

The Board of Commissioners for the City of Alamo, Texas met for the Regular Meeting on Tuesday, January 05, 2020 at 7:00 p.m, at the City of Alamo Municipal Building.

COMMISSION PRESENT:

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

COMMISSION ABSENT:

Pete Morales, Commissioner

STAFF PRESENT:

Robert L. Salinas, City Manager
Cris Palacios, City Attorney
Alexandra Rangel, City Secretary
Richard Ozuna, Police Chief
Roy Contreras, Fire Chief

Ronnie Cruz, City Engineer

I. CALL MEETING TO ORDER

Mayor Diana Martinez called the regular meeting held on Tuesday January 05, 2021 to order at 7:00 p.m. at the City of Alamo Municipal Building. Mayor Diana Martinez led the Pledge of Allegiance and Cris Palacios led the Invocation.

C. Presentations and Announcements.

Mayor Diana Martinez announced on January 16th Freedom Bank will be opening and the on February 5th they will have their grand opening.

Commissioner Robert De La Garza thanked Mayor Diana Martinez for working together with Dr. Vela to administer the vaccines to our first responders.

D. Consideration and Action to approve the minutes for the second regular meeting of December 15, 2020.

Commissioner Pilar Garza motioned to approve and Commissioner Robert De La Garza seconded. Motion carried.

E. Updated Mayoral Declaration of Local State of Disaster Due to Public Health Emergency.

City Manager Robert Salinas stated this the 22nd Declaration we have filed for COVID-19, there are no changes since the last one. The county did issue a curfew but that has expired on the 3rd. He stated he wanted to discuss the outdoor vendors, since Valentine's Day is coming up. This is a permit we offer for outdoor sales for vendors to be able to sell Valentine's items. He states his opinion is not to offer only because it is similar to the garage sales, if it is permitted then it should be with the same protocols.

Mayor Diana Martinez stated Pastor Tuttle wanted to speak regarding the garage sales.

Pastor Tuttle stated people should be able to have garage sales since many of them rely on garage sales for their income.

Commissioner Pilar Garza stated the garage sales are okay. The problem was they were not wearing masks.

Mayor Diana Martinez stated she had to call PD several times because of this issue. One issue is the safety for the customers, the issue is the Valentine's vendors. Where does this leave our flower businesses in Alamo?

City Manager Robert Salinas stated he has heard this problem from other cities as well, you have a business renting a suite and paying taxes then you have vendors who pay \$10 for a permit and they undercut them.

Mayor Pro-Tem Okie Salinas stated do we know where they will set up?

City Manager Robert Salinas responded yes, it is based on addresses. They are regular people who come in 30 days before Valentine's day who know the system and pick the address. He states his concern is for the spread of COVID-19.

Commissioner Pilar Garza asked are there a lot of spots

City Manager Robert Salinas responded there are roughly 10-15 addresses.

Commissioner Pilar Garza asked will there be set up on the streets?

City Manager Robert Salinas responded at a parking area of an existing business.

Mayor Diana Martinez stated if they want to open a business why not open a business here rather than pay \$10 for that day.

Mr. Alberto Cortez stated it is not fair for a flower business to be open 365 days paying employees, that is the best time of the year and we need to protect our businesses. We cannot compare this to a garage sale.

City Manager Robert Salinas stated there is a difference in this, the question here is because of COVID do we want to stop it? He understands it does affect existing businesses. This is something we need to review, perhaps raise the permit fee.

Mr. Alberto Cortez stated that is the best day to sell flowers, permit costs should be higher.

Mayor Diana Martinez asked Chief Ozuna for an update on COVID-19 numbers.

Chief Ozuna responded as of yesterday afternoon at 4:05pm he had a total of 11

Mayor Diana Martinez mentioned we had 16 today.

City Manager Robert Salinas responded that was his concern about outdoor sales, another issue is the extension of the Family First Coronavirus Recovery Act. This is basically what we have been utilizing to help pay people 2/3 payments and this ended on December 31st 2020. They have a voluntary extension to March 31st 2021. He states he was able to obtain a small survey from Brownsville, Weslaco, Edinburg, Mission and South Padre Island. South Padre Island is only extending until January 31st and the other cities are not continuing with payment. What it means is, if someone is sick from COVID then they have to utilize their sick/ vacation from their personal bank.

Mayor Diana Martinez stated she wants to extend it to March 31st.

City Manager Robert Salinas responded the pro is we are keeping our employees home so they don't come in to work and infect others.

Mayor Diana Martinez stated what happens if this individual does not have any days?

City Manager Robert Salinas responded then there is no payment.

