

The Board of Commissioners for the City of Alamo, Texas met for the Regular Meeting on Tuesday, February 16, 2021 at 7:00 p.m, at the City of Alamo Municipal Building.

COMMISSION PRESENT:

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

COMMISSION ABSENT:

Robert De La Garza, 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
Sergio Zavala, CPD Director

I. CALL MEETING TO ORDER

Mayor Diana Martinez called the regular meeting held on Tuesday February 16, 2021 to order at 7:00 p.m. at the City of Alamo Municipal Building. Mayor Diana Martinez led the Pledge of Allegiance and Herb Moering led the Invocation.

C. Presentations and Announcements.

Mayor Pro-Tem Okie Salinas thanked DHR for giving each Alamo employee a bracelet for the COVID-19 vaccine this Friday.

Mayor Diana Martinez thanked Herb and Carol Moering with opening their doors during this time of need.

D. Consideration and Action to approve the minutes for the first regular meeting of February 02, 2021.

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

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

City Manager Robert Salinas stated not much has changed and we are continuing with it until March 16th. Hidalgo County nor the Governor's office has changed anything regarding the occupancy.

Mayor Diana Martinez asked Police Chief Richard Ozuna how are the numbers looking today.

Police Chief Richard Ozuna responded because of the power outage he has not received an update.

City Manager Robert Salinas stated the County sent over an email stating there are 2,176 net active cases and they are showing 19 cases for Alamo. This might be an outdated list, this does not say who is cleared and those outside the city limits.

Commissioner Pete Morales asked will there be any additional aid for rent/ mortgage payment?

City Manager Robert Salinas responded the only thing we have heard it is going through the Community Service Agency through the county.

Commissioner Pete Morales asked where can they find this information?

City Manager Robert Salinas responded within the county's website.

Mayor Diana Martinez asked is it a mortgage or a rental?

City Manager Robert Salinas responded he needs to touch base with the Community Service Agency Director on the specifics.

Commissioner Pete Morales asked for business?

City Manager Robert Salinas responded he has not heard that.

Commissioner Pete Morales asked this can be found on the website?

City Manager Robert Salinas responded yes, he will send over the information.

Commissioner Pete Morales asked about the garage sales, has PD had any issues?

City Manager Robert Salinas responded just the occasional client only having their mouth covered but comply.

Commissioner Pete Morales stated he has not received any complaints.

Mayor Diana Martinez stated she did have to call the Chief because people were not wearing their masks.

Police Chief Richard Ozuna responded that is correct, we did get a few complaints.

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

F. Consideration and action regarding the 2020 Annual Racial Profiling Report.

Police Chief Richard Ozuna stated this is our annual 2020 Annual Racial Profiling Report that is submitted to the state.

Mayor Diana Martinez motioned to approve, and Mayor Pro-Tem Okie Salinas seconded. Motion carried.

G. Consideration and Action to approve/clarify the overtime policy for the Alamo Police Department.

City Manager Robert Salinas stated back on October 6, 2020, we approved the police department's overtime policy specifically to utilize funding for state and federal grants. However, the State/Feds require that we approve the Police Department's overtime policy across the board and not only to specifically use it for state and federal grants. The item before you is to approve the Alamo Police Department's overtime policy across the board, allowing for overtime hours to begin after 40 hours have been met during a single work week.

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

H. Discussion on the need for a Risk and Resilience Assessment and Emergency Response Plan for the City of Alamo's Water system.

City Manager Robert Salinas stated we are required by Section 2013 of America's Water Infrastructure Act of 2018 (AWIA) requires community water systems (CWS) that serve more than 3,300 people to complete a risk and resilience assessment (RRA) and develop an emergency response plan (ERP). The City of Alamo serves a population greater than 3,300. The deadline of the Emergency Response Plan: 6 months after Risk and Resilience Assessment certification. We are moving forward and have published already, our staff as well as our consulting engineer will be going over the proposals.

Mayor Pro-Tem Okie Salinas asked will this be presented at the next meeting?

