May 2018.

Ms. Enriqueta Espinoza was presented with Citizen of the Month for May 2018.

E. Consideration and action regarding a proclamation proclaiming May as “Motorcycle Safety Awareness Month”.

Andrew Cano and Gloria Banda were present to receive the proclamation proclaiming May as “Motorcycle Safety Awareness Month”. Gloria Banda read the proclamation out loud.

Mayor Diana Martinez motioned to approve the proclamation proclaiming May as “Motorcycle Safety Awareness Month”. Commissioner Robert de la Garza seconded the motion. Motion carried.

F. Consideration and action to approve the minutes for the second regular meeting held on Tuesday, March 6, 2018.

Mayor Pro-tem Pete Morales stated that he had a correction on page 1, where it states: A moment of silent for Chief Espinosa.

Commissioner Robert de la Garza motioned to approve the minutes for the second regular meeting held on Tuesday, March 6, 2018 with the correction. Commissioner Pilar Garza seconded the motion. Motion carried.

G. Consideration and action to approve the minutes of the regular meeting held on Tuesday, April 17, 2018.

Commissioner Robert de la Garza motioned to approve the minutes of the regular meeting held on Tuesday, April 17, 2018. Mayor Pro-tem Pete Morales seconded the motion. Motion carried.

H. Consideration and action to allow for a beer garden at the 2018 Watermelon Festival.

Commissioner Robert de la Garza motioned to approve to allow for a beer garden at the 2018 Watermelon Festival. Mayor Pro-tem Pete Morales seconded the motion. Motion carried.

I. Consideration and action regarding the development of a Youth Center for the City of Alamo.

Mayor Diana Martinez motioned to approve the development of a Youth Center for the City of Alamo as presented at the workshop. Mayor Pro-tem Pete Morales seconded the motion. Motion carried.

J. Consideration and action to update the Park Master Plan for the City of Alamo.

Mr. Luciano Ozuna, City Manager, stated that at the conference at the Island, Mr. Hogstad from the Texas Parks & Wildlife mentioned that there was going to be some funding available for parks, not only for outdoor recreation but also indoor recreation. He stated that they have been working with the school district to build an inside Olympic size swimming pool at the sports complex. He stated that this would be an ideal time to prepare a park master plan to get ready to submit the application to the Texas Parks & Wildlife which is due on October 1st. He stated that this was just a step for the city towards the preparation of the application and submitting it. However, with the park master plan they will have a better change because it will give them more points. He stated that the monies that is there from Texas Parks & Wildlife is a competitive type funding where you have to get as many points as you can in order to rank high. Alamo has always been very successful in obtaining grants like for the Alamo Nature Park, the Sports

Complex and other projects that they've held because they submitted the application and the City of Alamo has been first on the list, if not first, second, third or fourth in the funding range. He stated that they only fund about five of six applications through out the State and then there's no more monies so nobody else gets funding. He stated that he would Minutes for May 1, 2018
Page 3

like to request from the City Commission that they update the city's park master park plan.

Mayor Pro-tem Pete Morales motioned to approve to update the Park Master Plan for the City of Alamo. Mayor Diana Martinez seconded the motion. Motion carried.

Mayor Pro-tem Pete Morales asked Mr. Ozuna whether at the next meeting they could have a meeting with the school district in regards to what they were talking about, the indoor pool.

Mr. Ozuna asked whether a joint meeting with the school board.

Mayor Pro-tem Pete Morales answered yes so they could get some information.

Mayor Diana Martinez stated that maybe a presentation from the Superintendent.

Mr. Ozuna stated that a presentation by the Superintendent, he would ask.

K. Consideration and action to enter into a contract with Carlos Colina-Vargas and Associates to prepare the update to the Park Master Plan for the City of Alamo.

Mr. Ozuna stated that every time that the city submitted an application they updated their park master plan and the person responsible to prepare that park master plan is Mr. Carlos Colina-Vargas & Associates who are present. He stated that Mr. Carlos Colina-Vargas is the reason that the city has been successful in that part because of his years of experience in preparing the application.

