

The Board of Commissioners for the City of Alamo, Texas met for the First Regular Meeting on Thursday, March 17, 2020 at 7:00 p.m., at the City of Alamo Municipal Building.

**COMMISSION PRESENT:**

Mayor Diana Martinez  
Robert De La Garza, Mayor Pro-Tem  
Pete Morales, Commissioner  
Okie Salinas, Commissioner  
Pilar Garza, Commissioner

**COMMISSION ABSENT:**

**STAFF PRESENT:**

Robert L. Salinas, City Manager  
Cris Palacios, City Attorney  
Alexandra Rangel, City Secretary  
Richard Ozuna, Police Chief  
Alex Oyoque Museum Director  
Rafael Tapia, AEDC Director

Melisa Gonzales, Special Projects  
Roy Contreras, Fire Chief

**I. CALL MEETING TO ORDER**

*Mayor Diana Martinez called the first regular meeting held on Tuesday, March 17, 2020 to order at 7:00 p.m. at the City of Alamo Municipal Building. Mayor Diana Martinez led the Pledge of Allegiance and Melisa Gonzales led the Invocation.*

**C. Presentations and Announcements**

*Mayor Diana Martinez introduced the new Chief of Police Ricardo Ozuna*

*Chief of Police Ricardo Ozuna introduced himself and stated he is here for the community  
Mayor Diana Martinez reminded the public to sign up for public comment*

**D. Consideration and action to approve the minutes for the first regular meeting of March 03, 2020.**

*Mayor Pro-Tem Robert De La Garza motioned to approve, and Commissioner Pilar Garza seconded. Motion carried.*

**E. Consideration and action regarding a proclamation proclaiming "April 2020 as Census Response Month"**

*Special Projects Director Melisa Gonzales read the proclamation proclaiming "April 2020 as Census Response Month"*

*Mayor Pro-Tem Robert De La Garza motioned to approve, and Commissioner Pilar Garza seconded. Motion carried.*

**F. Consideration and action on approving resolution authorizing City Manager as the Authorized Official Representative and the submission of the grant application for the Alamo APD 2020 Local Border Security Grant through the Homeland Security Grants Division of the Governor's Office**

*Special Projects Director Melisa Gonzales stated they have submitted a grant, it's a continuation for Border Star. The grant was submitted for \$75,167.40, however there is no guarantee the state will give that amount. Last year we submitted the same amount and only got awarded \$35,000.*

*Commissioner Pete Morales motioned to approve, and Mayor Pro-Tern Robert De La Garza seconded. Motion carried*

*City Manager Robert Salinas asked to clarify the \$75,167.40*

*Special Projects Director Melisa Gonzales responded it's/or overtime and fuel*

**G. Consideration and action on an ordinance setting the speed limit from Nolana Loop (Earling Rd.) to IH 2/ Expressway 83 on FM907.**

*City Manager Robert Salinas stated TXDoT has asked to approve an ordinance to set the speed limit. Beginning at IH-2 (Expressway 83) to south of 495, the maximum speed limit shall be 40*

*miles per hour, there is a school and will be 25 miles per hour from south of Sioux Rd continuing north to Alamo City Limits at Eldora Rd., the maximum speed limit shall be 45 miles per hour; and from Eldora Rd. to Earling Rd. (Nolana Loop) the maximum speed limit shall be 50 miles per hour.*

*Mayor Diana Martinez stated she reached out to the engineer and asked if the speed limit can be lowered to 35mph and he responded no because, they have already done a study.*

*Commissioner Pete Morales stated his concern is regarding this speed limit change is in front of the Elementary School, from 20mph to 25 mph.*

*City Manager Robert Salinas responded, because of the speed survey it locks us down to those speed limits.*

*Mayor Diana Martinez stated, we tried lowering the limit but the state would not budge*

*Mayor Pro-Tern Robert De La Garza motioned to approve, and Commissioner Pete Morales seconded. Motion carried*

**H. Consideration and action on a Waterline Access Agreement with North Alamo Water Supply Corporation for RTE Investments, LLC- Quality Heavy Subdivision.**