Mayor Pro-Tem Okie Salinas stated this will cover them instead of using their time, but it is not until they use all their time. He asked, right now we are having them use their time. We are not offering them we will pay you 2/3 and not use your time.

City Manager Robert Salinas responded they will be covered 2/3 and they will use their 1/3 of their time fill in the rest.

Mayor Pro-Tem Okie Salinas asked did this person in public works where they offered that? Because they are using all their time, now they have depleted all their time now you are covered 2/3.

City Manager Robert Salinas responded that employee does not have time to utilize.

City Attorney Cris Palacios stated the Federal Statue that expired, Family First Coronavirus Recovery Act what this created was an emergency pay sick leave. In addition, it also extended the family medical leave act under the emergency pay sick leave an employee from the city can take up to 80 hours for a COVID related reason. Under the extended family medical leave act an employee can take up to 12 weeks if you have to care for a child if a child is unable to return to school because of COVID. This started since April 1st then it expired on December 31st, if you have an employee who has exhausted this time as well, there are employees who have never used that bank. This is for employees who have not been able to use the extra leave, the other employees who have exhausted their time then they will have to use their leave if they have to be out because of COVID.

Mayor Pro-Tem Okie Salinas stated this particular employee used all his time on his own because they had COVID. Now the 2/3 will kick in and cover his check.

City Attorney Cris Palacios asked if he used all his time under the act?

Mayor Pro-Tem Okie Salinas responded no, they have COVID and cannot go to work and are going to use sick leave and vacation.

City Attorney Cris Palacios asked how did they submit the paper work, if they did not notify anyone because of COVID, then the city would not be able to know to use the bank.

City Manager Robert Salinas responded he believes he did submit that it was COVID but he is unsure how long he has been out.

City Attorney Cris Palacios stated if an employee got COVID between April 1st and December 31st, then that employee will get up to 80 hours, that is 2 weeks of pay under that act.

Mayor Pro-Tem Okie Salinas asked without using their bank?

City Attorney responded yes

City Manager Robert Salinas asked is it weekly 2/3?

City Attorney responded it depends for the reason, it depends what are they going in for. Is it to care for someone or for themselves. If it is for themselves then it is 100%.

Mayor Pro-Tem Okie Salinas stated it should be cleared and he agrees with Mayor that it should be extended to March 31st for the employees. There are several employees who have might not have needed to use their sick and vacation hours.

City Manager Robert Salinas stated he will make sure that we processed everything accordingly and if not, it will be verified and fixed with finance.

Mayor Diana Martinez asked regarding the Valentine's sales, are those people from Alamo or from out of town?

City Manager Robert Salinas responded it can be open to anyone.

Commissioner Robert De La Garza asked do they pay sales tax?

City Manager Robert Salinas responded we can look for a sub tax certificate, but chances are they probably do not.

Commissioner Robert De La Garza stated so the city misses out on the sales tax.

Commissioner Pilar Garza stated they should be from Alamo.

City Manager Robert Salinas responded that is more of an ordinance, we can increase the fee and make it that they have to be from Alamo.

Mayor Diana Martinez asked can we bring back the ordinance on the next meeting.

Mayor Pro-Tem Okie Salinas stated perhaps this is the time to look into revamping our ordinances.

City Manager Robert Salinas responded he forgot to mention during the announcement, a new planning director will be starting this Thursday to help us revamp our ordinances.

Mayor Diana Martinez asked what about the garage sales

City Manager Robert Salinas responded it is up to the Commission

Mayor Diana Martinez stated her only issue is people not wearing their masks

Mayor Pro-Tem Okie Salinas asked has code-enforcement and PD found any violations?

City Manager Robert Salinas responded yes, since they are afforded that warning. After the second then it's a citation.

Mayor Pro-Tem Okie Salinas stated I agree with the vendors but as for garage sales it is a way for a lot of people to make money.

Mayor Diana Martinez stated she is against garage sales until the numbers go down.

City Manager Robert Salinas responded just for the record he will be adding the extension to March 31st, and as for Valentine's vendors are we allowing it?

Mayor Diana Martinez responded it will be brought back at the next meeting

City Manager Robert Salinas responded as of now it is a no.

Mayor Pro-Tem Okie Salinas a no on the ordinance.

Mayor Pro-Tem Okie Salinas motioned to approved and Commissioner Pilar Garza seconded. Motion carried.

Mayor Diana Martinez in dissent with allowing garage sales.

F. Consideration and action to approve an ordinance to reduce the speed limit along Richland Drive at Ridge Treasure Estates.

