

The Board of Commissioners for the City of Alamo, Texas met for the Regular Meeting on Tuesday, May 03, 2022 at 6:00 p.m., at the City of Alamo Municipal Building.

COMMISSION PRESENT:

Mayor Diana Martinez
Pete Morales, Mayor Pro-Tern
J.R. Garza, Commissioner Okie
Salinas, Commissioner Pilar
Garza, Commissioner

COMMISSION ABSENT:

STAFF PRESENT:

Robert L. Salinas, City Manager
Alexandra Rangel, City Secretary
Rick Palacios, City Attorney
Richard Ozuna, Police Chief
Roy Contreras, Fire Chief
Rafael Tapia, AEDC Director
Lori Solis, Library Director
Michael Torres, IT Director
Melissa Leal, Water Billing Supervisor

Sergio Zavala, Planning
Adela Perez, Purchasing
Alex Oyoque, Museum
Ronnie Cruz, City Engineer
Julio Villareal, Public Works
Yvette Mendoza, Finance Director
Melisa Gonzales, Special Projects

I. CALL MEETING TO ORDER

Mayor Diana Martinez called the regular meeting held on Tuesday May 03, 2022 to order at 6:00 p.m. at the City of Alamo Municipal Building. PSJA Memorial Dazzlers led the Pledge of Allegiance and Pastor Tuttle led the Invocation.

C. PRESENTATIONS AND ANNOUNCEMENTS

Special Projects Director Melissa Gonzales announced the on Thursday is the kick off of Literary Day on 5/15. In addition, the Watermelon Festival is Saturday May 14th and wished all the mothers a happy Mother's Day.

Mayor Pro-Tern Pete Morales asked Library Director if any additional volunteers are needed to eat?

Library Director Lori Solis responded no

Commissioner Pilar Garza congratulated the PSJA Dazzlers on their achievements in Denton, TX, The PSJA Memorial Dazzlers traveled to Denton, Texas to compete at a National Level against other high schools at the American Dance National Championship held by American Dance and Drill Team Company in March. The Beauties of Alamo received the following awards:

Officer Awards include:

- *Officer Jazz NATIONAL CHAMPIONS*
- *Officer Pam NATIONAL CHAMPIONS*
- *Officer Contemporary - 2nd Runner up*
- *Best in Class NATIONAL CHAMPION OFFICERS!*

Team Awards include:

- *Team Jazz NATIONAL CHAMPIONS*
- *Team Contemporary NATIONAL CHAMPIONS*
- *Team Hip Hop - 3rd Runner UP*
- *Best in Class - 4th Runner up*

Special Awards include

Frida Trigos and Karicia Tovar for winning NATIONAL CHAMPION DUET Mia Fernandez for making it to the NATIONAL Jr. Miss High Kick Company & Finalist the Dazzlers are under the Direction of Ms. Eileen Ozuna and Assistant Director Ms. Jessica Vargas

Mayor Pro-Tem Pete Morales congratulated the parents and making Alamo proud.

Mayor Diana Martinez congratulated the dazzlers and placing Alamo on the map.

Commissioner J.R. Garza congratulated the team.

D. Consideration and Action to approve the minutes for the second regular meeting of April 19, 2022.

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

Mayor Diana Martinez welcomed Ben and Viviana Palacios from the City of Edinburg

Commissioner Okie Salinas welcomed Commissioner Tony Aguirre from the City of McAllen

E. Consideration and Action to Proclaim May 15th, 2022 as Wanda Lambert Boush Day in the City of Alamo.

Mr. Dennis Komes read the proclamation to proclaim May 15, 2022 as Wanda Lambert Boush Day.

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

F. Consideration and Action to proclaim September 24, 2022 as Mayor's Monarch Pledge Day.

Special Projects Melisa Gonzales stated the city has been part of the Mayor's Monarch program for the last 3 years, and this proclamation will begin the process to plant monarch planting at the Alamo Youth Center and create activities.

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

G. Consideration and Action to approve a Resolution for a temporary street closure of F.M. 907 (Alamo Road) for the Farias 3k event.

Special Projects Melisa Gonzales stated this item was approved in the last meeting, but because we are shutting down Alamo Rd. For a few hours TXDoT requests a resolution to process this closure.

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

H. Consideration and Action to purchase Radios for the Alamo Fire Department.

City Manager Robert Salinas stated the City of Alamo receives annual funding from Hidalgo County Emergency District #4. This year, the City received \$30,000. The Fire Department has recently moved their communications to a more regional communication in order to better communicate with other FDs. The Fire Department is need for new radios for 6 of the fire units because they are out dated and obsolete, i.e. the installer cannot upgrade the radios to receive regional channels. The Fire Chief is proposing the purchase of 6 new radios for the fire units and 5 portable radios that will be then handed off to the volunteer fire fighters once we receive the new portables from the earmarked funds. The District's allocation will be directly paid to Tri- County Communication for the radios.