Mr. Carlos Colina-Vargas, stated that they submitted a proposal to prepare the updating. He stated that they explained that it's a review from a previous park master plan but it's a complete. He stated that it's called updating but it has to cover all the elements that Parks & Wildlife requires to make the report valid, Park Master Plan. He stated that the intention is to update the needs, to bring the study, this is not a map, this is not a drawing, it's a book to address the current needs and the priorities. He stated that there is funding for other recreations to the extent of \$500,000.00. He stated that his year the State will have funding for indoor recreation as much as \$750,000.00 for activities that are indoor facilities. An aquatic center is eligible for indoor recreation. All those kind of activities for the recreation of the youth, seniors and even educational facilities in conjunction with the school. He stated that he included in the proposal the list of services that they are offering to conduct. The activities to complete the Park Master Plan and submitted. It has to be submitted no later than the end of July to be considered for the application round that starts October 1st.

Mayor Diana Martinez stated that he has done great work in the past with the Nature Park and the other projects that they have had here in the city. He commended Carlos Colina-Vargas.

Commissioner Trino Medina asked whether there is a cost on this because he didn't see a cost.

Mr. Ozuna stated that it's on the proposal under section, Proposed Compensation, Page 3, at a cost of \$20,000.00 to prepare with a \$5,000.00 retainer.

Mayor Pro-tem Pete Morales motioned to approve to enter into a contract with Carlos Colina-Vargas and Associates to prepare the update to the Park Master Plan for the City of Alamo. Commissioner Pilar Garza seconded the motion. Motion carried.

L. Consideration and action to submit an application to the 2017 Operation Stonegarden Homeland Security Grants Divisions of the Governor's Office.

Melissa Gonzalez, Grant Writer, stated that this is part of the application process. They have been awarded \$70,000.00 already for this grant so submitting the application is just part of the paperwork required. She stated that \$70,000.00 will be for overtime to specialty vehicles from

DPS and some fuel, all for the Police Department. She stated no match required.

Commissioner Trino Medina motioned to approve to submit an application to the 2017 Operation Stonegarden Homeland Security Grants Divisions of the Governor's Office. Mayor Pro-tem Pete Morales seconded the motion. Motion carried.

Minutes for May 1, 2018

Page 4

M. Consideration and action to create four (4) sergeant positions for the Alamo Police Department.

Police Chief Baudilio Castillo stated that he is requesting approval for four positions for sergeants for the Alamo Police Department. Three of those positions are Corporals, he eliminated the Corporals from the organization chart and the he would only be promoting just one sergeant from patrol officer position. He stated that, that extra Sergeant is very much needed. He changed their patrol procedures so they currently have four patrol shifts. He stated that he is lacking on supervisor, one Sergeant for one of the shift. He stated that is the reason they were able to pick up their manpower on the road by having all the officers working of the same shift. And on the relief shift that he implemented they have a senior officer. He stated that they have had some incidents in the past couple of weeks where some disciple had to take place in reference to not making the proper decision out on the field. He stated that is one of the reason he is recommending that the fourth Sergeant to be approved.

Mayor Diana Martinez asked the Chief whether he had promoted these people back in March.

Police Chief Castillo answered yes.

Mayor Diana Martinez stated that it is now being brought before them for approval.

Police Chief Castillo stated that there was no change in salary it was just a change in rank. The officers are aware, they signed a consent form, knowing that there was not going to be any change in salary until he proposes an actual salary proposal change for over the whole police department.

Mayor Diana Martinez asked whether everybody was given the same opportunity. She asked whether he interviewed the patrolman to make the decision.

Police Chief Castillo stated that he has not selected him yet.

Mayor Diana Martinez stated what about the people are on the list.

Police Chief Castillo stated that they are Corporals, he did away with the Corporal position and just gave them the rank of Sergeant, same salary, same responsibility.

Mayor Pro-tem Pete Morales stated that is a good thing because it brings up moral within the police department, title does help out with the police officers.

Police Chief Castillo stated that the moral is very high currently at the police department.

Mr. Ozuna stated that on the information that he handed them, as the police chief mention there is not increase in salary at this point in time. He stated that they just wanted to make sure and they are working with the attorney to draw up an agreement that they understand that there will not be an increase in their salary until a later date, possible with the new budget. He stated that on the first page of the information that he gave them, they can see that the chief is recommending \$19.75 an hour for these new sergeants, which will be compatible to the other cities such as San Juan, Hidalgo, Palmview, Mercedes, Donna and those are the smaller cities. He stated that on the second page, what he did was a budget as to what this means to those officers that are going to be promoted. For example, right now they have, in that page is the salary of each of the people that he mentions there and of course the new position that he is also wanting, for a total of four. He stated that they can see the base salary and they can see the

seniority pay for two of those officers add up and of course their salary with the certifications and the seniority amounts to \$42,616.00. He stated that the other two don't have certification pay because they have not been here that long, the new position he doesn't know who is at this time considering but he is also at \$27,289.00 there is a big difference. He stated that then they have the two sergeants that are on duty right now, their base salary is \$39,000.00 and the other one is \$38,800.00 and then you have the certification pay and the seniority pay and their salary is \$48,252.80 for one and \$45,254.00 for the other one. He stated that on the next page they can see the new rate, the new rate at \$19.75 for each of the new positions will bring their base salary

