

The Board of Commissioners for the City of Alamo, Texas met for the Regular Meeting on Tuesday, May 04, 2021 at 6:00 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  
Robert De La Garza, Commissioner

**COMMISSION ABSENT:**

**STAFF PRESENT:**

Robert L. Salinas, City Manager	Alicia Cano, HR Director
Rick Palacios, City Attorney	Adela Perez, Purchasing
Alexandra Rangel, City Secretary	Ronnie Cruz, City Engineer
Richard Ozuna, Police Chief	Melisa Gonzales, Special Projects Director
Roy Contreras, Fire Chief	Michael Torres, IT Director
Rafael Tapia, AEDC Director	

**I. CALL MEETING TO ORDER**

*Mayor Diana Martinez called the regular meeting held on Tuesday May 04, 2021 to order at 6:00 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.**

*Special Projects Director Melisa Gonzales announced Saturday we will be having two events the Roll- Offs on 9th St. from 8am-12pm, and our Watermelon Festival from 4-11pm at Downtown Central Park. On Wednesday the library is having a drive thru for Dia de los Ninos at 5:30pm.*

*City Manager Robert Salinas stated regarding our Watermelon Festival it's our 9<sup>th</sup> Annual Watermelon Festival and in your packet, I included a copy of the resolution that was done by State Representative Armando Martinez.*

*Mayor Diana Martinez asked Mr. Salinas if he would you like to make the announcement on the grant that we received.*

*City Manager Robert Salinas stated for the mortgage assistance Mr. Frank Briones applied and we did acquire \$ 289,845.*

**D. Consideration and Action to approve the minutes for the second regular meeting of April 20, 2021.**

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

**E. Discussion on City policy for employees out due to COVID-19.**

*City Manager Robert Salinas stated this is in regards to the extension of the Family First Corona Virus Response Act the Commission had extended the act up to March 31, 2021 but since then we've had two employees that have been out due to family members being confirmed to have had Covid-19 under the CDC guidelines it states that we should not allow employees with close contact to a person who has been lab confirmed to have had Covid-19 to come back to work until the end of a 14 day self-quarantine period, we also follow a chart that actually allows employees back to work as long as they've been fully vaccinated so just as a side note in regards to the 2 employee's they were not fully vaccinated at the time of the positive test result and so they had to be quarantined at the time. I've asked several of our neighboring cities including Alton, McAllen, Pharr, San Juan and Weslaco and they all stated that the employees would need to utilize their sick leave so the question that I have for the Commission is whether we will continue to extend the Family's First Corona Virus Response Act or if we simply have them utilize their sick or vacation*

*time. Basically, what we're trying to find out is if it's a good idea to continue extending act or to just have them utilize their sick leave.*

*Mayor Diana Martinez stated it is reported even after the vaccine they can still get COVID-19. She states they should continue with this since we have had only 2 people affected in the last months. She asked why don't they want to get vaccinated.*

*City Manager Robert Salinas stated with one employee they just choose not too and the other they were in the middle of vaccination.*

*Mayor Diana Martinez asked if they have received a recent count from Hidalgo County*

*Police Chief Richard Ozuna responded 9*

*City Manager Robert Salinas stated within their packet there is a flow chart on how this will be handled. If you choose to we can extend the Family First Coronavirus Response Act to end of May 31<sup>st</sup>.*

*Mayor Pro-Tem Okie Salinas stated he wants to extend it but also let the employees know if this ends and you are not vaccinated then that is it. We don't want to mandate it but we should promote the vaccine.*

*City Manager Robert Salinas responded we will extend it to May 31<sup>st</sup> and promote the vaccine.*

*Commissioner Pete Morales asked the employees know they need to be wearing masks at all times?*

*City Manager Robert Salinas responded yes, the only time is when they are outside working by themselves.*

*Mayor Pro-Tem Okie Salinas asked any new restrictions outdoors and not wearing masks.*

*City Manager Robert Salinas responded the restrictions have changed as far working alone, but other than that no.*

**F. Consideration and Action on the Updated Mayoral Declaration of Local State of Disaster Due to Public Health Emergency**

