

The Board of Commissioners for the City of Alamo, Texas met for the Regular Meeting on Thursday, October 06, 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
Okie Salinas, Commissioner
Pilar Garza, Commissioner
Pete Morales, Commissioner

COMMISSION ABSENT:

STAFF PRESENT:

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

Yvette Mendoza, Finance Director

I. CALL MEETING TO ORDER

Mayor Diana Martinez called the special meeting held on Thursday, October 06, 2020 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. Presentations and Announcements

Commissioner Pete Morales stated with elections happening this year, he is concerned that one candidate from our sister city is running for one of our seats, and encouraging alamonios to vote to have representation. In addition, the Mayor supporting the idea and people are requesting an explanation.

Mayor Diana Martinez responded ask Commissioner Pilar Garza and I will respond.

Commissioner Pete Morales responded as well Mayor Pro-Tem De La Garza

D. Consideration and action to approve the minutes for the first regular meeting of September 01, 2020 (Tabled 09/24/20).

Commissioner Pete Morales motioned to remove from the table and Commissioner Okie Salinas seconded. Motion carried.

Commissioner Pete Morales stated he had given notes/changes to the City Manager and is requesting certain items to be verbatim and the minutes to be corrected.

Commissioner Pete Morales motioned to approve and Commissioner Pilar Garza seconded. Motion carried.

E. Consideration and action to approve the minutes for the second regular meeting of September 15, 2020.

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

F. Consideration and action to approve the minutes for the special meeting of September 24, 2020.

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

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

City Manager Robert Salinas stated this is the same declaration we approved 2 weeks ago the only things that have changed are the dates, for it to start on October 7, 2020 and to end on October 20, 2020. A few questions have been asked regarding the garage sales and renting our baseball fields for practice

Commissioner Pete Morales asked are all the fields available for rental or some are behind the police department

City Manager Robert Salinas responded the ones behind the police department will not be, but the ones at the sports complex those have to be rented out

Commissioner Pete Morales asked for the sports complex to have tournaments

City Manager Robert Salinas responded we are only focusing on the practices, he did speak to several cities and mentioned they have all the fields shutdown. The only city who is renting out the fields is the City of San Juan, we can do something similar or just state no rental fields. They did specify that is was practice only.

Mayor Diana Martinez asked Chief Ozuna on the status of COVID-19 cases

Police Chief Ozuna responded as of this morning we are indicating 5

Mayor Diana Martinez stated she received a text indicating 6 new cases and 2 individuals pass away, she is not sure if it's within our city limits

Police Chief Ozuna responded he did not receive that information

Commissioner Pilar Garza asked if Chief Ozuna's numbers are within the city limits

Police Chief Ozuna responded yes

Commissioner Pilar Garza stated she will be scared to open up the fields, if it were her children she wouldn't allow it

Commissioner Pete Morales asked about soccer, since they have been spotted on the fields

City Manager Robert Salinas responded since soccer and basketball players get together, with baseball we have control and lock the gates. They can take a green area but we as a city do not support any games to be held.

Commissioner Pete Morales asked about the practices?

City Manager Robert Salinas responded it is up to the commission, if the commission wishes to allow practices then it can be allowed.

Commissioner Pilar Garza asked if they gave directions?

City Manager Robert Salinas responded no, it's all up to the city only San Juan is allowing it

Commissioner Pete Morales stated he does not believe tournaments should be held

Mayor Diana Martinez asked will this be a liability to the city, in case there is a spread?

City Manager Robert Salinas responded we can make them sign a waiver

Mayor Diana Martinez stated this will create several issues

City Manager Robert Salinas stated the same question about garage sales, he did asks other cities and they stated they are not permitted at this time

Mayor Diana Martinez responded at this time no to garage sales and no practices even though they are playing soccer but that is on their time

Commissioner Okie Salinas asked if they can find an open space to practice baseball, they can?

City Manager Robert Salinas responded yes but not city fields

Commissioner Pilar Garza stated that will be up to the parents

City Manager Robert Salinas responded yes

Commissioner Okie Salinas stated are we responsible to watch over them wearing masks

City Manager Robert Salinas also stated he attended a meeting with Hidalgo County regarding Halloween and there was mention of a similar festivity of trunk or treat, this activity is considered as moderate/high risk. If there is a new declaration regarding Halloween restrictions, the city will be following the county guidelines.

Mayor Diana Martinez asked regarding the trailer parks

City Manager Robert Salinas stated if this is considered high risks then I recommend a no, but if a parade is being conducted with everyone in their cars then that should not be an issue.