Minutes for May 1, 2018
Page 5

up to \$41,080.00. He stated that at \$19.75 they can see the new base rate, and then the certification and then their annual salary for each one of those which some of them, or those that are earning \$27,000.00 are going to up about \$13,000.00 each and that's a big disparity. He stated that if this was to happen, not until October 1st as he is saying, then the new salary for these four people, they would have to make appropriation in the amount of about \$54,544.00 that would be the yearly expense. He stated that the reason he brings this to their attention is that all these positions, all these promotions and the newly created position is going to take a toll in the budget. He stated that if they look at the last page, those were the four position that were approved at the last time, for a total amount of \$154,000.00. And then these new promotions, it's another \$54,000.00 so they are looking at over \$200,000.00 in new positions and new monies that the City Commission is going to have to have appropriations during the budget. He stated that at this rate they are looking at about 5 cents tax rate increase to cover those positions if they are not going to cover it under the fund balance. Remember that the more you take off from the fund balance the lesser you'll have in reserve. He stated that there are other, for example, the youth center, they are going to need about \$110,000.00 there which is going to be taken out of the fund balance. And then, if there is no new monies, if there is no new taxes, then they have the relocation of the lines on North Alamo Road, another half of million so now they are getting close to million, that the fund balance is going to be affected. And that's not taking in to consideration the salary increases that the Police Chief wants to recommend for all his officers for the new budget year and of course if the city commission is going to also consider salary increases for the city employees for the rest of them. He stated that they do not know where they will be at, they are going to have to work on the budget to find and to see how they are going to decrease services, increase taxes or just deplete the fund balance.

Commissioner Trino Medina stated that the Police Chief has been working very hard with the different entities and task force. He stated that he has faith in him that he is going to bring in money from that as he has already proven. He stated that in talking to several of these sergeant that have been promoted, all of the officers risk their lives, but these new ones are risking their lives even more now with these task forces that they are becoming a part of. He stated that he is hoping, they still have until October 1st, to give him an opportunity to show them that he can raise all this money through these different task force that these sergeants are going to be involved with. He stated that in talking to them, they are risking their lives everyday in these task forces. He stated that this is beyond what regular policemen do so they all have families, they are protecting Alamo and they are bringing money for Alamo so not only get paid more but get more money so all the officers can get paid more so they can have more police cars, so they can have better equipment, better guns, that sort of things. He stated that before the get ahead of themselves and start saying they can not afford all this, they still have until October 1st, he's giving them till then. They should give him the benefit of doubt and see how much money he can bring in with these task forces. In talking with these individuals, like Commissioner Morales was saying the moral is tremendous in the police force and these sergeants are very excited in stopping drug in the city and helping the city out in so many ways. He stated that he wanted to say congratulations to Chief Castillo on everything he is doing so far. He stated that he has been impressed and so has the community.

Police Chief Castillo stated that the \$19.75 is not in stone, right now he is just asking for approval on the positions. He stated that if they don't have the funds in October which he very much doubt it, their forfeitures are kicking in, they are seizing \$2,000.00 weekly. He stated that their Homeland Security Officer just seized \$70,000.00 last weekend so the money will be coming in on their forfeiture funds. He stated that all he is asking is their support in allowing

him to have those sergeants to continue operating on a daily basis for the community and the citizens of Alamo.

Mayor Diana Martinez thanked Mr. Ozuna for giving the City Commission this information because Yvette and yourself work on the budget and know what expenses need to be paid. She stated that if it's only to approve those positions and no salary increase.

Commissioner Robert de la Garza stated that even if they were to approve the position, they could run into risk of maybe one of those employees coming back and saying that he did not get his salary or whatever. He stated that maybe, you're doing a great job but at this point you're getting ahead of the game and promising positions even before you approach the City Commission so he thinks, Minutes for May 1, 2018

Page 6

more than anything they could wait to the budget cycle and address these positions at the budget cycle.

