

The Board of Commissioners for the City of Alamo, Texas met for the Regular Meeting on Tuesday, March 01, 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
Okie Salinas, Commissioner
Pilar Garza, Commissioner

COMMISSION ABSENT:

STAFF PRESENT:

Robert L. Salinas, City Manager
Alexandra Rangel, City Secretary
Eloy Hernandez, City Attorney
Richard Ozuna, Police Chief
Roy Contreras, Fire Chief
Rafael Tapia, AEDC Director

Sergio Zavala, Planning Director
Adela Perez, Purchasing Agent
Alex Oyoque, Museum Director

1. CALL MEETING TO ORDER

Mayor Diana Martinez called the regular meeting held on Tuesday March 01, 2022 to order at 6:00 p.m. at the City of Alamo Municipal Building. Ms. Alamo led the Pledge of Allegiance and Robert Salinas led the Invocation.

C. Presentations and Announcements

Ms. Gloria Espinoza introduce the new Alamo Royal Court, Ms. Alamo Victoria Chapa and Ms. Princess Angela Ortiz.

Mayor Diana Martinez thanked all those who participated in making this event possible and congratulated the Royal Court.

Commissioner Pete Morales thanked the community for the prayers and thoughts for his father in law's passing. In addition, he thanked Ms. Espinoza for the effort in making this event successful. He then continued to congratulate Nayeli Nicole Suarez from John McKeever Elementary and her proud parents, Rene Suarez Jr. and Normalinda Cantu Suarez. Nayeli is and always has been a Straight A student gifted with many talents. At a young age she represented our lovely city of Alamo and crowned Little Ms. RGV. She is active in school programs such as A cheer leader at her school for the last 4 years. active in dance, drama, track, cross country, art, soccer, basketball, And her favorite sport softball! She is active in the Boys and Girls Club, and contributes to travel softball teams in both 10U & 12U from all of South Texas. She has participated in several World Series in Laredo, Port Mansfield, Corpus Christi and most recently in the All American All Stars in Conroe, Texas. She will be attending the local nationals here in McAllen, Texas in July then on to Laredo for World Series once again. She has been blessed over the years by many in the craft. She is a Pitcher/Utility Player with talent in all positions from short stop to outfield. She has excelled at any position she has been placed at. She is always driven to excel and serve her community, School and our lovely City of Alamo. He also congratulated Alberto "AJ" Elizondo's 106 high school career victories 4-time district finalist, 3-time district champion, 4-time regional qualifier 3-time state qualifier, 2022 UIL State placer, 2020 Texas Open State champion PSJA Memorial Wrestler.

Chief Richard Ozuna stated this Saturday, March 5th at 11AM is the Texas Independence Parade.

Aaron Garcia from Schneider Electric and Dan Lucio from AEP presented an incentive check to the City of Alamo in the amount of \$38,575.47. This was due in part because of the city's LED Conversion program.

D. Consideration and Action to approve the minutes for the second regular meeting of February 15, 2022.

Commissioner J.R. Garza motioned to approve, and Commissioner Okie Salinas seconded. Motion carried.

E. Consideration and action to approve Resolution for the submission of grant # 3172307, Alamo 2021 Operation Stonegarden and listing the police chief as authorized representative for this grant.

Chief Richard Ozuna stated this resolution is for FEMA grant just under \$150,000, which allows us to purchase a police vehicle, equipment and overtime for police officers and dispatchers.

Commissioner J.R. Garza motioned to approve, and Commissioner Okie Salinas seconded. Motion carried.

F. Consideration and action to re-appoint an Emergency Management Coordinator as per Section 418.101 of the Texas Government Code.

City Manager Robert Salinas stated this is a requirement from TDEM, last year we had Fire Chief Roy Contreras and Police Chief Richard Ozuna.

Mayor Diana Martinez motioned to approve, and Mayor Pro-Tem Pete Morales seconded. Motion carried.

G. Consideration and action regarding the 2021 Annual Racial Profiling Report.

Chief Richard Ozuna stated this is our Annual Racial Profiling Report. We submit to TCLEOSE and had 1,631 contacts without incident.