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

H. Consideration and action on a resolution to approve to authorize the creation of the Rio Grande Valley Regional 9-1-1 Emergency Communications District

Mr. Hector Chapa spoke in regards to the resolution to approve to authorize the creation of the Rio Grande Valley Regional 9-1-1 Emergency Communications District. He stated at a current date the government body of Emergency Communication is located at Austin, Texas. This will allow us to create a local district and help distribute funds as needed.

City Manager Robert Salinas stated the resolution will create a 9-1-1 Emergency Communications District in which we are members of, and the members are Chief Ozuna, Saul Solis and Elizabeth Navarro as the alternatives.

Mr. Hector Chapa responded that is our ECD Advisory Committee that advise in the local region

City Manager Robert Salinas asked is that not the advisory board

Mr. Hector Chapa responded based on the legislation it will consist of elected officials.

City Manager Robert Salinas asked will that come from the LRGVDC

Mr. Hector Chapa responded, yes.

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

I. Consideration and action for an appeal on an ACAP application for 1019 W. Business Hwy 83

City Manager Robert Salinas stated when the ACAP was created there was not an appeal process, the reason it is before you is because the EDC is the review board and they are done and will not review any more applications. This applicant was denied because she was related to a member from the review board, the board member has resigned. According to Mr. Tapia the business has had over \$16,000 in losses. Since the business was considered a non-essential business it had to be shut down, and was able to provide proof. The only thing that denied her from been awarded was that she was related to an AEDC board member.

Mayor Diana Martinez asked if she qualifies

City Manager Robert Salinas responded yes

Mayor Diana Martinez stated if the board reviewed and was approved then there is no issue

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

Public Hearing 7:14pm

Public Hearing of the City of Alamo's intent to submit a funding application under the 2015 CDBG-MIT GLO Programs to undertake city wide infrastructure drainage, sewer system, street improvements, and housing related acquisition, buyouts, relocation, and down payment assistance activities.

Mr. Francisco Briones stated the federal and state rules require a public hearing to held by the applicant in this case, the City of Alamo. The city intends to submit a grant application up to \$10 million dollars to the Texas General Land Office, the deadline for the application is October 28th, the purpose of the hearing is to accept comments from the council and the public. Mr. Cedillo will hand out a descriptive of a summary of a draft budget, he emphasized that this is just a draft budget final budget will be approved on October 20, 2020 on the second regular meeting. He encourages the public to voice any comments to himself or the City Manager, prior to the next meeting. On the second page of the handout, it is broken down to 5 activities, the first one is drainage, second is water, third is street, fourth is sewer, and fifth is housing. The line below includes the project management which is a requirement. The following are requirements as well, environmental, labor standards, section 3 compliance, inspections and engineering services. Currently the budget is:

- *Drainage \$2,000,000*
- *Water \$1,200,000*
- *Street \$1,800,000*
- *Sewer \$1,600,000*
- *Housing \$1,848,000*

- *Sub-total \$8,448,000*
- *Total cost \$9,829,000*

He stated the following project descriptions, and this just for discussion purposes.

#1 - Drainage Activity

Construct drainage facilities (I.e. retention pond, drain lines) to eliminate issue on Alamo Road between US Exp. 83 and US Bus. 83.)

#2 - Water Activity

Construct/replace estimated 2 miles of water lines (US Bus 83 and Crockett and Tower Rd. and 13th Street)

#3 - Street Activity

Resurface/new street paving with curb and gutter in Alamo Old Townsite between US Bus 83 and Crockett and Tower Rd. and 13th Street

#4- Sewer Activity

Replace antiquated clay pipes in Old Townsite between US Bus 83 and Crockett and Tower Rd. and 13th Street

#5 - Housing

Make available up to \$80,000 assist 22 eligible households for buyout, acquisition, relocation, and direct incentive assistance.

He stated no decision is made tonight, it is just a public hearing and anyone who speaks please identify yourself.

Mr. Omar Guerra from 939 W. Austin St. asked how did Mr. Briones come up with the 22 eligible households.

Mr. Briones responded it is just an arbitrary number, based on the overall budget. The next step is to schedule which, projects are the priorities and selected by the city manager and staff.

Mr. Omar Guerra asked if it can flex

Mr. Briones responded yes, it can be more or less

Mr. Omar Guerra from 939 W. Austin St. asked, it was mentioned as case management as 1.2% at a \$117,000, what does that entail.

Mr. Briones responded all the administrative services and requirements, including financial management. In other words, keeping the project in compliance with federal administrative and financial requirements.

Mr. Omar Guerra asked if the 1.2%, was a standard. He asked if he has done this with other cities as well, he also asked in addition to the labor standards as 1.8% is that just a basic standard?

Mr. Briones responded the rules through the GLO allows for example project delivery which includes general management and general administration can go up to 12%, Engineering can go up to 15%.