Commissioner Okie Salinas asked will these radios be tied into the new system?

Fire Chief Roy Contreras responded yes, into the new system

Commissioner JR. Garza asked are these radios the newest out there in the market?

Fire Chief Roy Contreras responded yes, the previous ones have been out of date for a few years now.

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

I. Consideration and Action to approve the Alamo Youth Center Summer Camp fees.

City Manager Robert Salinas stated he received a proposal from our Parks and Recreation staff regarding the cost of the Youth Center Summer Camp for 2022. Background: In summer 2021 (due to COVID), we charged \$20 per session and \$30 for non-residents. During a normal summer we usually charge \$30 for residents and \$40 for non-residents. Every summer we offer 2 sessions, with each session being 5 weeks. This summer (2022) we will offer summer session I from June 6th to July 8th. Session II will be from July 11th to August 12th During these sessions,

we provide breakfast and lunch with the help of PSJA, we offer the Youth Center Game Room, Arts and Crafts, the Computer Room, the Gym, the Splash Pad and take the kids out to the Nature Park as well. We also have guest speakers such as the Boys and Girls Scouts of America. This request is to increase the cost of the Summer Program to \$40 for residents and \$50 for non- residents. The following are the fees from our neighboring Cities:

- *Pharr - \$75 per session (offering 3 sessions at 4 weeks each), 8am to 5pm*
- *San Juan - \$60 per session (offering 3 sessions at 4 weeks each), 8am to 5pm*
- *Weslaco - \$100 per session (offering 2 sessions at 4 weeks each), 7:30am to 5:30pm*

This item is now before you.

Mayor Pro-Tern Pete Morales asked this \$40 is for how many sessions?

City Manager Robert Salinas responded for 1 session

Commissioner J.R. Garza asked are the splash pads working?

City Manager Robert Salinas responded yes, before Covid we were at \$30 but we want to increase to keep in line with other cities.

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

J. Consideration and Action to approve an Ordinance Amending Ordinance 10-06-14, Section II Guidelines and Conditions to Authorizations of Loans and Grants.

City Manager Robert Salinas stated what Ordinance 10-06-14 is for the 380 agreement policies and at the moment it is primarily for commercial usage and this will open it up for mix usage and will allow for a developer to come in with a commercial/ residential development. The development does have to be a minimum of 40 acres and the project must result in \$10 million of private capital investment, development must show it will increase taxable value for the city of \$30 million in real and business property. Adding these requirement will make if for developers who want to enter a 380 agreement they will need to meet these requirements, these are geared more towards larger projects such at Alamo and 495.

Commissioner Olde Salinas motion to approve, and Commissioner J.R. Garza seconded. Motion carried.

K. Consideration and Action on City Participation for Lift Station Improvements for wider Regional use as proposed by representatives for the Riverside Tower and 495 Subdivision.

City Manager Robert Salinas stated as you may recall, Mr. Tony Aguirre (developer) will be installing a new lift station at the NE juncture of SH 495/Tower for his 2-phased development.

City Engineer Ronnie Cruz stated the first numbers that came in at \$190,000 then it came down to \$155,000 then we got the cost estimate at \$96,000. He spoke with Mr. Tony Aguirre and Ivan Garcia with Rio Delta and put a cap on it. The recommendation is not to go over \$120,000 but

stay on budget for \$96,000. The advantage towards the city is, you are going to eliminate one lift station and then have a brand new lift station with warranties.

Commissioner Okie Salinas asked can we make a note if it does happen, the lift station at the Alamo Country Club will be removed.

City Engineer Ronnie Cruz responded that lift station will be eliminated and decommissioned.

City Manager Robert Salinas stated we need to see if it's a fee simple property or it's an easement, we need to look at the plats.

Public Works Director Julio Villareal states it was surveyed a while back and it does belong to the city.

City Manager Robert Salinas stated so it is a fee simple property so we have to look at the process

City Engineer Ronnie Cruz responded it was dedicated so it will belong to the city.

City Manager Robert Salinas stated the property has value and we'll continue to discuss it administratively.

Commissioner Okie Salinas motion to approve, and Commissioner JR. Garza seconded. Motion carried.