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

PUBLIC HEARING

Public Hearing on a Conditional Use Permit application to have a Single-family residential dwelling on a Lot zoned 'R-MH' (Mobile Home & Modular Home District), on Lot 2, Block 3, South Alamo Village Subdivision, located at 1102 Harrison Avenue, Alamo, Texas; Applicant is Bobby Kopriva (Maria G. Amador)

No citizen participation

H. Consideration and Action on a Conditional Use Permit application to have a Single-family residential dwelling on a Lot zoned 'R-MH' (Mobile Home & Modular Home District), on Lot 2, Block 3, South Alamo Village Subdivision, located at 1102 Harrison Avenue, Alamo, Texas; Applicant is Bobby Kopriva (Maria G. Amador).

Planning Director Sergio Zavala stated the vicinity map shows that the site is 60' west of Alamo Road, along the north side of Harrison Avenue. The property's dimensions are 60.50' X 104' = 6292 sq. feet. R-MH's Section 10-7-5 requires that should someone desire a CUP for a SF dwelling on a lot zoned R-MH, it must meet the area requirements for the R-1 effect. The above dimensions meet min. R-1 area requirements (50' wide; 100' deep lot), as well as exceed the minimum 6250 sq. ft. for such a use. The site currently has a mobile home on it - see picture(s). The applicants' proposal is to have a one-story wood frame structure where the overall square footage will be 1357 sq. ft. The City's code mandates that any SF dwelling have a minimum of 800 sq. ft. or above. As discerned, the proposed structure is compliant. All R-1 building setbacks will be met/exceeded, i.e., Front at 25' 2", rear setback is over 20', west side setback is 5' 2" and east side setback is over 27'. A 2-car paved driveway will be required to meet Code (min. 10' 36' to paved street); the picture shows a large part of the driveway still being caliche based. A significant tree is already in front setback area; thus, no new 7' tall tree is required. See the exhibit showing other SF homes in same subdivision. previously approved by the City. Staff Recommendation: Approval subject to 1) the CUP being transferable to new owners due to the permanence of such a structure; & 2) meet paved driveway code prior to C.O. No opposition at the Planning Zoning hearing; applicant said she was application for new house program.

Mayor Diana Martinez motioned to approve and Mayor Pro-Tem Pete Morales seconded. Motion carried.

PUBLIC HEARING

Public Hearing on a Conditional Use Permit application to move in a mobile food trailer on property zoned 'C' (Commercial), said site being 7.86 acres at Alamo H.E.B. Subdivision, being 1211 W. Frontage Road, Alamo, Texas; Applicant is Jorge Sierra

Mr. Jorge Sierra stated it is East not West on the physical address.

I. Consideration and Action on a Conditional Use Permit application to move in a mobile food trailer on property zoned 'C' (Commercial), said site being 7.86 acres at Alamo H.E.B. Subdivision, being 1211 W. Frontage Road, Alamo, Texas; Applicant is Jorge Sierra

Planning Director Sergio Zavala stated the site is at the SW area of Alamo Road/Expressway (behind Freedom Bank). The food trailer is desired to be along the south side of HEB's front entrance. Any CUP for a mobile food trailer must meet the applicable provisions of Title 3, Chapter 17. Such a CUP cannot be transferable to any other new owners. It is only for this applicant. All CUP food trailers are approved for 1 YR from CUP-approved date. (Sec. 3-17-2 (E2) About 2 weeks ago, staff received the signed 9-page contract from HEB. All is in order. The days/hours of operation must coincide with the HEB store's, too; this in order to assure that sanitary restroom facilities are available for the service worker(s). The mobile food trailer must be at least 100' to any fixed-location restaurant. The closest restaurant is Whataburger which is over 800' to the SE. The food items will be for 'walk-up sales/take home consumption' only. See menu pies. No loud musical loudspeakers, etc., will be permitted. All food servers must have their food-handler's certificates (health cards). The Building Inspector, the Fire Marshal, and the County Health authorities must also 'clear' the structure and food service proposal (if approved). This CUP will not be disruptive to the neighborhood since the parking will be primarily for HEB with exiting foot traffic patronizing this proposed food vending service.