*City Manager Robert Salinas stated this agreement allows us to connect the fire hydrants to the lines and provide water services. Quality Heavy Subdivision is located between Border and Whalen Rd. on Business 83, 5 hydrants were installed.*

*Mayor Pro-Tern Robert De La Garza motioned to approve, and Commissioner Pete Morales seconded. Motion carried.*

**I. Consideration and action to select a Geo-technical engineer(s) for subdivision testing and City projects for compaction testing, soil testing, etc.**

*City Manager Robert Salinas stated two years ago, we went out for RFQ for Geo-tech engineers and two years ago we had 3 agencies who submitted. Millennium engineering group, Terracon and Raba Kistner. The commission decided at that for Millennium engineering group to conduct all geo technical city projects, and the other two will work on private subdivision projects. This year we have 5 groups who submitted, in your packet there is a ranking order of 1-5. Starting with (1) Millennium engineering group, (2)L&G (3) Terracon (4)B2Z (5) Raba Kistner. It will be up to the commission to choose 1 or all 5 in a rotation.*

*Mayor Diana Martinez recommended a rotation*

*Mayor Pro-Tern Robert De La Garza motioned to approve a rotation, and Mayor Diana*

*Martinez seconded. Motion carried.*

**J. Discussion and Possible Action Regarding Agreement with Melden & Hunt for Professional Services as City Engineer.**

*LJ Geoni and Eric Danielson spoke regarding this item, and instead of addressing this issue we should concentrate on the COVID-19 rather than on the City Engineer.*

*Omar Guerra spoke regarding this item, is there a report on why we are changing engineers, if not what is the reason. In addition, instead of addressing this issue we should concentrate on the COVID -19 rather than on the City Engineer.*

*Mayor Diana Martinez asked City Manager who placed this item on the agenda*

*City Manager Robert Salinas responded from Commissioner*

*Oscar Salinas Mayor Diana Martinez asked what is the reason*

*Commissioner Oscar Salinas stated the previous engineer was wrongfully terminated in November by yourself and the Majority even though he was doing a good job, and I believe it was a political move.*

*Mayor Diana Martinez stated you were not here with us at the time, but we used to have Quintanilla, Headly and Associates and when the majority won, they were terminated.*

*Commissioner Oscar Salinas stated so you waited a 1 to 2 years to terminate him.*

*Mayor Diana Martinez responded, no Commissioner Garza voted to terminate him as well.*

*Commissioner Oscar Salinas motioned to terminate the contract, and Commissioner Pilar Garza seconded. Motion carried. Vote 3-2*

**K. Discussion and Possible Action Regarding Appointment of City Engineer and Approval of an Agreement Relating thereto.**

*Commissioner Oscar Salinas motioned to appoint Cruz-Hogan Engineers with the same contract as the current engineers and Commissioner Pete Morales seconded. Motion carried. Vote 3-2*

*Mayor Diana Martinez stated for the record, last November Commissioner Pilar Garza voted to terminate Cruz-Hogan Engineering*

**EXECUTIVE SESSION: 7:17pm**

The City Commission will convene in Executive Session, in accordance with Texas Open Meetings Act, Vernon's Texas Statutes and Codes Annotated, Government Code, Chapter 551, Subchapter D, Exceptions to Requirement That Meetings Be Open. The City Commission reserves the right to go into executive session on any item listed in the Agenda Notice whether or not such item is posted as an Executive Session Item at any time during the meeting when authorized by the provisions of the Open Meetings Act. Subject to the foregoing reservation, the following are to items to be discussed in executive session:

1. Pursuant to Texas Government Code §551.071 Consultations with Attorney:
  - a. Discussion and Possible action regarding pending litigation styled, CL-16-0021-D Criselda Gomez Ysqurdo v. City of Alamo in the Hidalgo County Court at Law No. 4.

**OPEN SESSION: 7:32pm**

The City Commission will convene- in Open Session to take necessary action, if any, in accordance with Texas Government Code, Chapter 551, Open Meetings, Subchapter E, Procedures Relating to Closed Meeting, § 551.102, Requirement To Vote Or Take Final Action In Open Meeting.