PUBLIC HEARING

Public Hearing on the proposed rezoning of a 2.20 acre tract out of Lot 13, Block 40, Alamo Land & Sugar Company's Subdivision; from R-1 Single Family Dwelling District to R-2 Duplex, Multifamily, Townhouse & Apartment District; Applicant is Tenant Choice, LLC.
No citizen participation

L. Consideration and Action on an Ordinance to rezoning a 2.20 acre tract out of Lot 13, Block 40, Alamo Land & Sugar Company's Subdivision; from R-1 Single Family Dwelling District to R-2 Duplex, Multifamily, Townhouse & Apartment District; Applicant is Tenant Choice, LLC.

Planning Director Sergio Zavala stated the site is located approximately 500' east of Alamo Road, along the north side of Nebraska Avenue. The surrounding zoning districts are as follows: North R-1 (Single Dwelling Family District), East R-1 West R-1 South R-1

The surrounding land uses to the vacant tract include:

- *North Open acreage*
- *East Open acreage; SF Res. lake to NE*
- *West SF Res, 'Institutional' (claimed religious) South single family residential & some open acreage.*

The Future Land Use Map reflects a General Commercial (GC) use.

- *The site was zoned from R-1 to R-2 in 2016.*
- *The site was then rezoned from R-2 to R-1 in Oct. 2020.*
- *The 2022 proposal before you is to rezone the R-1 site to R-2.*
- *The site was at the intersection to Alamo Road, the R-2 would be more palatable.*

However, being 500' from this significant intersection, it's only access point is a residential collector street (Nebraska at an MPO profiled 80' ROW). The features that are compelling to retain its R-1 designation include the 100% R-1's surrounding it; and the high% of single-family dwelling uses, i.e., to the east, west, south & SW. Planning discerns that the more appropriate use that will assimilate better in this residential neighborhood is R-1. He states there was an error in the packet the Planning and Zoning Commission voted 5-1 to approve the rezoning not to deny it, and recommend to rezone back to R-1 to R-2.

Commissioner Pete Morales asked is that where the apartments used to be?

City Manager Robert Salinas responded yes

Commissioner Okie Salinas motion to approve, and Commissioner JR. Garza seconded. Motion carried.

PUBLIC HEARING

Public Hearing on a proposed Conditional Use Permit to have a site-built residence on property zoned R-MH (Modular Home & Modular Home District), at property described as lots 53 & 54, Regency Acres, 1002 lee; Applicant is Magin and Altagracia Galvan

No citizen participation

M. Consideration and Action on an Ordinance for a Conditional Use Permit to have a site-built residence on property zoned R-MH (Modular Home & Modular Home District), at property described as Lots 53 & 54, Regency Acres, 1002 Lee; Applicant is Magin and Altagracia Galvan.

Planning Director Sergio Zavala stated in April 2021, the Board of Commissioners approved an ordinance to amend the Zoning Code to officially make a 'Site-built SF residential structure' a Conditional Use in the R-MH zoning district. This applicant is following the ordained public hearing process. In view of the site plan, they propose to have a structure at approximately 1144 sq. ft. that complies with typical SF residential setbacks, i.e., Front SB of 25', Side SB of 5', and Rear SB of 15'. Also, at least 1 shade or ornamental tree in the front setback area (via typical code) will be required; although the aerial appears to reflect an existing shade tree already. Staff notes that a 2-car paved driveway leading to a garage already exists along the perimeter west. FYI -this subdivision has 120 lots. The subdivision was existing in the County of Hidalgo for many years before it was annexed; thus, there is a mixture of uses (mobile homes and conventional housing) evident in this neighborhood. Staff sent out notices of this public hearing and, as of this writing, we have not received any comments opposing the CUP's intent. Although typical CUPs are not to be transferable to others, this being a permanent site-built

home, it is logically determined that this CUP should be transferable to other new owners if that circumstance becomes evident. Staff Recommendation: approval subject to 1) complying with the SF Residential setbacks (as cited above); 2) increase the distance to 5' between the home and the existing garage; and 3) approving this CUP to be transferable to others should that occasion arise.

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

PUBLIC HEARING

Public Hearing on a proposed Conditional Use permit to move-in a temporary Chick-Fil-A mobile food trailer on commercially zoned property at the Freedom Bank site at 533 N. Alamo Road, legally described as the E. 3.21 Acres being an Irrig. Dist. Tract N. 370.55' of the S. 700.55' of the E. 430', Exe. S. 39' - W. 99.9' & N. 129.55' - W. 99.9', Lot 6, Block 36, Alamo land & Sugar Company's Subdivision; Applicant is Chick-Fil-A.

Rev Torres asked on the hours?

City Manager Robert Salinas responded 8AM-5PM, M-F.

N. Consideration and Action on an Ordinance for a Conditional use Permit to move-in a temporary Chick-Fil-A mobile food trailer on commercially zoned property at the Freedom Bank site at 533 N. Alamo Road, legally described as the E. 3.21 Acres being an Irrig. Dist. Tract N. 370.55' of the S. 700.55' of the E. 430', Exe. S. 39' - W. 99.9' & N. 129.55' - W. 99.9', Lot 6, Block 36, Alamo Land & Sugar Company's Subdivision; Applicant is Chick-Fil-A.