Staff Recommendation: Approval subject to: 1) 1 year -renewal considered annually, 2) acquire city business permit, and required county health approvals; 3) hours of operation to coincide with HEB's days/hours of operation; & 4) meet all codes of Title 3, Ch. 17. Approved subject to Staff's recommendation; vote 4-0. NOTES: No opposition from Public and Zoning hearing; applicant appeared; receptive to conditions.

Mayor Diana Martinez stated we have had vendors at this location in the past.

City Manager Robert Salinas responded that is correct.

Commissioner Okie Salinas motioned to approve, and Commissioner Pilar Garza seconded. Motion carried.

Mayor Pro-Tem Pete Morales abstain due to his employment with HEB

PUBLIC HEARING

Public Hearing on a Conditional Use Permit application to move in a mobile food trailer on property zoned 'C' (Commercial), said site being Lots 6-10, Block 47, Alamo Original Townsite, being at 601 E. Business Highway 83, Alamo, Texas; applicant is Rosa Haro.

Mayor Pro-Tem Pet Morales asked the tables in the picture will they be there?

Planning Director Sergio Zavala responded no

Ms. Rosa Haro asked tables are not permitted?

City Manager Robert Salinas responded no, based on our ordinance

Mayor Pro-Tem Pete Morales asked it states no speakers

City Manager Robert Salinas responded that is correct, no loud noise

Ms. Rosa Haro asked she has a small speaker, is that permitted?

City Manager Robert Salinas responded no, based on our ordinance

J. Consideration and Action on a Conditional Use Permit application to move in a mobile food trailer on property zoned 'C' (Commercial), said site being Lots 6-10, Block 47, Alamo Original Townsite, being at 601 E. Business Highway 83, Alamo, Texas; applicant is Rosa Haro

Planning Director Sergio Zavala stated the site is at the SW corner of U.S. Bus. HWY 83/S. 5th Place Street. The food trailer is desired to be along the NW side of the convenience store - see site plan. Any CUP for a mobile food trailer must meet the provisions of Title 3, Chapter 17. Such a CUP cannot be transferable to any other new owners. It is only for this applicant. All CUP food trailers are approved for 1 YR from CUP-approved date. (Sec. 3-17-2 (E2) The owners' signed 'permission' is shown in attached menu sheet. The days/hours of operation must coincide with the convenience stores' in order to assure that sanitary restroom facilities are available for the service worker(s). The proposed days/hrs. are: Tues-Sunday 2pm - 8 pm. See menu pie of items to be sold. The mobile food trailer is beyond the 100' threshold to any fixed-location restaurant. The food items must be for 'walk-up sales/take home consumption' only. Although the roughly sketched site plan shows 2 tables, there can be no tables. The picture provided shows tables outside the store already. These must be removed, too. No loud musical loudspeakers, etc., will be permitted. All food servers must have their food-handler's certificates (health cards). The Building Inspector, the Fire Marshal, and the County Health authorities must also 'clear' the structure and food service proposal (if approved). In the recent past, the owner has complied with previous findings, including installing a perimeter 6' wood fence, and sign issues Planning appreciates that consideration. In examining the CUP, there are at least 11 paved parking spaces. It is perceived that in the sales-to-go service, that there will be sufficient parking. P&Z Commission meeting 2/16/22: Approved subject to Staff's Recommendation; vote: 4-0 NOTES: Applicant alerted that CUP may likely not be approved next year number of area food trailers

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

K. Discussion and Action to appoint Alamo's Parks and Recreation Board

Planning Director Sergio Zavala stated at the Board of Commissioners meeting of Feb. 1st the Parks & Recreation Board's codifying regulations were updated. The next step is to appoint 7 board members pursuant to the following criteria:

Membership Criteria:

- *7 members will serve on the Board for 2-year term (no limit on number of years to serve)*
- *Board member must own property in Alamo, TX*
- *Agree to a background check; any findings to be discerned by City Manager to further process or not; dependent on the finding*

Staff Recommendation: Appoint 7-member Parks & Recreation Board meeting above criteria

Mayor Diana Martinez motioned to appoint Santos Perez Jr and Terry Sandoval

Commissioner Okie Salinas motioned to appoint Samantha Contreras, Jaime Sloss, Ronnie Calderon, Miguel Contreras, Fernando Ariano, Juan Chavez and Terry Sandoval, and Commissioner J.R. Garza seconded. Motion Carried.