Police Chief Castillo stated that he did run it through the City Attorney and they were ok with it. The officers did sign a release of liability and they have knowledge and understand that the only thing that is being change is the rant and not their salary.

Rick Palacios, City Attorney, stated that he did get an opportunity to review the document and the document does say that there is an acknowledgment, if they were to consider the change in rank that they will not be getting any additional pay for that. He stated that it is signed by them and also signed by the department head, the Police Chief. He stated that it does not have anything whatsoever regarding a future, possibility of even any increase of pay at this time. He stated that although the Chief has mentioned that something that he would like to do in the next six months or during budget time about reorganizing or come to the Commission for new salary increases, the document that was signed between potential, these individuals that are getting the sergeant positions, there's no acknowledgment about that, there's nothing about that. So obviously they have all these concerns too about whether or not they can come back or not but it seems that the document is pretty straight forward, acknowledging that they are not getting any increase in pay at this time.

Mr. Ozuna stated that he would like to mention before they go on, don't get him wrong, he's not trying to throw a monkey wrench at the success that the Police Chief has had, he has had a great success in the last four months, five months, he's doing a fantastic job but what brought out was so the Commission could be aware of what the expenses are.

Police Chief Castillo stated that he understood.

Mr. Ozuna stated that before selecting people, before creating position, before doing away with positions it's customary of the City Commission in the past to approve these things before they happened. He stated that he has two other officers that the school district wants for two schools which was a memo that he gave him which is fine, at the next meeting he should put it on the agenda to discuss those and see what type of cost it will be for the city while the school is not going on because he wants to bring them on in June 1st. He stated that those two has to come to the City Commission because there has to be a contract between the school and the city, that they are going to be having additional officers at additional school like the one they have at the high school, they have a contract on that so that needs to happen, you have to get a contract from the Superintendent.

Police Chief Castillo stated that he spoke with the Superintendent and that's the reason he brought it to your attention because the contract will be ready by next week.

Mr. Ozuna stated that the soon he get's it the sooner they can do it.

Commissioner Trino Medina motioned to approve to create four (4) sergeant positions for the Alamo Police Department. Commissioner Pilar Garza seconded the motion. Mayor Diana Martinez and Commissioner Robert de la Garza opposed. Motion carried.

N. Consideration and action to appoint members to the Fernando de la Rosa Memorial Library Board.

Commissioner Trino Medina motioned to appoint Ms. Rosie Alaniz, Ms. Dora Rodriguez, Mr. Jose Castillejas, Ms. Idolina Vela, Ms. Mary Cardin, Ms. Diana Casarez and Ms. Nellie Medina to the new Library Board. Mayor Pro-tem Pete Morales seconded the motion. Mayor Diana Martinez and Commissioner Pilar Garza opposed. Motion carried.

O. Consideration and action to appoint members to the Building Standards Committee.

Commissioner Trino Medina asked Mr. Ozuna whether they all have to appoint one.

Minutes for May 1, 2018

Page 7

Mr. Ozuna stated that they all appoint one member.

Commissioner Trino Medina appointed Eleazar Escobedo.

Mayor Pro-tem Pete Morales appointed Becky Trujillo.

Mayor Diana Martinez appointed Patricio Cruz.

Robert de la Garza appointed Omar Guerra.

Commissioner Pilar Garza appointed Roy Gomez.

Mayor Diana Martinez mentioned that they got to appoint somebody.

Mayor Pro-tem Pete Morales stated whether that was necessary. He stated that was unprofessional.

Mayor Diana Martinez stated that it's been approved. Motion carried.

P. Consideration and Action on a variance to Title 11-Subdivision Regulations, physically located at 237 E. Bus Hwy 83, legally described as the North three (3) acres of the West five (5) acres of the East (10) acres of the West 18.34 acres of Lot 16, Block 38, Alamo Land and Sugar Company's Subdivision for Alberto Cazares.