City Manager Robert Salinas stated he had received a complaint regarding speeding from a Ms. Garza, she sent an email not necessarily requesting a speed bump but rather making the public aware of the speed limit and a speed reduction. He stated he reviewed the ordinance and noticed there are streets that have reduced speed and the majority of those are found in the country club, the speed limit is 20 mph. This particular ordinance is for 20mph, it is up to the commission to decided.

Mayor Diana Martinez asked can we go 15mph? if we go 20, people will go 25mph.

City Manager Robert Salinas stated he can modify the ordinance

Mayor Pro-Tem Okie Salinas stated he approves the 15mph but asked if this can be looked into for other streets, or should this be handled by each subdivision.

drainage, landscaping, paving storage areas as well comply with past wrecker ordinance. The entire ordinance is based on the CUP and its conditions, anyone who would like to apply for this in the commercial zone then they could apply for this conditional use permit. We would send notices 200 feet around and do a public hearing. One thing he stated that needs to be modified is the CUP in a ¼ mile but it should be 1,000-foot separation.

Commissioner Robert De La Garza motioned to approve Commissioner Pete Morales seconded. Motion carried.

O. Consideration and Action on an Ordinance Amending the Code of Ordinances, Title 10 Zoning Regulations to include Restaurants in the Permitted Uses in the Commercial Zoning District; to include as a Conditional Use in the Commercial Zoning District the Sale of Alcoholic Beverages for On-site Consumption; and Amending the Definition of Home Occupation.

City Manager Robert Salinas stated Mr. Zavala is going through the ordinances and updating sections. In this particular ordinance he is changing the definition of Home Occupation and it currently does not make sense. He made restaurants a permitted use in commercial zone which was not in the zoning ordinance, he added the sale and on-site consumption within the CUP, removing the 300 foot requirement when it comes to restaurants. A few more changes will be coming up soon.

Mayor Pro-Tem Okie Salinas motioned to approve, and Commissioner Pilar Garza seconded. Motion carried.

P. Consideration and Action on an Ordinance Amending Title 3 Business and Licensing Chapter 11 Outdoor Sales.

City Manager Robert Salinas stated this was brought up in the last meeting, one of items discussed was the increase of the permit price, he is proposing an increase from \$10 to \$300 that is a starting point. He states now an owner can set up for outdoor sales within their property with no permit requirement.

Commissioner Pete Morales asked can an owner of a flower shop set up in another property?

City Manager Robert Salinas responded if it's off site from the shop's property then they would have to pay the \$300.

Mayor Diana Martinez stated several of these vendors are not Alamo residents

City Manager Robert Salinas responded that is correct, he stated a flower shop from Pharr normally purchases 3 permits.

Mayor Pro-Tem Okie Salinas asked who will enforce it? Since valentine's day falls on a Sunday this year.

City Manager Robert Salinas responded if it's on the weekend PD, we will print out a list of the permits and give a copy to PD. If it's during the week then it will be Code Enforcement. Also, this includes food associated with the holiday.

Commissioner Pilar Garza asked will the owners be notified about the changes

City Manager Robert Salinas responded yes

Mayor Diana Martinez stated there is one flower shop on Bus. 83

City Manager Robert Salinas responded he believes two by the storage area on Alamo Rd.

Commissioner Pete Morales stated there is also a candy shop

City Manager Robert Salinas responded yes that will work.

*Mayor Diana Martinez motioned to approve, and Commissioner Robert De La Garza seconded.
Motion carried.*

CITIZEN PARTICIPATION: The city will be accepting public comments from 8am-5pm on the day of the meeting to be announced during the meeting. Email comments to arangel@alamotexas.org. Five minutes per person with no response from the City Commission. Residents must sign up prior to the city meeting.

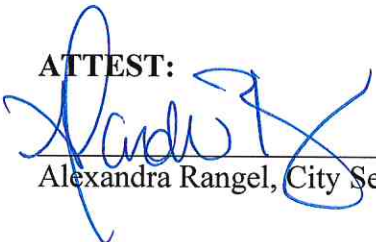
Jesus Mendoza spoke on the awareness for Electro Hyper Sensitivity.

I. ADJOURNMENT

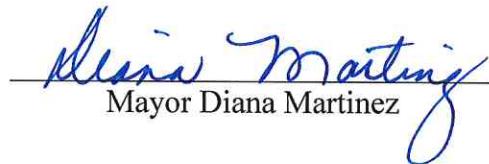
Citizens are encouraged to sign the attendance sheet.

There being no further business, Mayor Diana Martinez adjourned the meeting at 7:40 pm

ATTEST:



Alexandra Rangel, City Secretary



Mayor Diana Martinez