Mayor Diana Martinez in dissent, she asked if Santos Perez Jr will not be included as an alternative?

City Manager Robert Salinas responded that is correct

L. Consideration and Action on Ordinance to Amend Title 6 Motor Vehicles and Traffic, Section 6-2-8 Truck Routes; to amend the Definition section to include 'Private Streets' when referring to a 'Street'; allow tractor trailers incidental and necessary use of non-truck route streets when acts of God or other emergency circumstances are evident; and to allow option for oversight by City Manager and Police Chief of prosecuting evidence.

Planning Director Sergio Zavala stated the current TRUCK ROUTE Code needs slight modification. The proposed ordinance will amend the code as summarized in the bullet points below:

Existing definition of hazardous material is a good one, but deleting 'unreasonable' when referring to the risk factor when such are transported through Alamo's city limits. The term "unreasonable" seems to provide a back door to escape responsibility since they may argue that the amount transported is reasonable.

- Definition of 'Street' now includes 'private streets' to accommodate regular traffic.*
- The list of streets wherein tractor trailers can or cannot use are actually listed in subsection 'C'; the current code refers to B3, which is incorrect.*
- Better defines the circumstances on when tractor trailers could necessarily use non-truck route streets, e.g., pick-up/deliveries (currently expressed); if there are acts of God or other unforeseen circumstances that (temporarily) close regular truck route streets; or accessing their headquartering office being adjacent to a non-truck route street.*
- When prosecuting a truck route case due to a cited violation, the material of evidence may be jointly examined by the City Manager and Police Chief to assure that the intent of the truck route code is reasonably complied with.*
- Corrects that the northernmost city limits of FM 907 as being a truck route (State Road)*

City Manager Robert Salinas stated this ordinance is just to make things clearer for the Police Department to enforce these rules.

Mayor Pro-Tem Pete Morales asked what happens if a mechanic is on Tower Rd. will they be able to travel?

City Manager Robert Salinas responded as long they use the state roads and minimal use of city street. to get there, then they will be okay. For example, there is a business on Souix Rd, in this case a trucker needs to utilize Business 83 go North on Alamo turn east on 495 then North on Tower. That will be the best route.

Mayor Diana Martinez stated she has seen several trucks within the city

City Manager Robert Salinas responded our city does have several truck drivers who live within city limits, and how we are handling these situations is based on the complaints.

Commissioner Okie Salinas asked can we pin point where these trucks are going, like a business on Tower and 83. We have an 18-wheeler who drop off mail.

City Manager Robert Salinas responded for example the CIL, they currently exit right. The proper route is taking Alamo Rd.

Commissioner J.R. Garza asked is there anyway they can be notified?

City Manager Robert Salinas responded yes, we place signage

Mayor Pro-Tem Pete Morales asked about signage regarding engine break, are we going to have that signage too? Since we have homes in Alamo Rd.

Planning Director Sergio Zavala stated since this is not a truck route, but can be considered especially if we start getting complains.

City Manager Robert Salinas responded he has usually seen these signs in rural areas, but if it too becomes a problem we will address it at that time.

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

M. Consideration and Action on Ordinance to Amend Title 9 Building Regulations, Chapter 4 Signs, Section 9-4-8(A)(I) 'Appeals' to provide the Board of Commissioners a wider ability to consider 'sign' variances in the commercial or industrial zoning district.

Planning Director Sergio Zavala stated in a recent question of an upcoming Stripes store on the south side of the City {Alamo/Ridge}, a 2nd wall sign was proposed in their sign renderings (Laredo Taco). The City's Sign Code is specific in that only 1 wall sign is permitted. (NOTE: this site will have to be subdivided/recorded as a 1-lot plat.) In looking for options to perhaps allow a 2nd wall sign to Stripes in a commercially-zoned district, the only option available was the appeals/variance process. However, this section only gives the Board of Commissioners certain leeway (setback, sign face, height); the current Code does NOT authorize the Commission to allow variance for a 2nd wall sign (w/conditions). This ordinance proposes to amend the Appeals process so that IF there is a variance application where the applicant may desire a 2nd wall sign where it would not exceed the current 10% of the wall face (in combination with the 1st wall sign), and the conditions or circumstances merit it, then the Commission may consider awarding it. On the other hand, if the applicant has no special circumstances, and the justification just isn't there, then the Commission will likely deny such a variance request. Regardless, the final call is made by the Board of Commissioners. This is the most conservative approach in extending the authority of the Commission, and to increase the business-friendly nuance of the City of Alamo.