*City Manager Robert Salinas stated the only difference is the wording stating by this declaration, the City of Alamo wishes to honor the employee's entitlement by retro activating the entitlement. from April 1, 2021 until May 31, 2021 for those employees that are completely vaccinated.*

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

**G. Consideration and Action on a Resolution to support SB 594- Sanitation Bill relating to the provision of solid waste disposal services by certain counties.**

*City Manager Robert Salinas stated this is a Resolution in support of Texas Senate Bill 594 relating to the provisions of solid waste disposal services by Hidalgo County.*

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



**H. Consideration and Action on a request from Vanguard Academy to use the Downtown Central Park and stage for a Recruitment Expo for May 29, 2021.**

*City Manager Robert Salinas stated Vanguard Mozart Elementary and Vanguard Mozart Secondary are currently recruiting students for the 2021-2022 school year. They will be hosting a recruitment/Expo showcasing our conjunto, Mariachi and other extra-curricular activities at the City of Alamo square located downtown Alamo across from the El Dorado restaurant. If approved, they are planning on moving forward with this event the last Saturday of the month of May which is May 29, 2021 or June 5, 2021.*

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

**I. Consideration and Action to authorize City Manager to continue the partnership with the Lower Rio Grande Valley Development Council for their Bike Share program.**

*Special Projects Director Melisa Gonzales stated back in November of 2018 a Resolution was passed to authorize a partnership with the RGV Bikeshare Project. We have a 20% match and the areas we want to put them in and how will we promote it. She requested for City Manager to authorize future approvals.*

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

**J. Consideration and Action on Interlocal Cooperation Agreement between the City of Alamo with Hidalgo County Head Start Program.**

*City Manager Robert Salinas stated this is a 2 year extension, on our existing interlocal program we approve annually.*

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

**K. Consideration and Action regarding a contract with Raba Kistner Consultants, Inc. to provide construction materials observation and testing services for Crockett Road improvements.**

*City Manager Robert Salinas stated this testing is for the construction with Hidalgo County Precinct 1 for the Crockett Road widening. We have 5 different GEO-Tech firms on rotations and Raba Kistner is next in line and because it is over the \$15,000 (\$ 17,200.43). We brought it before the Commission for approval.*

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

**L. Presentation regarding the use of Revenue Funds to enhance the Alamo Police Department PSAP.**

*Police Chief Richard Ozuna stated he respectfully requests reimbursement of any unused funds pursuant to Section 771.0751 of the Texas Health and Safety Code. The funding request in the amount of \$127,256.70 is to reimburse expense for software equipment necessary to operate and enhance the Alamo Police Department PSAP.*

*City Manager Robert Salinas asked is this a radio console?*

*Police Chief Richard Ozuna responded it's a 911 center, we are upgrading our calls range. Right now our officers do lose connectivity the further they go.*

*City Manager Robert Salinas stated if the commission recall, they had a meeting regarding reimbursements and where that funding was going to be utilized, and he was looking into a \$600,000 project for radios for PD and Fire, well this will help reduce by \$147,000.*

**M. Consideration and action to replace/re-appoint member(s) to the Tax Increment Reinvestment Zone Board.**

*City Manager Robert Salinas stated our TIRZ Board is selected every 2 years, the current board is on the ordinance. The only difference is the addition of Mayor David Suarez from Weslaco, he is with Precinct 1.*

*Commissioner Pete Morales motioned to keep*

- 1. Mayor David Suarez, Hidalgo County Precinct No. 1*
- 2. Keith Hackland (Chairman)*
- 3. Mayra Benedetti (Vice-chair)*
- 4. Asael Alanis (Secretary)*
- 5. Gilbert Herrera*

*And Mayor Pro-Tem Oscar Salinas seconded. Motion carried.*

**N. Consideration and Action on an Ordinance to create a new Chapter 5A, in Title 1- Administration, to Establish Reasonable Electioneering Policy Guidelines within certain areas to include the City of Alamo's Sergeant Fernando De La Rosa Memorial Library (Tabled 04/20/21).**

*Commissioner Pete Morales motioned to remove from table, and Commissioner Pilar Garza seconded. Motion carried.*