Bobby Salinas, Community Planning & Development Director, stated that the property is located 2,400' west of Border Road along the south side of Business 83. The subject site measures 165' x 792' with access to Business 83. The property is currently empty. The applicant is proposing to provide like a commercial parking for eighteen wheelers. When he was asking questions regarding the property they informed him that the subdivision was not subdivided and had to go through the process. Section 11-2-1(B) of the Subdivision Code states that, "No building permit shall be issued by the city for any structure for which a final plat has not been approved and filed for record. So normally this goes through subdivision, there's an engineering plat, there's a survey, dedication of right-of-way, dedication of utility easement, sanitary sewer installed and water district exclusion are just some of the items that they would go through. He stated that they did have a similar application for a variance back in 2015, it was just east of this particular property for a car lot to be placed on that property. That particular variance was approved subject to the right-of-way acquisition and the easement dedication and also the installation of the outside sewer facilities or septic tank system. He stated that if the Commission wishes to approve the variance he recommends subject to the right of way dedication and the utility easement dedication, water district exclusion and allow for the installation of a septic tank. He stated that staff is recommending denial on this item. The Planning and Zoning had a meeting on April 18th and they approved the variance proposal.

Mayor Diana Martinez asked whether the gentleman is award of what he needs to do.

Bobby Salinas stated that the owner is award and he will get together with him.

Mayor Pro-tem Pete Morales motioned to approve the variance to Title 11-Subdivision Regulations, physically located at 237 E. Bus Hwy 83, legally described as the North three (3) acres of the West five (5) acres of the East (10) acres of the West 18.34 acres of Lot 16, Block 38, Alamo Land and Sugar Company's Subdivision for Alberto Cazares. Commissioner Trino Medina seconded the motion. Motion carried.

Q. Consideration and Action on a variance to allow for a 6' front setback instead of the 25' front setback required by code, physically located at 412 Alma Ave., legally described as Lot 14, Alma-Delia Subdivision for Hermelinda Garcia.

Bobby Salinas stated that this property is located 800' south of Duranta Road along the east side of Alma Avenue. The applicant wishes to build a 16' X 32' open carport along the front of the exiting home and as stated there is a 25' minimum front setback requirement. He stated that basically on this Minutes for May 1, 2018

Page 8

particular item they did go out to the neighborhood and there are a few existing that are within the 25' front setback and based on previous variance that they have taken through this Commission they do not object to the variance request. He stated that they met with the Planning & Zoning Commission where this particular item was approved unanimously.

Commissioner Trino Medina motioned to approve a variance to allow for a 6' front setback instead of the 25' front setback required by code, physically located at 412 Alma Ave., legally described as Lot 14, Alma-Delia Subdivision for Hermelinda Garcia. Mayor Pro-tem Pete Morales seconded the motion. Motion carried.

R. Consideration and Action on a variance to allow for a 9' 2" front setback instead of the 25' front setback required by code and a 3' 6" side corner setback instead of the 10' side corner setback required by code physically located at 540 E. Bowie Ave., legally described Lot 21, Block 49, Alamo Original Townsite for San Juanita Sanchez

Bobby Salinas stated that the property is located on the northeast corner of Bowie Street and 6th Street. The applicant is proposing to build a 24' X 24' open carport along the front of the existing home and as mentioned there is a 25' front and 10' side corner requirement. He stated that the existing home has a 3'6" side corner setback and they want to match the alignment of the home. If he carport were to be built at the home's existing alignment, it would still be 34' from the paved portion of 6th Street and approximately 25' from the paved portion of Bowie Street. He stated that the Original Townsite has very large right-of-ways so they have the luxury of additional right-of-way where these are not going to be an issue with traffic as it would be with new subdivision.

Commissioner Robert de la Garza motioned to approve a variance to allow for a 9' 2" front setback instead of the 25' front setback required by code and a 3' 6" side corner setback instead of the 10' side corner setback required by code physically located at 540 E. Bowie Ave., legally described Lot 21, Block 49, Alamo Original Townsite for San Juanita Sanchez. Mayor Pro-tem Pete Morales seconded the motion. Motion carried.

CITIZEN PARTICIPATION:

EXECUTIVE SESSION:

- 1. Pursuant to Texas Government Code, §551.071 Consultation with Attorney; Closed Meeting, discussion and possible action regarding SOAH Docket No. 582-18-0505; TCEQ Docket No. 2017-1156-MWD; Permit No. WQ00123633001; City of Alamo's Renewal Permit Application for Texas Pollutant Discharge for Waste Water Treatment Plant.**

No action required as per city attorney.

ADJOURNMENT

Mayor Diana Martinez adjourned the meeting.

Mayor Diana Martinez

ATTEST:

Margot Salas, City Secretary