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

N. Request by Rojas Heavy Equipment, LLC, to have the Board of Commissioners authorize the City Manager's Office to Issue a 'Foundation' Building Permit prior to Subdivision Compliance on Property at 240 East Frontage Road, more specifically described as the E. 550' of the W. 660' of the N. 300', Lot 8, Block 38 (3.80 acres net), Alamo Land and Sugar Company's Subdivision.

Planning Director Sergio Zavala stated planning Staff received a written request from Rojas Heavy Equipment, dated February 24th, to have the Commissioners consider authorizing the City Manager to issue a Foundation only' building permit for a new 8000 square foot commercial building with 48 parking spaces to be newly paved. The site is at 240 E. Frontage Road - see vicinity map. The 1981 tract didn't quite meet the 1980 Subdivision Code's threshold (that would've grandfathered the tract); as such, the acreage is exposed to typical subdivision plat requirements. In their option to file a 1-lot plat or a Single Lot Variance (SLV), they opted to file a SLV in their effort to comply with Alamo's Subdivision Ordinance. As the Board of Commissioners may recall, a similar request was approved for the 7-11 Stores (SE Expwy/Tower) to issue the building permit, but meet Subdivision Codes/record the 1-lot plat prior to final occupancy. Due to extensive sewer & water utility extensions, a 1-lot plat was required of 7-11.

Staff recommendation for the foundation permit is Approval subject to meeting SLV conditions (to be):

- 1. Replace the 6" water line along the Frontage Rd. with an 8" line, and install 2 fire hydrants@ 300' intervals (approximate):*
- 2. File for water district exclusion IF still inside the irrigation district:*
- 3. Pave 5' sidewalk prior to final occupancy:*
- 4. Install 1 street light policy: and,*
- 5. Meet all prevailing Building, Fire, and Landscaping Codes.*

All of these can be completed prior to final occupancy. (NOTE: if there are objections to #1, then this permit item may still be approved, pending number 1 discussion/action at P&Z for their SLV application).

Mr. Ricardo Gomez stated at this time, he is asking the city to consider allowing to commence construction on the foundation and shell of the building, if possible. They are aware of the items

that are being requested for our building and are working to address them and will address and correct them. Also, we are asking for a waiver for the City's platting requirements since our property has been in existence since the early 80's. He also stated does not understand why, roofing permit was permitted at first for a previous building and not this one, perhaps it was an error?

City Manager Robert Salinas responded this was not an error, we have issued permits when they are accessory type permits for example paving a drive way a smaller building. The only thing up for discussion is the permit is for foundation which we are willing to do. As far for the single lot variance that will go before the planning and zoning board. This is a similar process to 7-11.

Mr. Ricardo Gomez stated his concern was he was not aware of the 8" water line.

City Manager Robert Salinas responded yes based on the plans it shows 6", 8" and then 6". Based on our ordinance to install a fire hydrant it needs to be all and 8".

Mr. Ricardo Gomez stated just to clarify this permit can be issued the following the next day?

Planning Director Sergio Zavala stated yes and also if the plans are complete

Mr. Romero Gomez asked just to clarify it will be plumbing and foundation permit since he need to install plumbing prior to the foundation.

City Manager Robert Salinas responded that is correct.

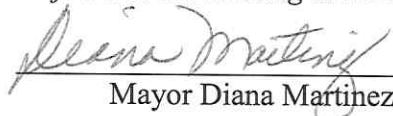
Commissioner J.R. Garza motioned to approve, and Commissioner Pilar Garza seconded. Motion carried.

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 7:21pm



Mayor Diana Martinez

ATTEST:



Alexandra Rangel, City Secretary