*Planning Director Sergio Zavala stated Electioneering Permissible Area (EIPA), whether on right-of-way or private property, but the City strongly encourages a respectful and reasonable limit be evident per political candidate and/or proposition. There shall be no signage, banner, and/or any other type of political expression posted on, in, or over the following premises as owned by the City of Alamo: City Hall premises, Library premises, Police Department premises, Municipal Court premises. 1) save and except the twenty feet (20') immediately east of Tower Road as it intersects to Los Alamos Street, the EIPA will include the elongated area along the south side of Los Alamos Road, east of Tower Road, to the eastern alignment of 4th Street; and 2) save and except the twenty feet (20') immediately east of Tower as it intersects to Duranta Avenue, east of Tower Road, will include the elongated area along the north side of Duranta, to the eastern alignment of 4th Street. As for mobile electioneers walking up-and-down Tower Road (which has high traffic patterns), there shall be no more than one (1) person per campaign allowed to sidewalk electioneer per road; hereinafter referred to as 'Mobile Sidewalk Electioneering (MSE)'. However, realizing that the number of propositions and number of candidates may fluctuate (increase or decrease) from year to year, the City Manager may adjust the number of MSE persons/campaign for that particular election year. The City of Alamo will permit for each candidate or a proposition's campaign, the placement of one, but no more than two, tents or similar shelter throughout the voting period. There may be a reasonable measure of BBQing, heating, and/or preparing of food in the EIPA so as to have electioneers and their associates properly fed and comfortable. However, each electioneers will provide their own garbage receptacles to properly dispose of their residual trash, napkins, etc. Prior to electioneering representatives departing from the EIPA, they shall pick up any debris, paper, wrappings, refreshment bottles, or other refuse that may be evident. It is expected that all participants in the election process will act and abide by these reasonable measures in good faith. Should there be a perceived violation, the City of Alamo will simply inform the person of the proper code of electioneering conduct. It is stated that if the violation persists, then a verbal warning may be issued; then if the violation still continues, then a written warning may be issued, as well penalty for anyone that blatantly and intentionally continues to violate the terms of these electioneering policies beyond the escalating steps just cited,*



*such person(s) may then be subject to a fine not to exceed one-hundred dollars (\$100) per occurrence.*

*Mayor Pro-Tem Okie Salinas asked there is no signage allowed on the city property*

*City Manager Robert Salinas responded no, if this is something you want to see then we have to discuss it right now.*

*Mayor Diana Martinez stated one of the concerns during the November Elections was the tents and several political signs, all of this was damaging the property. San Juan had an election and only allowed 25 yard signs per candidate.*

*City Manager Robert Salinas responded what happens when you have several candidates at the same time and it will be an overwhelming number of signs.*

*Mayor Diana Martinez stated we also have state elections they don't pick up the signs.*

*Mayor Pro-Tem Okie Salinas stated and the yard signs*

*City Manager Robert Salinas responded are you okay with yard signs*

*Mayor Pro-Tem Okie Salinas stated he is but not sure on the quantity but to keep it a certain size, the issue we were having were the tents blocking the view.*

*City Manager Robert Salinas responded this proposed ordinance will handle that, but we can always modify it in future elections.*

*Commissioner Pete Morales asked when citizens go to vote and have a party's bumper sticker, and how do we handle that. We don't want to harass them, there were situations in the past where they are being harassed on having a bumper sticker on their personal vehicle.*

*City Attorney Cris Palacios asked are they coming within the 100 yards?*

*Commissioner Pete Morales responded yes*

*City Attorney Cris Palacios stated that is a violation of the state code, the parking area is part of the 100 feet.*

*Commissioner Pete Morales stated this is one person to vote*

*City Attorney Cris Palacios responded it is okay to vote but that is still electioneering within the 100 feet.*

*Commissioner Pete Morales asked is there a method to block it*

*City Manager Robert Salinas responded that is a tricky situation*

*Commissioner Pete Morales asked how can we handle that, as concerned citizen I don't want people touching my vehicle.*

*City Attorney Cris Palacios responded they can park in city hall, not only will they get in trouble with the city but with the state as well.*

*City Manager Robert Salinas responded that is his concern, what if we have someone with ADA compliances, how do can we handle that properly.*

