

The Board of Commissioners for the City of Alamo, Texas met for the Regular Meeting on Tuesday, January 04, 2022 at 6:00 p.m., at the City of Alamo Municipal Building.

COMMISSION PRESENT:

Mayor Diana Martinez
Pete Morales, Mayor Pro-Tem
J.R. Garza, Commissioner

COMMISSION ABSENT:

Okie Salinas, Commissioner
Pilar Garza, Commissioner

STAFF PRESENT:

Robert L. Salinas, City Manager	
Rick Palacios, City Attorney	Adela Perez, Purchasing
Alexandra Rangel, City Secretary	Ronnie Cruz, City Engineer
Richard Ozuna, Police Chief	Sergio Zavala, Planning Director
Roy Contreras, Fire Chief	Melisa Gonzales, Special Projects Director
Rafael Tapia, AEDC Director	Lori Solis, Library Director
Michael Torres, IT Director	Alice Cana, HR Director

1. CALL MEETING TO ORDER

Mayor Diana Martinez called the regular meeting held on Tuesday January 04, 2022 to order at 6:00 p.m. at the City of Alamo Municipal Building. Mayor Diana Martinez led the Pledge of Allegiance and Melissa Gonzales led the Invocation.

C. Presentations and Announcements

Mayor Diana Martinez congratulated the Fire Department for their assistance with Matts Cash and Carry fire. She also thanked the City staff for assisting with the food drive, and thanked both the Alamo Police Department and Fire Department for playing a great game at the Battle of the Badges.

Mayor Pro-Tem Pete Morales stated the project next to the library is really coming along.

Special Projects Director Melisa Gonzales announced we are accepting live Christmas trees and drop off at the public service center on south Tower and will collecting until next Wednesday.

Mayor Diana Martinez asked if this is posted on our website?

Special Projects Director Melisa Gonzales responded yes.

Chief Roy Contreras announced the Fire Department and Police Department will be having a softball game this Friday at 6pm at the Sports Complex on Ridge Rd.

Special Projects Director Melisa Gonzales stated the Lions Club Bike Ride will be postponing their event until March.

D. Consideration and Action to approve the minutes for the second regular meeting of December 21 2021.

Mayor Pro-Tem Pete Morales motioned to approve, and Commissioner J.R. Garza seconded. Motion carried.

E. Consideration and Action to approve ordinance to amend the budget for fiscal year 2021-2022 to increase the Alamo Police Department's uniform line item.

City Manager Robert Salinas stated due to budget constraints, our police department is unable to purchase much needed uniforms because of limited funding. Our department is in dire need of uniforms for our officers and is a priority for proper performance to our community. Our police department is asking our city commission for the purchase of two uniforms per officer and 100 baseball like caps that will be for uniform use. An amount of 35 caps will be issued to our officers while the rest will be used as surplus to replace damaged/used caps. With our current uniform budget, we were only able to purchase much needed cold winter jackets for our officers leaving us with limited funding to complete our uniform and cap purchase. It is with top priority that our officers receive the following items for daily police officer service to our great City of Alamo.

Mayor Pro-Tem Pete Morales asked will the uniforms be the same?

Chief Richard Ozuna responded the yes, the uniforms are breathable and mainly everything is due to wear and tear.

Mayor Pro-Tem Pete Morales motioned to approve, Commissioner J.R. Garza seconded. Motion carried.

PUBLIC HEARING

Public Hearing on a Conditional Use Permit for the Sale of Alcoholic Beverages for On-site Consumption on property zoned Commercial at Lot 12 and the East½ of Lot 13, Block 24, Alamo Original Townsite, 506 East Acacia Avenue; Applicant: LMD Drive Thru, LLC.

F. Consideration and Action on an Ordinance to grant a Conditional Use Permit for the Sale of Alcoholic Beverages for On-site Consumption on Property zoned Commercial at Lot 12 and the East½ of Lot 13, Block 24, Alamo Original Townsite, 506 East Acacia Avenue; Applicant: LMD Drive Thru, LLC.

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. The one-way entrance into the elongated driveway is from south-to-north through Acacia, and the exiting leads back to Tower Road; a 4-lane street. There is another driveway cut from Tower that leads onto the 4 paved/marked parking spaces (along the east side of the building). AUGUST 2021: P&Z denied this same CUP; Owner told P&Z that his employees will be mixing the alcoholic beverage, capping it, & then providing the drink to the driver in September 2021: the Board of Commissioners were informed by the owner's agent that they would NOT be mixing it after all, but simply selling the un-opened can of beer with the other mix, & expected the patron to mix it/consume it off-site. Since this was NEW info, the board remanded it back to P&Z for their review. After this meeting, Planning asked if they were to simply sell the sealed can of beer & the mix for OFF premise mixing & consumption, then couldn't they do so now without the need to an On-Premise CUP, after waiting for an answer, they confirmed that 'Yes, they could sell the un-opened beer can & the mix now, but desired to move forward with the process anyway.' December 15, 2021: P&Z now told by the owner that they would be mixing the alcoholic drink. This applicant currently has an OFF-premise TABC license to sell sealed or un-opened alcoholic beverages to be consumed OFF the premises. However, the applicant told PZ that the wanted to afford customers to drink On-Site at the existing picnic tables. After discussing his situation, a 6-month tenure (instead of the usual 1-year tenure) was considered a fair middle ground to see if this applicant's On-premise consumption of alcoholic beverages CUP would assimilate well.