Mr. Omar Guerra asked at the moment engineering at the moment is at 4.7%.

Mr. Briones responded as far as engineering the state guide allows up to 15%, the percentage is negotiated by the city and engineer. From now and the 20th the city can still negotiate

Mr. Omar Guerra from asked if the 4.75% is just the standard

Mr. Briones responded yes

Mr. Omar Guerra from asked what are other cities doing

Mr. Briones responded the first thing is negotiation and the standard is 6%

Mr. Omar Guerra from stated is 6% tops

Mayor Diana Martinez stated there are two sheets with different numbers, and on one sheet it states the engineer is at 8%

Mr. Briones responded the budget is in the evolution stage and the final budget will be ready before the next meeting on the 20th.

Mayor Diana Martinez asked what changed it from 4% to 8% on the engineering

Mr. Briones responded at the moment all this is been negotiated, he has taken it upon himself as a consultant for the project to offer suggestions and negotiate percentages.

Mayor Diana Martinez asked negotiations with who?

Mr. Briones responded with the engineer

Mayor Diana Martinez asked so you met with him?

Mr. Briones responded yes

Mayor Diana Martinez asked is that what he suggested 8%

Mr. Briones responded yes, we received it in writing

Commissioner Pete Morales asked Mr. Briones what is the max

Mr. Briones responded 15%

Commissioner Okie Salinas stated that there is no starting point. It was just a 4.7% Mr. Briones came up with

Mr. Briones responded yes, the final budget will still be approved by the city commission

Mayor Diana Martinez asked with the other city applications, has the norm been 4.7%

Mr. Briones responded yes, working with the City of La Villa and San Perlita that been the norm

Mayor Diana Martinez asked by going with the 4.7% that allows more funding for infrastructure

Mr. Briones responded yes

Commissioner Pete Morales asked how along ago was that

Mr. Briones responded it is still going, we are at the same stages as we are here

Commissioner Pete Morales what did we give our engineer for the sewer plant?

City Manager Robert Salinas responded if you add the engineering design and construction, then yes.

Commissioner Pete Morales stated the 12%

Commissioner Okie Salinas stated 12% lower than the 8%, the engineer is asking for. Which means we can go up 15% and that will be the decision on the commission. The way it was for the sewer plant project to the engineer.

Mr. Briones stated the federal government has allowed up too \$10million to apply, the idea is if we go with 15% then the difference will have to come out from somewhere most likely from construction, reducing housing units.

Commissioner Pete Morales asked the cost of materials goes up and not stay the same

Mr. Briones responded correct

Commissioner Okie Salinas stated as a project manager your percentage is higher than the engineer doing the work

Mr. Briones responded that's the one before

Commissioner Okie Salinas responded we see 6.4%

Mr. Briones responded those are for compliance activities

Commissioner Okie Salinas responded so, 1.2% will be for you

Mr. Briones responded yes

Commissioner Okie Salinas stated the engineer is here

Mr. Rick Salazar introduced himself and thanked the Mayor Diana Martinez for making the motion

Mayor Diana Martinez stated she did not make the motion, Commissioner Pere Morales did

Commissioner Okie Salinas responded it's in the minutes, you made the motion

Mr. Omar Guerra from asked on the flex of 4.7% and the 8%, its for our benefit if we stay at 4.7%, we can meet the 22 units if we go up then someone will miss out.

Mr. Briones responded in order to accommodate a higher percentage then something will be taken most likely construction, from his experience and dealing with GLO it is highly encouraged to have more funding for construction.

Commissioner Okie Salinas responded on the two projects you have worked on

Mr. Briones responded three, but in the last 10 years

Mr. Omar Guerra asked if it was possible for engineers to stay at the 4.7%

Commissioner Okie Salinas stated you have to remember looking at the paper work \$157,000 is going to be given to the city for general administration, which we do not have an understanding on what it is for.

Mr. Briones responded this will be mainly for internal accounting systems and staff fines dealing with the process, this amount is still arbitrary.

