

The Board of Commissioners for the City of Alamo, Texas met for the Regular Meeting on Tuesday, September 07, 2021 at 6:00 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	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	Yvette Mendoza, Finance Director
Rafael Tapia, AEDC Director	Sergio Zavala, Planning Director

I. CALL MEETING TO ORDER

Mayor Diana Martinez called the regular meeting held on Tuesday September 07, 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

Di Gatewood and Rachel Patch from Alamo Rose RV Resort Summer Quilters presented quilts to Chief Contreras and Chief Ozuna. These quilts are to aid the units in having quilts on hand for those children or families in need.

Special Projects Director Melisa Gonzales announced the inaugural Don't Be Self Conchas 5K for September 18th from 7am-12pm.

D. Consideration and Action to approve the minutes for the second regular meeting of August 17, 2021.

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

PUBLIC HEARING

Public Hearing regarding 2021-2022 City Budgets for the General Fund, Water and Sewer Fund, Debt Service Fund and Hotel/Motel Tax Fund.

Finance Director Yvette Mendoza spoke regarding the proposed budget for 2021-2022:

Total Revenue of \$11,886,304

Total Expenditure of \$12,169,944

Revenue Over/(Under) Exp. (\$283,640)

This also includes the employee increase of insurance coverage of 1%, a 5% increase to all employees, the starting pay from \$9 to \$10 and the addition of 3 full time positions 1 full time clerk for Planning Department, 1 full time clerk for Human Resources and 1 full time clerk for the finance department. Our starting pay for the Police Department went from \$15 to \$15.75 as well including 35 bullet proof vests. As for the Fire Department the starting pay went from \$10.34 to \$12 as well, including a Fire Marshal position, 3 Lieutenants and 1 additional Fire Fighter, as well as other items mentioned during budget workshop.

For the Water/ Sewer Fund

Total Revenue of \$4,860,600

Total Expenditures of \$4,930,354

Revenue Over/(Under) Exp. (\$69,754)

Included in this budget is the lease of the smart meters and 1 full time operator for the Sewer Department and a Part-time position for the billing department, as well as other items mentioned during the budget workshop.

For the Debt Service Fund
Total Revenue of \$1,554,721
Total Expenditures \$1,418,706
Revenue Over/(Under) Exp. \$136,015

For Hotel Tax Fund
Total Revenue of \$103,500
Total Expenditures \$102,903
Revenue Over/ (Under) Exp. \$597

No citizen participation

PUBLIC HEARING

Public Hearing on Proposed Tax Rate \$0.5817/\$100.00 Valuation for the City of Alamo for Fiscal Year Beginning October 1, 2021 through September 30, 2022.

City Manager Robert Salinas stated the tax rate is split into 2 categories, one is the maintenance and operating fund which pays for salaries and daily operations that is \$.5102 and the second category is the interest and sinking fund which pays our debt and certifications \$.0715 for a total tax rate of \$.5817 this is the exact tax rate the city has had for the last few years.

Pastor Tuttle stated based on sales tax increases of 13% and the property values have gone up he proposes to decrease the tax rate.

E. Consideration and Action to approve a Memorandum of Understanding between the City of Alamo and South Texas ISD regarding the use of the city's Sports Complex located at 600 E. Ridge Rd. as a pick and drop off location.

City Manager Robert Salinas stated Mr. Rudy Hernandez from South Texas ISD has requested permission to use the Sport Complex parking lot as drop off and pick up, in your packet is the memorandum of understanding agreement.

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

F. Consideration and Action to approve a Resolution for the street closure for the Inaugural Self Conchas 5k.

Special Project Director Melisa Gonzales stated we did pass this item in the last meeting but TXDOT is now requiring a resolution to be passed to allow road closures of Business 83 and FM 907.

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

G. Consideration and action to nominate a candidate(s) to the Hidalgo County Appraisal District Board of Directors.

No action taken

H. Consider and approve an ordinance authorizing the issuance of City of Alamo, Texas General Obligation Refunding Bonds, Series 2021; delegating authority to certain city officials to approve all final terms of the bonds including authorizing the amount, the interest rates, price, redemption provisions and terms thereof and certain other procedures and provisions related thereto; and containing other matters related thereto.

City Manager Robert Salinas stated Mr. Rick Perez was here to explain into further detail regarding this parameter ordinance for the 2012 and 2013 refunding bonds.