*Mayor Diana Martinez asked Mr. Salinas to call the elections department on how they handle that*

*City Attorney Cris Palacios responded as far as the county side they have a taped-out section even and a designated area for handicap, perhaps that is a question to ask. To her understanding they don't even allow bumper stickers.*

*Commissioner Pete Morales stated he understand because voters have been harassed just coming in to vote.*

*City Manager Robert Salinas responded based on the sign code, signs on the vehicle would be considered exempt signs as well as a first amendment right. He will check with the elections department.*

*Mayor Pro-Tem Okie Salinas asked are we going limit the signs?*

*City Manager Robert Salinas responded yes, he is recommending 5 signs as far as yard signs 10 or the limit of candidates we can limit it.*

*Mayor Diana Martinez stated 15*

*Commissioner Robert De La Garza stated as far in front of the library, he would like to keep it at 0.*

*Mayor Pro-Tem Okie Salinas stated he is okay with 0.*

*Commissioner Robert De La Garza stated any city property it should be 0.*

*Mayor Pro-Tem Okie Salinas stated for years there were never any signs, until the school board elections.*

*Commissioner Pete Morales stated he agrees with 0*

*Commissioner Robert De La Garza motioned to approve with 0 signs on the city's properties, Mayor Pro-Tem Okie Salinas seconded. Motion carried.*

**O. Consideration and Action on an Ordinance To Amend Title 6, Sect. 6-6-12 regarding Wrecker Towing Service.**

*Planning Director Sergio Zavala stated in close collaboration with Police Chief Richard Ozuna and the city manager, attached ordinance that will amend Title 6's Section 6-6-12 being the fee rate schedule that wreckers on the City's rotation would abide by. The City's current system has one rate for all vehicles regardless of the vehicles' size (weight). This ordinance proposes different rates to correlate more justly to the varying type of vehicles. The rate categories are for vehicles are as follows:*

- *Class A Tow Rates    vehicles 10,000 lbs. or less;*
- *Class B Tow Rates    vehicles 10,000 lbs. to 26,000 lbs*
- *Class C Tow Rate      vehicles over 26,000 lbs.*

*Other Special Services and Fees'; dependent on the type of accident, the location of the event (car in a drain ditch, etc.), and the varying equipment needed for the tow, this list of 'special services' reflects the maximum fees for using such special equipment.*

*The current code already requires that the Police Chief try to resolve complaints against a wrecker's rates. However, this new ordinance will mandate that the Police Chief maintain a manifest of all complaints against a wrecker company, type of complaint, when the*

*service/complaint was lodged, and the final outcome reached. This manifest will be helpful in assessing whether or not a wrecker service will continue to be on rotation or not (dependent on complaint resolution patterns).*

*The current code is attached so you may compare and contrast what we have to what is being proposed.*



*We feel that the proposed rates are just and fair to the person being tow-served, as well as finding a better balance for the wrecker companies.*

*Police Chief Ozuna stated this is a sample, we did conduct research throughout the valley and parts of the state to calculate numbers.*

*City Manager Robert Salinas stated we have had a few meetings where we hear verbal complaints. After reviewing receipts, he noticed a major fee comes from special service equipment. If a wench is used then they use a special tool, this ordinance will stop the abuse of that.*

*Commissioner Pete Morales asked who determines how a car is towed, what if someone will come for them? Do they have an option?*

*Police Chief Ozuna responded there is consensual and nonconsensual, if it's an accident and the owner request their own wrecker then that is no problem. If they don't have anyone then we call those on rotation, the state does not regulate the amounts, but the city can create an ordinance on how much.*

*Commissioner Pete Morales asked for example if I am in an accident and my brother comes and picks up my vehicle, is it up to me?*

*Police Chief Ozuna responded yes*

*Mayor Pro-Tem Okie Salinas stated unless it holding up traffic we have to call the wrecker.*

*Commissioner Pete Morales asked I just want to make sure they have that option*

*Police Chief Ozuna responded yes*

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

#### **PUBLIC HEARING**

**Public Hearing on a proposed Conditional Use Permit for a Vehicle Storage Facility located at the W. 100' of Lot A-1, Rio Vista Subdivision, being at 1220 W. Business Highway 83, Alamo, Texas; applicant is for Francisca Coronado.**