City Manager Robert Salinas responded yes, next meeting on March 2nd.

I. Consideration and Action on an Ordinance Amending Article II, Section 1 of the Charter of the City of Alamo regarding the 'Start' time to hold monthly regular meetings.

City Manager Robert Salinas stated Article II, Sect. 1 of the Charter states that the Board of Commissioners shall hold 2 regular meetings each month at a date and time to be fixed by the Board of Commissioners by Ordinance. A proposed ordinance that would have the Board of Commissioners consider amending their regular meeting 'start' time from 7pm to 6:30 pm. The proposed 6:30 pm start time seems reasonable for interested parties/citizens to attend; & also assimilates to a general median to the start time of other Hidalgo County cities starting from 4pm -7 pm. We are proposing for 6:30 and eventually bring it down to 6pm to be aligned with several cities.

Mayor Diana Martinez stated this is a great idea for 6pm, rather than employees to be here for 2 extra hours they will be here for 1 extra hour after work.

Commissioner Pete Morales stated this is a good idea at 6pm, but how does the Commissioner and Mayor Pro-Tem feel about it.

Commissioner Pilar Garza stated the reason why it was at 7pm, was to give citizens time to get to the meetings, and 6:30pm is a good option.

Mayor Pro-Tem Okie Salinas stated he agrees with the 6pm and if people did need to attend they will make time for then item, and that will give extra time for employees to be home earlier.

City Attorney Cris Palacios stated just to clarify, this motion will amend an ordinance Title 1, Chapter 5, Section 1-5-1 which talks about the regular meeting and location. Within the motion just state the time for the ordinance to be corrected.

Mayor Pro-Tem Okie Salinas motioned to amend the time to 6pm and for the ordinance to be corrected, and Commissioner Pete Morales seconded. Motion carried.

J. Consideration and Action on an Ordinance Amending Title 3, Business and License Regulations, Chapter 17 Mobile Food Vendors.

Planning Director Sergio Zavala stated in Ord. No. 09-03-17, Title 3 stated that a mobile food vendor was to be a conditional use in the commercial zones; however, Title 10 (Zoning) was not amended to include a 'mobile food vendor' as a specific conditional use in said zoning districts. In addition, there is a proposal that is someone was to build, construct and develop a mobile food court as seen in various cities. One minimum will be for a food court to be 10,000 sq. feet as far the amount of food trucks, it will be a minimum of 4 and no more than 6. If there is a success then we will amend the ordinance, there will be a structured restroom. If a food vendor does want to be open passed 10pm then there can be an inclination and imposed an uniform hour, security since there is a residential area. With COVID-19 there is a required safe plan to be submitted, as far as the unit age it should be no more than 1 year old. If the court has 6 units and one leave then the new unit will have to meet the requirement as well. What has been proposed is to amend the current ordinance to include the mobile food courts to include the features and characteristics in the ordinance. It will be a conditional use permit, if one chooses to propose one then it will be vented in a public hearing and brought fourth to the commission, our recommendation is approval.

Commissioner Pete Morales asked Mr. Zavala, if he wanted to add security to the food court?

Planning Director Sergio Zavala responded only if it is passed 10pm and because it is near a residential area. We just want to make sure the noise levels are to a minimum.

Commissioner Pete Morales stated most of these businesses will be doing this in front of another business.

City Manager Robert Salinas responded this will be independent, on its own with parking lot and tables. This is different because it will only be mobile food trucks. This was proposed but at the moment we do not have an ordinance. This ordinance will allow it to be a conditional use permit under a commercial zone. If someone is proposing, it will go through planning and zoning, a letter will be sent to the property owners within the 200 feet around the property and the final approval of the city commission.

Mayor Diana Martinez asked Mr. Zavala if anyone was asking for this

Mr. Zavala responded yes, Mr. Alberto Cazares

Commissioner Pete Morales stated he does not want it to make it difficult for people

City Manager Robert Salinas responded mainly this is for safety, everything required from the mobile food vendor but if tables are added that is usually included, this can become an issue like trash.