Mayor Diana Martinez asked is this to authorize any city officials, why can't our Finance Director be our authorizer?

City Manager Robert Salinas responded usually it is me or you Mayor, last time we did this it was me. He asked Mr. Perez within this ordinance is the City Manager the authorized officials.

Mr. Perez responded yes, he was contacted by the Financial Advisor regarding these bonds, these bonds have a 30 year maturity yet all of them have a 10 year call feature which means you cannot redeem them before 10 years, it is pretty much refinancing a home with just lower interest rates.

City Manager Robert Salinas stated just to verify it does state the City Manager, Mayor Finance Director and City Secretary as appropriate officials to revise this form. I just want to confirm on the ordinance it reads the City Manager is the authorized official.

Mr. Perez responded yes and remember other documents will state the Mayor is also authorized. With this ordinance it allows for the City Manager to sign official documents.

Mayor Diana Martinez motioned to approve City Manager as authorized official, and Mayor Pro-Tem Okie Salinas seconded. Motion carried.

I. Consideration and action to accept Proposed Bid from TML-IRP Insurance for Property, Liability, Workers Compensation, and Cyber Liability and Data Breach Response, for FY 2021-2022.

City Manager Robert Salinas stated one complete proposal was submitted, by TML-IRP. Another proposal was submitted incomplete, and only for Workers Compensation. Staff recommends accepting the TML-IRP bid as proposed.

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

J. Consideration and action on an Interlocal Agreement with the City of Weslaco for animal control operations and impoundment.

City Manager Robert Salinas stated this is annual agreement as you all recall we used to spend over \$100,000 on animal control since our agreement with the City of Weslaco to date we have only spent \$44,000.

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

K. Consideration and action regarding a Task Force Agreement between the U.S. Department of Justice, Drug Enforcement Administration and the Alamo Police Department.

Police Chief Richard Ozuna stated this item is to enter a Task Force Agreement between the Alamo PD, the U.S. Department of Justice and the Drug Enforcement Administration to continue to provide investigation resources, as well have a liaison within the department.

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

PUBLIC HEARING

Public Hearing on a Conditional Use Permit application for the Sale for On-premise Consumption of Alcoholic Beverages (Beer & Wine License), on Lot 12 and the East½ of Lot 13, Block 24, Alamo Original Townsite, located at 506 East Acacia Avenue, Alamo, Texas.

Planning Director Sergio Zavala stated the site is at the NW corner of Tower Road and Acacia Avenue. The subject property has a drive-thru commercial building since 2015 as the primary structure. This business currently sells alcoholic beverages (in cans/bottles) to be consumed OFF-PREMISE. The LMD summary states that "We are requesting a change of class from an Off-premise Consumption Permit to an On-Premise Permit." They desire to sell Micheladas, an alcoholic beverage in an open container, as the patron then drives away. It is not illegal to sell it to them, but indeed it was illegal to have an alcoholic beverage in the traveling vehicle, but that

they (business) were not responsible for this violation or any subsequent accident that may occur. n conferring with Alamo Police Chief Ozuna after this May 19th meeting, Planning was provided the Open Container statute is illegal. They have 2 identical ON-PREMISE operations in Edinburg. Staff Recommendation: In serious consideration of the statute and to not acquiesce in the increase of drivers with open alcoholic containers on Alamo's streets, Planning must recommend denial.

Pastor Tuttle stated he is against this idea

Mayra Benedetti stated she agrees since they are not checking ID's.

Mayor Pro-Tem Okie Salinas asked if this ask only for open container?

City Manager Robert Salinas responded yes on-premise

Raul Santiago stated he represents the applicant, he also stated Ms. Denis is currently operating with a off-premise license, which she can sell wine and beer for off premise consumption. Originally, she wanted to operate with an on- premise so she can make mix drinks. However, with concern of open containers, she has agreed not to sell on-premise consumption on the premise if the conditional use permit is approved as well selling non-open containers.

Mayor Pro-Tem Okie Salinas asked she has to come back and apply?

Planning Director Sergio Zavala responded this is actually what they are doing right now, if there is a change then I suggest we take it back to P&Z.

City Attorney stated this will help any clarification with the city and the owners.

L. Consideration and Action on an Ordinance to grant a Conditional use Permit for the Sale for On-premise Consumption of Alcoholic Beverages (Beer & Wine license), on Lot 12 and the East½ of Lot 13, Block 24, Alamo Original Townsite, located at 506 East Acacia Avenue, Alamo, Texas.