*Ms. Francisca Coronado stated they have been in rotation since May 2020, and they have been trying to find property. This is a commercial property and want to buy it to be on rotation.*

#### **P. Consideration and Action on a proposed Conditional Use Permit Ordinance for a Vehicle Storage Facility located at the W. 100' of Lot A-1, Rio Vista Subdivision, being at 1220 W. Business Highway 83, Alamo, Texas; applicant is for Francisca Coronado.**

*Planning Director Sergio Zavala stated at the 12th Street and Bus. HWY 83 juncture, the site is on the north side of this juncture, i.e., north of the railroad, Access to the site comes from a driveway crossing over the RR, and then eastward on an un-paved RR maintenance road. The containment area is 110' x 110' and is already fenced, but some of the fencing is chain linked. If approved, the fence would have to be a solid buffer. The applicant was informed of this, and would comply with the VSF fence requirement of having an 8' solid fence buffer. Since its only means of access is off the buffered south side, there should be no noise issue to the residential area to the north. The internal area is dirt and is not paved nor has any caliche. The applicant was also informed at a site-visit that it'd have to have an all-weather surface where the cars would be stored. This is a good location for a wrecker yard since it is not very visible to begin with, is next to the RR, and its means of access is away from conflicting with any residential traffic. It was approved at the P&Z meeting on 4/21/21.*

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

#### **PUBLIC HEARING**



**Public Hearing on a proposed Conditional Use Permit for a Mobile Food Trailer on Property zoned Commercial located at Lots 23 and 24, C&S Subdivision, being 1100 W. Frontage Road, Alamo, Texas; applicant is Yancy Luna.**

*Ms. Yancy Luna asked to be given the opportunity to grow and the option to establish her business and hopefully expand valley wide. She states she got approval from the business owner, but to speak with the city first.*

**Q. Consideration and Action on a proposed Conditional Use Permit Ordinance for a Mobile Food Trailer on Property zoned Commercial located at Lots 23 and 24, C&S Subdivision, being 1100 W. Frontage Road, Alamo, Texas; applicant is Yancy Luna.**

*Planning Director Sergio Zavala stated the subject site is at a very major intersection here in Alamo. It is at the NW corner of U.S. Expressway 83 & Alamo Road. The site has an existing convenience store with several gasoline islands; and there is an existing portable food trailer (with no skirting) to the SW that sells seafood. The commercial site has 2 driveway entrances off the Frontage Road and one primary entrance from Alamo Road. The applicant proposes to move-in an approximate 8' x 10' food trailer, and place it near the most visible portion of the intersection. It is expected that any patrons will temporarily park in the driving lane, order their food item, and depart. No communal dining tables are proposed. In assessing this CUP, staff considered the significant visibility of this major intersection. Recall that in the other 3 corners, there is the multi-story Freedom Bank to the SW; then Church's Fried Chicken & other business suites to the SE; McDonald's to the NE; & to the NW is the convenience store, a seafood trailer, and now another proposed food trailer. The image that Alamo may not want to project is to have multiple small food trailers at major and highly visible street intersections at the heart of its commercial corridor. Since there is an existing/weathered food trailer to the SW, having another one right at the intersection is not a CUP that Staff can support. P&Z Director's Recommendation denial on April 21, 2021.*

*Commissioner Pete Morales stated is this the right place to have it, he is not against food trucks and small businesses but perhaps there could be another location.*

*Commissioner Pete Morales motioned to deny and, Mayor Pro-Tem Okie Salinas seconded. Motioned 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](mailto:arangel@alamotexas.org). Five minutes per person with no response from the City Commission. Residents must sign up prior to the city meeting.

*Toni Esqueda spoke on a concern regarding her neighbor at Greystone Subdivision to build a carport that is restricted through the developer to keep an aesthetic view.*

**I. ADJOURNMENT**

Citizens are encouraged to sign the attendance sheet.

*There being no further business, Mayor Diana Martinez adjourned the meeting at 7:00 pm*

**ATTEST:**

*Alexandra Rangel*  
Alexandra Rangel, City Secretary

*Diana Martinez*  
Mayor Diana Martinez