Mayor Diana Martinez stated this is a good idea because this is something that can be controlled within the area.

Mayor Pro-Tem Okie Salinas stated this a good idea and other cities have created the blue print for this. In addition, with COVID everyone wants to eat outside.

Mr. Alberto Cazares stated he wants to bring something new for the city that will bring something fun as seen in other cities.

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

K. Consideration and Action on an Ordinance Amending Title 11, Chapter 2, Section 11-2-4 Regarding required fees for the Subdivision Development Process to establish a preconstruction construction fee.

Planning Director Sergio Zavala stated this came to his attention when an engineer that was inquiring about a PPC on a development and when he checked there was not any. A part of the development process where subdivisions are concerned is that the project engineer prepares signed/sealed construction plans. These plans are provided to Planning that quarterback the plans to Public Works, the Fire Marshal's Office, the City's Consulting Engineer, Planning Staff, and to other offices, as needed.

There is a lot of review/examination time invested by the City, especially if the project engineer has to adjust the plans as they continuously evolve. A measure that has been used by other cities is a nominal Pre-construction Conference (PCC) fee. This PCC fee has been established to partially off-set City staff's services to meet with the project engineer, the developer's engaged contractors (and subcontractors), the developer, and others, to go over the final construction details of the projects' water, sanitary sewer, streets, storm drainage, dedicated public areas, common area detention ponds, any proposed buffering, perimeter street widening & its required safety signage/features, etc. The fee rate structure is very nominal but Planning feels it serves as a fair measure of its review/examination services to a specific project.

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

Public Hearing

Public Hearing on a partial abandonment and vacating of an existing 15' easement dedicated to the General Public, Specifically the utility easement located on Lot 2, Walgreens Alamo Subdivision

No citizen participation

L. Consideration and action on a partial abandonment and vacating of an existing 15' easement dedicated to the General Public, Specifically the utility easement located at Lot 48, located on Lot 2, Walgreens Alamo Subdivision

City Manager Robert Salinas stated he wanted to explain the abandonment of the easement, this property located in Lot 2, Walgreens Alamo Subdivision located 10 ½ St. North of Duranta on the west side. A two-story apartment building is been built, what happened during the construction stage the foundation was built over an existing 15 foot utility easement but leaving 5 feet of the existing 15 feet. The owner did review with 411 and there were no existing utilities. The reason why that happen was because there is an existing fence located adjacent to the Pizza Hut on the west side. The contractor believed the fence on the westside was the corner of the lot, they went 15 feet into the lot which left 5ft of easement and 10ft of an abandoned alley. If the commission grants the abandonment then there will be no issue there is no need for a variance. He asked Sergio Contreras if he was able to obtain the property?

Mr. Sergio Contreras responded yes.

City Manager Robert Salinas stated when Walgreens submitted the request for the subdivision it was requested for the city to abandon the alley, originally it was a 20 foot alley. It was proposed for the west half to Pizza Hut, but Pizza Hut never took advantage of it, Mr. Contreras has already spoken with Pizza Hut and they are okay with him absorbing the 10 foot strip which will give him the 15 foot minimum set back.

Mayor Diana Martinez asked do we have it in writing from Pizza Hut?

City Manager Robert Salinas responded he is currently working on it. The purpose of this public hearing is to abandon a portion of the 15 foot easement but still leaving of the existing 5 feet easement.

Mayor Diana Martinez motioned to approve, and Mayor Pro-Tem Okie Salinas seconded. Motion carried.

EXECUTIVE SESSION: 7:30 PM

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 §551.074 Personnel Matters and §551.071 Consultations with Attorney:
 - a. Discussion regarding Title 1, Chapter 14 Board of Adjustments
 - b. Discussion regarding the City Manager employment contract renewal

OPEN SESSION: 8:20pm

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.

M. Consideration and action to approve the City Manager employment contract renewal

Commissioner Pete Morales motioned to approve, and Mayor Pro-Tem Okie Salinas 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.

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 8:20 pm


Mayor Diana Martinez

ATTEST:


Alexandra Rangel, City Secretary