Mayor Diana Martinez motioned to remand it back to P&Z, and Mayor Pro-Tem Okie Salinas seconded. Motion carried.

PUBLIC HEARING

Public Hearing on a Rezoning application for 3.42 Acres out of Lot 6, Block 41, Alamo Land and Sugar Company's Subdivision, from Single Family Residential (R-1) District to Light Commercial (C-1) District.

Planning Director Sergio Zavala stated the vicinity map depicts the 3.42 acre tract being 233' east of Tower, along the north side of State Highway 495. The surrounding zoning districts are as follows North & East: (R-1) Single Family Residential West: R-1 to the corner tract, The surrounding land uses include the following North & East: vacant acreage West: commercial & a residential use. Finally, the C-1 is the lightest form of commercial zone in Alamo's zoning hierarchy; thus, not being too invasive to any nearby residences. Staff recommends approval.

Mayor Diana Martinez asked what is light commercial

Planning Director Sergio Zavala responded such as laundry mats, insurance companies and real state, etc.

Mayor Diana Martinez asked no bars?

Planning Director Sergio Zavala responded no

Mayra Benedetti asked will this location be considered spot zoning?

Planning Director Sergio Zavala no all along 7-lane State Highway. It's usually not feasible to retain its safe zone.

Ivan Garcia stated he is here to answer any questions.

M. Consideration and Action on Ordinance to rezone 3.42 Acres out of Lot 6, Block 41, Alamo Land and Sugar Company's Subdivision, from Single Family Residential (R-1) District to Light Commercial (C-1) District.

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

PUBLIC HEARING

Public Hearing on a Rezoning application for 17.30 Acres out of Lot 6, Block 41, Alamo Land and Sugar Company's Subdivision, from Single Family Residential (R-1) District to Duplex, Multi-family & Townhouse Dwelling (R-2) District.

Planning Director Sergio Zavala stated the vicinity map depicts the 17.30 acres being 233' from the NE corner of Tower Road & Planning Director Sergio Zavala State Highway 495. The surrounding zoning districts reflect the following: North & East: (R-1) Single Family Residential West: (C) Commercial and (R-MH) Mobile Home & Modular Home District South: R-1. The surrounding land uses include the following North: Estate Residential; open canal/ditch, East: Vacant acreage West: Mobile Home/trailers. Staff Recommends approval.

N. Consideration and Action on Ordinance to rezone 17.30 Acres out of Lot 6, Block 41, Alamo Land and Sugar Company's Subdivision, from Single Family Residential (R-1) District to Duplex, Multi-family & Townhouse Dwelling (R-2) District.

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

O. Final Subdivision Plat Approval for Buena Vista Estates Phase I, 21.31 Acres of Lot 8, Block 30, Alamo Land and Sugar Company Subdivision; plat is in Alamo's ETJ; the Developer is Dulce M. Hernandez; the Project Engineer is Spoor Engineering Consultants.

Planning Director Sergio Zavala stated Plat is approximately 1900' west of Border Road, along the north side of El Gato. There are 107 single family residential lots meeting all city area dimensions. All lots will have paved public access thru a 4-street grid system. The street names also complies with the city's street name alignment policy. South 3rd street will increase its current 30' ROW to be 50' ROW, and will be paved on the plats' side of the street to then be compliant to code. On the northernmost point of 3rd Street, it is blocked by existing developments thus appearing to be a dead-end street. However, a rectangular cul-de-sac has been proposed to provide a smoother traffic flow at this juncture for the 2 affected lots --staff does not object to this hybrid cul-de-sac since it only serves 2 lots & is unique to this development, and its wider pavement section seems to serve this limited need. • Water service will be from the Military Highway Water Supply Corporation which has CCN authority in this area. There is an existing 12" water line along El Gato from where a looped 8" network will be extended through the street grid system to serve all lots. There will be a total of 8 fire hydrants installed to provide this measure of protective security. Hydrants are spaced at intervals/junctures approved by the Fire Marshal. There is an existing 8" sewer gravity line along El Gato. This developer will install a series of 8" and a stretch of 12" sewer lines to provide sewer to the properties. Manholes are evident at junctures approved by the Public Works Department. Park fees will be required to the extent of 107 lots x \$300/lot = \$32,100. Staff Recommendation: Approval subject to complying with all city subdivision codes and policies.