Mayor Pro-Tem Pete Morales asked what is the name of the Machine?

Mayor Diana Martinez asked Mr. Zavala if the owner was aware of the 6 months?

Planning Director Sergio Zavala responded yes, the agent informed the owner of the buffering and the 6 month tenure.

Mr. Benjamin Vargas stated he is not sure the name of the machine, but this machine is very expensive and allows to produce the type of bottles they will be using in order to be in compliance, as well with licensing required by staff.

Planning Director Sergio Zavala stated there is recommendation of 2 tables, but only if approved this evening, if not then all the tables must be removed.

Mr. Benjamin Vargas stated he does not want to people to sit around to drink, his focus is still a family place. This is just to compete with neighboring businesses.

Mayor Pro-Tem Pete Morales motioned to approve with the 6-month tenure, and Mayor Diana Martinez seconded. Motion carried.

G. Consideration and Action on an Ordinance Amending 'Section 11-3-11 - DRAINAGE' of the City's Code of Ordinances as it Relates to Establishing Comprehensive Drainage Policies.

Planning Director Sergio Zavala stated this ordinance is amending "Section 11-3-11 - Drainage" of the City's Code of Ordinances as it Relates to Establishing Comprehensive Drainage Policies, the drainage initiatives and policies in the draft ordinance were reviewed and developed by the consolidated efforts of the cities of Mission, Pharr, Edinburg, and McAllen. The ideal desired and promoted by these cities is to have all Hidalgo County municipalities review and adopting a customized version of these drainage policies as a common foundation to address the county's drainage issues. It was felt that, although each city faces their own particular series of specific drainage problems, if all cities adopted the substantial portion of these drainage policies, that collectively the county & cities could better address and eventually overcome a lot of the flooding that we've faced, especially in the last few years. The policies are a good step in the right direction and will certainly solidify this aspect of a subdivision's development. The draft was reviewed by our consulting engineering firm, the Planning Department, and Management. It reflects what is believed to be in the best drainage interests of the City. The previous City's 'Drainage' code had very few policies; but the provisions that merited retention have been assimilated into the ordinance. Of course, as with any other ordinance, should there be a future need to upgrade policies, staff will re-approach the city's boards or such consideration & action. The policies are a good step in the right direction and will certainly solidify this aspect of a subdivision's development. This was approved by the Planning and Zoning Commission on December 15, 2021.

City Manager Robert Salinas asked Mr. Zavala, does this put us in the 50 year storm requirement?

Planning Director Sergio Zavala responded yes

Commissioner J.R. Garza motioned to approve, and Mayor Pro-Tem Pete Morales seconded. Motion carried.

H. Request for Direction on Possibly Amending the City of Alamo's Garage Sale Policies, Title 3, Chapter 12, City of Alamo's Code of Ordinances.

Planning Director Sergio Zavala stated Planning is bringing this matter before you for direction on whether or not merit is evident to possibly amend our 2001 garage sale policies. Planning has received occasional input from citizens where they voiced concerns of the number of garage sale permits allowed in their residential neighborhood where they allege traffic problems with parked cars on both sides of a street that impedes access into/out of their subdivision. When we express that there was no waiting period in between the 6 garage sale permits, there was also a concern voiced. NOTE: one citizen thought that with her neighbors' frequent garage sales, that they should, instead sell their items at the Alamo flea market instead of a residential area. Objectively, garage sale policies are supposed to legally allow a resident to sell their personally used goods to deplete their residential clutter & make a reasonable profit; but these same policies are not to help transition a residential property into a consistent vendor by having them acquire used goods for the specific purpose of re-selling them; and when sold, re-stock to re-sell again. Attached is a chart reflecting how several other cities govern garage sale permits. At this time, we request discussion on how you would like staff to proceed, i.e., keep what we have 'as is'; or amend it in a certain manner. This is a non-action item.

Mayor Diana Martinez stated one of the concerns is on Becker and Tower, there should be some striping to prevent parking on the corner.

Planning Director Sergio Zavala responded there might be way but at the moment citizens must be patient. Other cities have a code if they fail to follow protocol that can lose future permits.

Mayor Pro-Tem Pete Morales asked are there a lot of requests?

City Manager Robert Salinas responded what happens once they reach their max? In his opinion, the city can have it where you can have a garage sale every three months, or every quarter.

Mayor Pro-Tem Pete Morales asked how many days is it for one permit?

City Manager Robert Salinas responded 3 consecutive days.

Commissioner J.R. Garza asked has six always been the norm?

City Manager Robert Salinas responded no, it was less before. What Mr. Zavala is looking for is a reduction of permits and a gap in between. This will help to reduce traffic concerns.

Mayor Pro-Tem Pete Morales asked does code-enforcement go out there?

City Manager Robert Salinas responded yes, they do but the most they can is just ask to move any blockage.

Mayor Pro-Tem Pete Morales stated he likes what the other cities are doing.

Commissioner J.R. Garza responded the 4 is fair

Mayor Diana Martinez responded 1 per quarter

City Manager Robert Salinas responded to follow the majority do 4 and 3 months in between at \$10 for 3 consecutive days.

Commissioner J.R. Garza responded we can always revisit again


City Manager Robert Salinas responded yes

CITIZEN PARTICIPATION: Five minutes per person with no response from the City
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 6:31pm


Mayor Diana Martinez

ATTEST:


Alexandra Rangel, City Secretary