Mr. Rick Salazar stated I am aware that it is a jump from 4.7% to 8%, What you have to understand is it's a whole different animal to engineering , for an engineer to have to get this project out is difficult for what the manager is supposed to do I do have a breakdown that I would like to put on the other screen to so you could understand my program where we're coming through the Urban County the engineering fee went from 8%-12% with a mean of 10% paying out to the engineers. We are below that 10% we are at an 8%, and I want to show you why we have an 8%

Mayor Pro-Tem Robert De La Garza asked have you previously done GLO projects in the valley

Mr. Rick Salazar yes

Mayor Pro-Tem Robert De La Garza asked your company

Mr. Rick Salazar responded I have, I have 18 years of experience of engineering 1 year as construction manager, I did construction in San Antonio, Colorado. 17 years of surveying. Regarding the 8%, 1 % is environmental these documents will be submitted to the state it takes 8-10 months to get this part of the project done. 5% consists of 2-3 months of research for example of AT&T lines, drainage and dealing with the county and state. The City of Alamo does not have a master plan, himself and his partner developed a master plan for the City of Pharr in which helped the City of Pharr with projects and understating the needs. He is not aware of any infrastructure issues; our infrastructure is so bad that businesses become flooded. This project is not worth \$2 million dollars, City of Pharr did one 12 years ago. This is not a solution but it is a step forward to prevent 3 feet of flooding in Whataburger and Walgreens. \$3.7 million is what this project is going to cost. This project was done 12 years ago for \$2.5 million, with under 5,000 meters of pipe. This engineer received 12% of the project cost, \$70,000 for the preliminary design, PS&Es \$141,000, construction management at \$23,000, \$5,000 for building, \$5,000 construction testing \$2,000 for permits total \$247,000.

Mayor Pro-Tem Robert De La Garza asked the project in Pharr

Mr. Rick Salazar responded yes, with 8% this is a much less amount than the Pharr project, engineering is not just a month or two, you are looking from 2-4 years. I cannot take 4% because I do not know what is underneath, that is 40-50 years of infrastructure underneath the pavement. 3.5% in engineering PS&Es that is the 4.1%, 4.5% for bidding about \$9,000 making sure we can obtain the right contract, construction management 1.5% once a year in construction, project buildup is another 2.5%, all that adds up to 8%. Management of contract and an engineer contract is day and night.

Commissioner Okie Salinas asked is why for the sewer plant is at 12% for the engineer

Mr. Rick Salazar responded the sewer plant engineer is at 12% because it's mechanical design, it has electrical and it is expensive. Mechanical is different than drainage. Anywhere from 8%-12% is what Urban County is paying with the mean of 10%. I am requesting the lowest amount possible to help the city.

Mr. Omar Guerra asked what is the difference between the work that was done there and the work you will do?

Mr. Rick Salazar responded I was comparing jobs side by side, anything you do will help.

Mr. Omar Guerra stated it did help a little

Mr. Rick Salazar responded stated based on his experience this project will help out Alamo, we need to speak to the county to improve drainage.

Mr. Omar Guerra stated I mention this because we do not want to comeback with the same issue.

Commissioner Pete Morales stated we did not do any work in that area.

Mr. Rick Salazar responded this is not going to solve the issue, if get a 100-year storm it will flood.

Mr. Omar Guerra responded I am talking about just rain

Mayor Pro-Tem Robert De La Garza stated so what you are saying is just to leave it because it is still going to flood

Mr. Rick Salazar responded no, just for the 100-year storm, but if we plan for a 25, 50-year storm it may be a better outcome.

Mayor Pro-Tem Robert De La Garza stated you mentioned Whataburger flooded 3 feet, but the street is leveled to Whataburger.

Mr. Rick Salazar responded I have not surveyed in that area, I do not know. Usually the street is 6 inches lower from the curb.

Mayor Pro-Tem Robert De La Garza stated the street is higher than the Whataburger because it was designed like that before.

Mr. Rick Salazar responded I was not the engineer for the project

Mayor Pro-Tem Robert De La Garza stated because it's the state

Commissioner Pete Morales responded TXDoT, I think is great Mr. Salazar for your presentation because the people in Duranta have voiced their concerns.

Mr. Rick Salazar responded thank you and I will do anything for the City.

J. Presentation by Schneider Electric regarding the water meter assessments results

Mr. Aaron Garcia stated the last time they presented on the preliminary findings the city contracted Schneider to continue the work on a detailed audit. The last thing we have done is meter testing and its cost what the project will look like in the financial aspect. Some of the items we will discuss are the objections, goals, test results, lost revenue for the city the benefit for the city that is energy saving. This project will enhance the city's conservation plan, a project that's budget neutral savings and revenue will pay for the project and one of the most important things is to develop a solution through this project that demonstrates why stewardship with city funds with no increase in taxes with this project and no passing of bonds. Within the meter testing it was found 58% of water meters were underreporting of those that's a good sample that represents city wide. 27% of the existing water meters accurately reporting, 15% were

overreporting. The benefit of this project is to go in and try to correct the percentages of whether it's a loss or capture that revenue.

Mayor Diana Martinez stated the 58% of water meters were underreporting, how much was the city losing?

Mr. Aaron Garcia responded a 26%, water revenue loss, the opportunity that it looks like if we replace the annual revenue will be roughly \$80,000.