Planning Director Sergio Zavala stated the site is at the SW area of Alamo Road/Expressway. As shown on the aerial, the red rectangle reflects that the proposed food vending trailer will be on or about 180' from Freedom Bank, i.e., at the northwestern most juncture of their parking lot. The food trailer CUP must meet the applicable provisions of Title 3, Chapter 17. Such a CUP cannot be transferable to any other operator, it is only for this applicant. The days/hours of operation are Mon-Fri. 8am-5pm; this appears to coincide with Freedom Bank's operable hours; thus, the restrooms are available for the staff the mobile food trailer must be at least 100' to any fixed-location restaurant. The closest restaurant is Whataburger which is over 350' to the south. The food items will be for 'walk-up sales/take home consumption' only. 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 residential area since to the south of Freedom Bank. NOTE: HEB real estate manager from San Antonio provided April 25th email citing opposition due to "traffic flow and congestion" as being "big concerns"; also, HEB cited that their "overall experience with food trucks has not been a positive one and for that reason we've eliminated them at our current stores." Reminder FYI: on 3/1/22, City approved mobile food trailer at HEB.

Mayor Diana Martinez asked why a mobile unit and not an actual building?

Planning Director Sergio Zavala responded he believes this is a feeler approach for Chick-Fil-A. Mayor Diana Martinez stated it's a good location but does see traffic can be an issue

Commissioner J.R. Garza stated this will help to build an actual restaurant

Commissioner Okie Salinas asked regarding the email did they respond to you

City Manager Robert Salinas responded he initiated the email and that was her response.

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

Mayor Pro-Tern Pete Morales abstain due to conflict of interest

O. Discussion and Possible Action to Select a Replacement Member to the Zoning Board of Adjustments.

Planning Director Sergio Zavala stated on April 20, 2022, the Planning Department received a written transmittal from Raul B. Garza expressing his resignation from the Zoning Board of Adjustments effective 4/20/22. This was needful due to family medical considerations. See attachment. According to the approved Bylaws Article 1 (F), 'Vacancies shall be filled for the unexpired term of any member whose term becomes vacant. Mr. Garza was originally appointed as a regular ZBA member on March 2, 2021. ZBA membership is for 2 years; thus, Mr. Garza's tenure would have expired on March 2023. Any appointment to fill this vacancy would be until March 2023. All ZBA members must own property in Alamo, Texas to be eligible to serve. Mr. Garza was a regular member as opposed to an alternate. The Board may: consider naming someone new as a regular member OR appoint an alternate (Albert Rodriguez or Joseph Sweet) as a regular member; and then appoint someone new as an alternate.

Mayor Diana Martinez asked the two alternates are?

Planning Director Sergio Zavala responded Albert Rodriguez and Joseph Sweet

Mayor Diana Martinez stated her recommendations is Joseph Sweet, has Joseph Sweet been attending all the meetings?

Planning Director Sergio Zavala responded yes

Mayor Diana Martinez motioned to appoint Joseph Sweet

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

EXECUTIVE SESSION: 6:42PM

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:

Pursuant to Texas Government Code §551.074 Personnel Matters and §551.071 Consultations with Attorney:

- a. Discussion and Possible Action Regarding Proposed Charter Amendment
- b. Discussion and Possible Action Regarding Public Information Officer position
- c. Discussion Regarding City of Alamo Grants, the Grant Process and Grant Consulting Services

OPEN SESSION: 8:08PM

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.

P. Consideration and Action to authorize City Attorney to proceed with proposed Charter Amendment

No action taken

Q. Consideration and Action to approve an Ordinance to amend the General Fund Budget in the amount of \$39,300 for the Communications and Media Department.

City Manager Robert Salinas stated this is for the position for the Public Information Director, we are looking for an approval of the position and range of salary of between \$40-55,000 and for a selection committee to be selected for the hiring process.

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

Mayor Diana Martinez in dissent

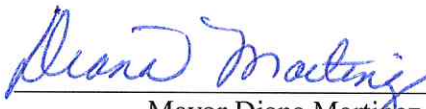
CITIZEN PARTICIPATION: Five minutes per person with no response from the City Commission, Residents must sign up prior to the city meeting.

No citizen participation

II. ADJOURNMENT

Citizens are encouraged to sign the attendance sheet.

There being no further business, Mayor Diana Martinez adjourned the meeting at 8:10PM



Mayor Diana Martinez

ATTEST:


Alexandra Rangel, City Secretary