**L. Consideration and action regarding pending litigation styled, CL-16-0021-D Criselda Gomez Ysqurdo v. City of Alamo in the Hidalgo County Court at Law No. 4.**

*Commissioner Pete Morales motioned for the City Attorney and City Manager to proceed as mentioned in executive session and Mayor Pro-Tern Robert De La Garza seconded. Motion carried.*

**M. Consideration and action on proposed "Qaim Subdivision" legally described as a 4.00-acre tract of land out Lot 3, Block 37, Alamo Land and Sugar Company Subdivision. Engineer: NAIN Engineering, LLC. Developer: Shahid Bangash.**

*City Manager Robert Salinas stated subdivision is located ¼ mile E. of Tower Rd. along the south side of Nebraska St. This subdivision contains 2 residential lots with access to Nebraska St. Both lots exceed the City's minimum lot size requirements. Staff recommends that only one access driveway be permitted per lot. The developer is providing water by tapping into an existing 6" water line located along the south side of Nebraska St. and will be escrow for a waterline upgrade along the front of his subdivision. The developer is also proposing to install 1 new fire hydrant along the front of the subdivision. The sewer CCN also belongs to the City of Alamo, however the due to the shallowness of the existing sewer manholes in the area, the developer is proposing sanitary sewer service by septic tank for each lot.*

*Mayor Diana Martinez asked if they will be back and request sewer*

*City Manager Robert Salinas responded a plat note has been added that will require the lots to be connected into city sewer when it becomes available.*

*Mayor Diana Martinez asked if they are aware not anytime soon*

*City Manager Robert Salinas responded that is correct*

*Commissioner Pete Morales asked if the subdivision next door has sewer*

*City Manager Robert Salinas responded yes. He stated the development has frontage to Nebraska St., an 80' collector street as per the MPO Thoroughfare plan. The developer is dedicating an additional 20' ROW in order to comply with the MPO's minimum requirements. The developer is responsible for widening Nebraska St. as per the City's minimum requirements. If the developer does not want to widen the street at this time, he must submit, in escrow the cost to widen the street to its ultimate width. Drainage for the subdivision is proposed to be detained on-site and naturally drain into an existing roadside swale along Nebraska St. Developer must re-grade the roadside swale to ensure positive flow to the nearest outfall and each lot will need to provide an 18" diameter pipe with safety end treatments at the installation of the driveway.*

*Staff recommends for approval subject to:*

1. *Provide exclusion from the water district*
2. *Provide a street light plan for review by staff*
3. *Provide park fees*
4. *Install or provide escrow for Nebraska St. widening and 5' sidewalks*
5. *Provide a plat not requiring only one driveway access per lot and*
6. *Comply with all other formant findings and City Engineer's comments.*

*Commissioner Pete Morales asked why are we allowing to install septic tanks inside city limits, are we going to be responsible to raise money to remove the stubs?*

*City Manager Robert Salinas responded the city is not responsible to extend sewer to areas that are already in compliance with sewer requirements. The city has done it the past, but we are not doing so.*

*LJ Geonie asked if this located in from of ACC*

*City Manager Robert Salinas responded yes*

*LJ Geonie asked if they have considered the traffic that will create*

*City Manager Robert Salinas responded this is just two residential homes*

*LJ Geonie asked regarding the new apartment complex, and because of the construction many of the ACC members have been complaining about water pressure.*

*City Manager Robert Salinas responded we have done two taps in the area and third will be done tonight at midnight for 2 hours.*

*Commissioner Oscar Salinas asked if this was approved by P&Z*

*City Manager Robert Salinas responded yes*

*Mayor Diana Martinez motioned to approve, and Commissioner Oscar Salinas seconded. Motion carried.*

#### **N. Presentation of AEDC Monthly Report**

*AEDC Director Rafael Tapia presented on the AEDC Monthly Report as of March 2, 2020, City of Alamo Finance Department reports: IRP Balance: \$892,281.37  
RBEG Balance: \$184,917.54*

*Total RLF Balance: \$1,077, 198.91*

*Balance Owed: \$183,156.42 (as of March 4, 2020).*

*As of the March 2, 2020, 3 accounts were considered current. One account is considered delinquent. Speedway Performance Motors currently is late for its February 2020 payment. Staff followed up with borrower in regards to the delinquency in February.*