City Manager Robert Salinas stated because of the rapid reporting

Mr. Aaron Garcia responded yes, typically 15% is the highest we have seen on the overcharge, that balances out on the water additional revenue that is being lost. If that was lower then it would have been in the 30%. The annual operations and maintenance savings is \$163,000 per year. The annual LED savings is \$36,500 a year and a one time rebate from AEP for \$35,000. In a 20 year span will be a saving of \$7.5million.

Mr. Ryan Wunder stated at the moment the city has human read meters in which can cause human error, what we are proposing to change it to an automatic system fully automated. The total cost of the project is \$3.8 million the savings of revenue capture over of 20 years \$1.47 million, overtime the project will pay for itself.

City Attorney asked is that with the LED lighting, or without it

Mr. Ryan Wunder responded without the lighting, that is a bargain project by itself. The total cost of the project without lightning is \$3.8 million, we are expecting a financing rate of 2.5%. after 16 years the project is paid for and the money will be invested back to the city.

Mr. Luis Hess asked if that cost included the software, cost of operations, annual upgrade of software.

Mr. Ryan Wunder responded these are all inclusive, as well as having a 20-year warranty.

Mr. Luis Hess asked is there an additional cost of manpower if repairs need to be made

Mr. Ryan Wunder responded no there is not, the city will be trained to fix the issues rather than calling Schneider Electric.

Commissioner Okie Salinas stated it's a project that pays for itself without any money coming out of the city budget

Mr. Ryan Wunder responded that is goal

Commissioner Okie Salinas stated our goal to go to the state-of-the-art system and basically paying for itself.

Mr. Ryan Wunder responded this technology has been around for a decade. This technology is not the unknown it has been in the US for 15 years. The old meter system would register 1/8 of a gallon, that seems like a low flow, a pint out of every gallon, that's 60 thousand gallons of water, per year. The new system will now read 1/66 of a gallon.

Commissioner Pete Morales asked will the ultra-sonic meter, notify the operator of a leak?

Mr. Ryan Wunder responded yes, with the benefit of this system it can read on a daily or hourly basis; it can set up an alarm to notify you. Another thing we spoke about was the LED lighting, the part of the benefit is the maintenance. With this project we do have a \$35,000 rebate from AEP. \$640,000 total cost with \$1.3 million savings in over 20 years. This LED lighting project will be done as a whole with the same lighting temperature to continue to match throughout.

Commissioner Okie Salinas asked the actual fixtures are not changed just the lighting.

Mr. Ryan Wunder responded yes, interior is retro fit and the exterior they are replaced

Commissioner Okie Salinas asked if the baseball fields are also included

Mr. Ryan Wunder responded yes, the outside fixtures are worn out due to sun exposure. The combined project cost \$4.5 million.

Commissioner Okie Salinas stated \$3.8m just for the meters and \$4.5m for both

Mr. Ryan Wunder responded yes

Commissioner Okie Salinas asked is there any guarantee that it will pay for itself

Mr. Ryan Wunder responded there is a guarantee amount of energy saving, the goal that is going to happen. If we say there is \$100,000 in added revenue and the first year its \$80,000 Schneider Electric will write a check for \$20,000.

Mr. Luis Hess asked within the 20 years does that include with products that need to be updated because 20 years is a long time

Mr. Ryan Wunder responded this also includes the system to collect any data, it is not designed to be replaced after 5 years.

City Manager Robert Salinas asked it was mentioned earlier Schneider Electric will cut a check for \$20,000 for the first year, will that continue for the life of the project.

Mr. Ryan Wunder responded Schneider Electric will find a solution if the issue keeps occurring.

Mr. Aaron Garcia stated we are not on phase 5, move forward with a contract which the City Attorney and Mr. Salinas are currently reviewing.

Mayor Diana Martinez asked how long will it take to install the meters in the city?

Mr. Aaron Garcia responded 8 months

Commissioner Pete Morales asked will that increase the rates

City Manager Robert Salinas stated they will have to increase the cost for new meter installation because these meters are more expensive than the traditional. For example, if they want to install a meter for new construction that will increase the cost for the meter installation for new homes.

Commissioner Okie Salinas stated we must be prepared for the 58% of meters that will now read correctly for rates changes.

Commissioner Pete Morales asked at the end of the day people who do use it they will be okay.

City Manager Robert Salinas stated with the new software it will now read correctly and less of human error

Commissioner Okie Salinas stated what will be the next step

City Manager Robert Salinas stated it is up to the commission to decide what is the best project that will pay for itself

Mayor Pro-Tem Robert De La Garza stated the two building, City Hall and the Library are with Magic Valley not AEP

Mr. Aaron Garcia responded yes, we took that into account. Magic Valley usually does not have incentives.