City Manager Robert Salinas asked if both the water and sewer are military?

Planning Director Sergio Zavala responded yes

Mayor Diana Martinez asked what is the possibility of them annexing voluntarily?

Planning Director Sergio Zavala responded if they connect to a city line they would have too, or we can recommend it. We need to annex everyone, in a 1,000ft swath.

City Manager Robert Salinas stated in 2015 the law changed for annexation to allow annexation to go on road right of way, otherwise known as a lollipop annexation.

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

P. Consideration and Action on Ordinance to Amend Title 10 - Zoning Regulations, Section 10-9-1 (A) to include 'Restaurants' as a 'Permitted use' in the Commercial (C) District.

Planning Director Sergio Zavala stated in staff's recent preparation for a P&Z item, staff observed that 'Restaurants' were not included as a permitted use in the Commercial District. Alamo obviously has long had many fine restaurants in its 'C' zoning district; thus, this circumstance was deemed an inadvertent omission. This ordinance simply includes Restaurants' as a permitted use in the 'C' district. Also, since the City has issued many permits, business licenses, other associated permits, and conducted inspections for restaurants, this ordinance will also ratify such permits and inspection services since they were done in good faith & under the logical assumption that a 'Restaurant' was indeed a permitted use in its Commercial zoning district. Staff recommends approval.

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

Q. Consideration and Action on Ordinance to Amend Title 4 -Health and Safety, Chapter 4-'Nuisances' by adding Section 4-4-7 'Bee Eradication Response Initiative' (BERI) as the City's Bee Response Policy.

Planning Director Sergio Zavala stated a few weeks ago, there was an issue with the City mowing a weedy lot where there were lots of swarming bees impeding the city's public works staff from continuing the necessary work. This case, which I'd suspect is not un-common, but it did reveal administrative areas that could be improved upon --the attached ordinance will immediately resolve those issues of reluctance and procedural confusion. The ordinance establishes the Bee Eradication Response Initiative (BERI). It is a common-sense approach in taking care of non-emergency bee issues by using the public nuisance process of 'Notice' & follow-through; as well as promptly activating 'in place measures' (owner signing a 'Release and Process' instrument; or using the Standing Court Order or City Manager's Executive Order) to promptly take care of the emergency bee problem. I have attached a Sample 'Release' immediately following the ordinance. Staff recommends approval.

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

R. Consideration and Action on Ordinance to Amend Title 1-Administration, Chapter 6 'City Officers and Employees' by adding Section 6.11 in this Chapter' inclusive reference to the City's Personnel Policies, being the 'Training, Certification, and/or Licensing Restitution Policy'; and Updating its Holidays provision in Section 6.01 of the City's Personnel Policies.

Planning Director Sergio Zavala stated when the City pays for an employees' cost of registration, per diem, housing, & overall workshop training so that said employee may secure a certain license or certification to better serve the City of Alamo, it occasionally occurs that this same employee soon departs to another entity for higher pay. Under this circumstance, there is no restitution for the taxpayers that honorably sponsored that accreditation. A restitution policy will provide a needed financial balance. The proposed ordinance establishes a Restitution Policy for the costs of training, certification, and/or licensing should that employee depart within 1 year of when the city


incurred these costs. The formula was developed with a common-sense approach, i.e., the sooner the employee would leave after securing the license (for example), the more the percentage of restitution back to the City. On the other hand, if the employee stays for quite some time afterwards (but less than 1 year), then the percentage is less. NOTE: After 1 year of such paid accreditation, there is no restitution. The only exception proposed is when an employee who has worked faithfully for the City of Alamo for a minimum of 10 consecutive years, desires to retire and submits the appropriate retirement paperwork. In appreciation of that employees' loyalty to the citizens for 10+ years, it was felt that there should be 0% restitution considered. The other component of this ordinance is updating the holidays for the City of Alamo. As you may know, Alamo has 11 days; most other cities have 14 days; FYI Mercedes is at 17. The proposed 2 holidays are consistent to some of the ones recognized by other entities.

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

CITIZEN PARTICIPATION: Five minutes per person with no response from the City
Mayra Benedetti stated for the board of commission to be more involved with city employees

I. ADJOURNMENT

Citizens are encouraged to sign the attendance sheet.
There being no further business, Mayor Diana Martinez adjourned the meeting at 6:55 pm



Mayor Diana Martinez

ATTEST:



Alexandra Rangel, City Secretary