*The following activity is for the period covering February 3, 2020 to February 28, 2020. For the reporting period, the program had two new contacts, a Ms. Melanie Yado and a Mr. Miguel Malinda. Future activities have been cancelled due to the coronavirus.*

*STHS: The Initial Payment of \$125,000 was issued along with City payment of \$156,861.12 on February 28, 2020. This after STHS was able to provide evidence of paying the 2019 property taxes. AEDC and City staff coordinated with Mr. Matney to ensure payment and proper documentation was processed accordingly.*

*MadiamLP: Mr. Gutierrez and his mother came in on February 5, 2020 to sign the contract extensions. He stated he was ready to get the construction underway. The 380-contract amendment was submitted to the City Manager's office on the 1<sup>st</sup>.*

*Commissioner Pete Morales asked regarding our current situation, asked Mr. Tapia if he has been in contact with local business with updates.*

*Mr. Tapia responded yes, we are coordinating with business and the City Manager on any updates the city may have and SBA on emergency lending, in case the city declares disaster declaration then business can apply to SBA for an emergency loan.*

**O. Presentation of Departmental Report**

*Commissioner Pete Morales asked Chief of Police Richard Ozuna, what does MCU mean?*

*Chief of Police Richard Ozuna stated it was a typo, but it is for narcotic seizures that occur with our participating agencies.*

**P. As per Texas Government Code §551.045 notice for emergency addition to agenda, Mayoral Declaration of Local State of Disaster Due to Public Health Emergency**

*City Manager Robert Salinas stated this was placed on the agenda last minute due to updates given by the county. As of this morning no cases and deaths have been reported, 4 hospitalized patients with pneumonia related issues and 7 private test and awaiting results. The Mayor and myself attended a meeting in which the County Judge officially signed a declaration of a local Disaster Due to Public Health Emergency for the County of Hidalgo.*



*This was placed on the agenda as an emergency to for the City of Alamo to declare Local State of Disaster Due to Public Health Emergency for the next 7 days. This is just a recommendation, if we want to extend we can. We will give prompt notice to the public, and act on health limitations. We are prohibiting mass gatherings of 10 or more within our city limits and respectfully requesting your assistance to ensure these gatherings do not occur*

*Mayor Diana Martinez stated earlier today we spoke with the manager of HEB regarding the concern of elderly people, he stated at the moment there is nothing in place for them but gave a number to call as well for Walmart.*

*City Manager Robert Salinas stated this is new for all of us and will continue to figure out the answers. We are proposing to shut down a few parks and rec. activities until further notice*

*Mayor Diana Martinez motioned to approve, and Commissioner Pete Morales seconded. Motion carried.*

*City Manager Robert Salinas stated just to be clear since this is only for 7 days it will end on March 24. If need be, a special meeting will be done to extend the time.*

*City Attorney Rick Palacios stated I know there has been a motion but you can amend the motion at this point to extend the days.*

*City Manager Robert Salinas stated or give the ability*

*Commissioner Oscar Salinas stated for the city manager to approve it?*

*City Attorney Rick Palacios stated since it's a declaration from the council, it's best for the council to approve it.*

*Mayor Diana Martinez motioned to amend from 7 days to 14 days, and Commissioner Pete Morales seconded. Motion carried.*

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

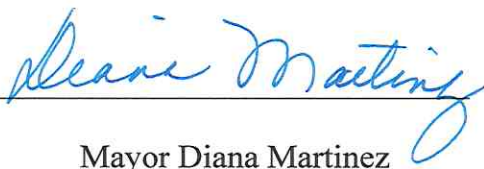
*LJ Gioeni expressed her concern regarding the Coronavirus*

## **I. ADJOURNMENT**

Citizens are encouraged to sign the attendance sheet.



*There being no further business, Mayor Diana Martinez adjourned the meeting at 7:58 pm*

  
\_\_\_\_\_  
Mayor Diana Martinez

**ATTEST:**  
  
\_\_\_\_\_  
Alexandra Rangel, City Secretary