Mayor Pro-Tem Robert De La Garza stated you are all figuring out the rest of the project coming in with the \$35,000.

Mr. Aaron Garcia stated the next step is for a third-party engineer to review our findings, estimates and notifying the state for approval.

Commissioner Pete Morales asked these meters will be attached to a switch board

City Manager Robert Salinas responded to an antenna placed on the water towers and send the signal here to city hall

Commissioner Pete Morales asked what if the alarm goes off overnight

Mayor Pro-Tem Robert De La Garza responded the next morning

Mr. Ryan Wunder responded the client can sign up through their portal and receive a text in real time.

City Attorney Rick Palacios asked regarding the performance guarantee after the first year, Schneider Electric will contribute to the city's short fall, it was mentioned they will look into the system for any fixing, will that cost the city any more money.

Mr. Ryan Wunder responded no, Schneider will pay for it

City Attorney Rick Palacios asked what about after all the fixing and nothing has changed it will be all Schneider Electric?

Mr. Aaron Garcia responded if we can not fix it then we will continue to pay

Commissioner Okie Salinas stated that is the guarantee.

Mayor Diana Martinez stated that will be on the contract

K. Consideration and action to adjust the overtime policy for the Alamo Police Department for federal and state grants.

City Manager Robert Salinas stated that he is asking for consent from the commissioners for approval on waiving the 43 set overtime policy for officers that work State or Federal grants that pay overtime to include fringed benefits to officers for strategic plans set forth on protecting our nation's borders and securing our citizens for a better quality of life. State and Federal grants allow the overtime pay as long as the officers have completed a 40 hour week. This has been already done for the overtime for the COVID19 funds, were asking the same be done for our other grants that provide funding allowed.

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

L. Consideration and action on a variance request to allow for a 0' front setback instead of the code minimum 25' front setback and a 3½' side setback instead of the code minimum 5' side setback, physically located at 368 Pine Creek, legally described as Lot 85, Cripple Creek II for Lorenzo & Gonzalita Moreno.

City Manager Robert Salinas stated the site is located 365' west of Palmview Dr. on the south side of Pine Creek Staff made a neighborhood inspection of Cripple Creek II and found several carports that were within the minimum front setbacks. Several notices were sent with this lot being one of them. Upon receiving the notice, the applicant called to discuss the matter with Code Enforcement. The applicant was unaware of the need for a permit and the 25' front setback and 5' side setback requirement. The applicant filed for a variance application on August 26, 2020. Staff recommends

approval to the front setback, subject to leaving a 5' side setback and carport remaining perpetually open. It was approved at the P&Z meeting

Ms. Gonzalita Moreno spoke in regards to approval, this carport was built back in 2016 and we just got this notice. The structure is not obstructing in any way, at this time it is a financial burden to make any changes. In addition, she asked for fairness to be approved since a similar one was approved two weeks ago.

Commissioner Pete Morales motion to approve, Commissioner Okie Salinas seconded. Motion carried 3-2 Mayor Diana Martinez and Mayor Pro Tem Robert De La Garza in dissent.

M. Consideration and action on a variance request to install a 396 sq. ft. - 55' in height sign instead of the code maximum allowable 200' sq. ft. per face - 40' in height sign. Physically located at 1415 W. Duranta Ave., legally described at Lot 3, Alamo Corners/ St. Ives for Al Skylite Signs, LLC.

City Manager Robert Salinas stated A-1 Skylite sign's is proposing a new 55' tall ground pole sign that will have a 396 square foot face. Our code requires one square foot per every linear foot of frontage to a public street, not to exceed two hundred (200) square feet per face. The proposed sign will be 15 feet taller than what is normally allowed by the sign code and the sign face will be 196 square feet larger than what is normally allowed by the sign code. The applicant states that he would like his sign to be viewed from Expressway 83 which is located over 700' from the site just south of Walmart. It was denied at the P&Z meeting.

Mr. Steve Vegan mentioned the property was purchased during the auction and assumed the rule was the same as McAllen, you can have a 80 foot sign as long it is 800 feet from the expressway. The reason the sign is at that size is that is the smallest font that is readable from the expressway, this will help on property taxes as well.

City Manager Robert Salinas stated we do have a similar code to the maximum height, usually that is for properties within 1,200 feet but it has to be a state-maintained road. If Cesar Chavez was a state maintain road then we could consider the height but as for square footage is still the same.

Commissioner Pete Morales asked you're building the storage facility

Mr. Steve Vegan responded yes

Commissioner Pete Morales stated didn't we approve that already

City Manager Robert Salinas responded we approved the site plan, because the subdivision required approval

Commissioner Pete Morales stated this will be a great opportunity for people to see we have another storage facility

Commissioner Pete Morales motion to approve, Commissioner Okie Salinas seconded. Motion carried 3-2 with Mayor Diana Martinez and Mayor Pro Tem Robert De La Garza in dissent.

N. Consideration and action on a conditional use permit renewal for the sale and onsite consumption of alcohol at "Omni Event Center/ Railyard 83 Ice House", physically located at 106 N. 9th St., Ste. A & B, legally described as 3 .119 acres of land being all of Out Lot E, and part of St. Louis, Brownsville and Mexico Railroad Co. tract south of Out Lot E, Alamo Original Townsite Subdivision for Robert Acosta.

City Manager Robert Salinas stated the subject site is located approximately 210' North of US Business 83 on the east side of 9th St. The site currently has an existing 8,000 sq. ft. commercial building, which currently is the Omni Event Center Railyard Ice House. This CUP was previously approved by the P & Z Board on 7/17/2019. Hours of operation Sun-Thurs 11:00 a.m. to 10:00 p.m. Sat. 11:00 p.m. to 2:00 a.m. Alcohol should only be sold during allowable state selling hours. Parking: As per City code (1 space for every 100 sq. ft. of floor area or 1 parking space for every 3 seats) therefore a total of 80 spaces are required for this type of business. There are over 80 spaces available for this use. Must comply with Facility, Fire Department Inspections and Liquor License with the City of Alamo. Such uses need to be 300' from residential uses. There is a residential subdivision within 300' of this site; thus a waiver of the separation requirement needs consideration. Staff recommends approval for 1-year subject to: 1) Waiver of the 300' separation requirement; 2) Providing Security for the business during late hours; 3). Must comply with Facility, Fire Department Inspections and the Liquor License with the City.

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

O. Consideration and action on a conditional use permit for a mobile food vendor, physically located at 106 N. 9th St., legally described as 3.119 acres of land being all of Out Lot E, and part of St. Louis, Brownsville and Mexico Railroad Co. tract south of Out Lot E, Alamo Original Townsite Subdivision for Robert Acosta.

City Manager Robert Salinas stated the subject site is located approximately 210' North of US Business 83 on the east side of 9th St. He did state mobile food vendors may operate only during the business hours of the primary business on property. If you wish to approve this mobile food truck, staff recommends 1-year approval subject to:

- 1. Mobile Food Trucks must close at the same time as the main business.*
- 2. Compliance with the City's Building & Fire Codes, Applied 8/31/2020*
- 3. Compliance with the County Health Codes*
- 4. Must acquire a business license. Applied 8/31/2020*

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

P. Consideration and action on conditional use permit renewal for the sale and onsite consumption of alcohol at "Far West Rodeo", physically located at 741 Main St., legally described as all of Lot 5, 6, 7, 8, 9 & 10, Block 44, Alamo Original Townsite for Griselda Garcia.

City Manager Robert Salinas stated the subject site is located 200' west of 7th Place along the south side of Main St. Hours of Operation: The proposed hours of operation are from 6:00 p.m. to 2:00 a.m. Monday thru Sunday, the applicant is proposing (3 waitresses, 1 bartender, & 1 security guard). A total of 45 parking spaces would be required according to the number of seats (136 seats/3). There are several on-street parking spaces located along Main St. that are used to accommodate the adjoining businesses. Staff has never received complaints regarding parking. Such uses need to be 300' from residential uses. There are some apartment and a few residential uses within 300' of this site; thus a waiver of the separation requirement needs consideration. P & Z and City Council had previously approved such a waiver for this site on 8/7/2018. Since this bar and grill will be open during late hours, staff is recommending the use of uniformed security during such hours as we've required in similar types of businesses. Staff recommends approval for 1-year subject to: 1) Waiver of the 300' separation requirement; and 2) Must provide uniformed security for this business. This item was approved at the P&Z meeting on September 16, 2020.

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

Q. Consideration and action on a conditional use permit renewal for the sale and onsite consumption of alcohol at "Prim's Event Center", physically located at 739 Main St., legally described a Lot 11, Block 44, Alamo Original Townsite for Robert Zuniga.

City Manager Robert Salinas stated the subject site is located 140' west of 7th Place along the south side of Main St. Such uses are required to be 300' from residentially owned property. There are some apartments and a few residential uses within 300' of this site; thus a waiver of the separation requirement needs consideration. P & Z and City Council had previously approved such a waiver for this site on 3/6/2018. Since this event center will be open during late hours, staff is recommending the use of security during the late hours. This item was approved at the P&Z meeting on September 16, 2020.

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

R. Consideration and action on a rezone request for from an R-1 (Single-Family Dwelling District) to a C (Commercial District) physically located at 821 N. Alamo Rd., legally described as A 1.09-acre tract of land out of Lot 14, Block 40, Alamo Land and Sugar Company's Subdivision for Jaime Samuel Gonzalez.

City Manager Robert Salinas stated the subject site is located 550' north of Nebraska Rd. along the west side of Alamo Rd. The surrounding land uses consist of Cecy's Drive Thro and apartments to the north, open acreage to the west, single family home to the east and south. The subject site currently has a single family home. The subject site currently has approximately 100' of commercial zoning along Alamo Rd. The applicant wishes to expand the commercial zone to a total of 331.32' in depth. There are similar examples along Alamo Rd. where properties have expanded their commercial zoning deeper than the 300'. The nearest examples are some tracts located approximately 700' to the north along the west side of Alamo Rd. Alamo Rd. is more compatible for non-residential uses due to the high rates of speed and the amount of traffic on that particular road. Since there are other examples of Commercial zoning wider than the existing 100' in the area, staff would not object to allowing additional commercial depth. The additional depth would be in line with other commercial zonings within the area to the north.

Mayor Diana Martinez asked what is the proposed commercial business

City Manager Robert Salinas responded he is not sure yet

Mr. Sam Gonzales stated small shops

Mayor Diana Martinez motioned to approve, and Commissioner Pilar Garza seconded. Motion carried.

S. Consideration and action on a rezone from an R-2 (Duplex, Multi-Family, Townhouse and Apartment District) to an R-1 (Single-Family Dwelling District) physically located at 1001 E. Nebraska Rd., legally described as A 2.20-acre tract of land, more or less, being a portion of Lot Thirteen (13), Block Forty (40), Alamo Land and Sugar Company's Subdivision for Tenants Choice Investments.

City Manager Robert Salinas stated the subject site is located 500 feet east of Alamo Rd. along the north side of Nebraska Ave. the subject site rezoned from R-1 to R-2 back in 2016. The original owner wanted to build apartments but has since sold the property to the current applicant. The applicant is now wanting to revert back to R-1 in order to develop a new single-family subdivision. Since the site was previously zoned R-1 and it is currently surrounded by R-1 zones, staff does not object to the proposed zone change back to R-1.

Mayor Diana Martinez asked who is the new owner

City Manager Robert Salinas responded Steve Lerma, they are going under Tenant's Choice Investments.

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

T. Consideration and action on a rezone from an R-1 (Single-Family Dwelling District) to an R-2 (Duplex, Multi-Family, Townhouse and Apartment District) physically located at 1349 Ridge Rd., legally described as A 5.0-acre tract of land, being the West 165.00 feet of Lot 10, Block 32, Alamo Land and Sugar Company's Subdivision for Imelda Y. Alvarez.

City Manager Robert Salinas stated the subject site is located 1,300' east of Cesar Chavez Rd. along the south side of Ridge Rd. In viewing the existing land uses, one can see that the mobile homes in the area were existing prior to the City's annexation in November 18, 2008. The entire 5-acre tract is surrounded by R-1 zones (Single Family Residential) and single family residential uses or existing mobile homes uses. There are also some existing apartments located approx. 500' from the site. With all of the existing mobile home uses, and single family home subdivisions to the west and north, an R-1 subdivision make more sense in this area, however, there are several examples of R-1 zones adjacent to R-2 zones. If the Commission wishes to approve the rezoning, Staff recommends placing some restrictions as to the height of the proposed apartments, fence buffering requirements, as well as providing a street connection with the existing apartment subdivision located to the east of this tract.

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

U. Presentation regarding the AEDC progress report for ACAP

City Manager Robert Salinas stated we did have 4 rounds a total:

- 154 applications have been submitted*
- 126 applications were reviewed by committee*
- 116 applications were approved totaling \$417,749.38*

This is under the 20% that we have allotted for the ACAP program, the deadline to submit all of our paper work is October 31st. He thanked Mr. Tapia and his staff for all the hard work.

The commission thanked Mr. Tapia.

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.

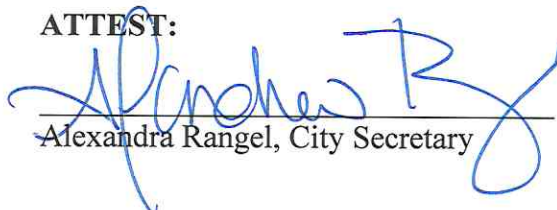
No Citizen participation

I. ADJOURNMENT

Citizens are encouraged to sign the attendance sheet.

There being no further business, Mayor Diana Martinez adjourned the meeting at 8:50 pm

ATTEST:


Alexandra Rangel, City Secretary


Mayor Diana Martinez



