

The Board of Commissioners for the City of Alamo, Texas met for the Regular Meeting on Tuesday, June 07, 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
Rick Palacios, City Attorney
Richard Ozuna, Police Chief
Roy Contreras, Fire Chief
Rafael Tapia, AEDC Director
Lori Solis, Library Director
Michael Torres, IT Director

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

1. CALL MEETING TO ORDER

Mayor Diana Martinez called the regular meeting held on Tuesday June 07, 2022 to order at 6:00 p.m. at the City of Alamo Municipal Building. Mayor Diana Martinez led the Pledge of Allegiance and Melisa Gonzales led the Invocation.

C. Presentations and Announcements

Lori Solis announced on Thursday 6/9 Movie in the Park will be Sing 2, and on June 3rd the city collected over \$4,760 for Uvalde and the ACC collected \$150 for total of \$4,910.

Mayor Diana Martinez thanked Lori and staff for helping out.

D. Consideration and Action to approve the minutes for the second regular meeting of May 17, 2022

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

E. Presentation regarding the use of forfeiture funds by the Alamo Police Department

Police Chief Richard Ozuna stated these funds will purchase items for drug prevention, anti-gang violence, and any anti-crime to promote amongst the kids and these funds do not come from tax payer money.

Commissioner Okie Salinas asked what is the current balance?

Police Chief Richard Ozuna responded it is between \$50,000-\$60,000, we are still pending additional monies.

Commissioner Okie Salinas asked do we have plans to spend some of that money?

Police Chief Richard Ozuna responded yes, if we can't afford equipment then this is what we would use.

Commissioner Okie Salinas stated it would be nice to discuss this during budget time

City Manager Robert Salinas responded this account fluctuates

F. Consideration and Action to approve a contract renewal with Nevill Document Solutions

Purchasing Agent Adela Perez stated her recommendation is to move forward with the proposal from Nevill Document Solutions for the copier contract renewal. This pricing is

under the OMNIA Partners Contract# R191102. Nevill will replace 8 copiers will include 1 additional copier bringing the new contract amount to \$2,998.95 per month for a 36-month term. The total amount of copiers will be 16.

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

PUBLIC HEARING

Public Hearing on proposed rezoning of Lots 66-68, Sunshine Valley Estates from Mobile Home and Modular Home (R-MH) District to Duplex, Multifamily, Townhouse & Apartment (R-2) District; Applicant is Luis Escalante

Planning Director Sergio Zavala mentioned Mr. Escalante had carious permits posted on his wall from various other properties, showing that Mr. Escalante did know he needed permits to build apartments.

Planning Director Sergio Zavala stated the 3 lots are located at the NW knuckled intersection of Cameo Circle -see vicinity map and except copy of the platted lots. As seen, the lots are irregular in dimensions. Surrounding ZONING DISTRICTS are as follows:

- *Single Dwelling Residential (R-1) to the abutting north & adjoining east; and*
- *Mobile Home & Modular Home (R-MH) District to the adjoining west & south.*
- *On or about August of 2020, prospective buyer Escalante called Planner Dalia Zuniga asking if apartments were permitted on Lot 66-68, Sunshine Valley Estates; Dalia promptly replied 'No -these lots were NOT zoned for apartments.'*
- *In Sept/Oct. 2020, the R-MH lots were still purchased by Luis Escalante.*
- *With no permits, NO inspections were made to verify the fire-rating codes between the units; no inspections to check the safety on electrical work, nor on plumbing/AC work.*
- *Nov. 9, 2021, Letter sent to Escalante alerting him of the violations.*
- *Nov. 15, 2021, Dalia and S. Zavala met with Escalante and a friend of his. Planning went over its findings; Escalante informed staff that it was ONE RESIDENTIAL UNIT where one would be able to walk through from 1 side of the structure to the opposite side from within its walls. With this ray of hope of possible structural compliance, Planning arranged w/Escalante to meet at the site the next morning.*
- *Nov. 16, 2021, with the consent of the occupants, it was quickly discerned that there was NO internal walkway/hallway to go from one unit to the other ... there were several apartments, each with its own entry door, its own kitchen and each with separate restroom facilities. Escalante's own apt. had many building permits posted on his wall.*

Planning and Zoning voted 7-0 to Deny on May 18, 2022.

Mayor Pro-Tem Pete Morales asked these permits, were they from the city?

City Manager Robert Salinas stated yes

Mayor Pro-Tem Pete Morales asked but not pertaining for that property

City Manager Robert Salinas responded correct

Planning Director Sergio Zavala stated he owns other properties and these are permits for those properties.

Mr. Luis Escalante asked when the first picture, was is from?

City Manager Robert Salinas responded 2015

Luis Escalante stated the property was already set up as apartments when he purchased the property, the only thing he has done was add pavement and replace the roof.

City Manager Robert Salinas responded he met with Mr. Escalante, and he was supposed to get a survey to determine the lines of the three lots and at this moment we are only discussing the rezoning, and he stated it was denied at the Planning and Zoning Meeting in May.

Luis Escalante asked what are his options, and why now?

Mayor Pro-Tem Pete Morales asked how he purchased the properties, if so he suggested to speak with the previous owners he sold him a property that was not up to code.

Commissioner Okie Salinas stated they are not apartments

Luis Escalante stated it can be separated, does it really affect the city?

Mayor Pro-Tem Pete Morales stated yes, because if we allow it, it opens the opportunity for others. The next steps is to do the survey, which the city manager had requested.

Luis Escalante responded yes, but he was waiting for the cities responded

Mayor Pro-Tem Pete Morales stated the point is to do everything correct

Commissioner Okie Salinas stated can it be done?

City Manager Robert Salinas responded we are only focusing on today's item regarding the rezoning.

Mayor Diana Martinez stated the only reason the city found out is because a tenant came and complained to the city.

City Manager Robert Salinas responded the main concern regarding the issue, is that we are unaware of the previous construction and this a life safety issue. The people in those apartments are in danger because the construction was never inspected.

G. Consideration and Action on Ordinance to Rezone Lots 66-68, Sunshine Valley Estates from Mobile Home and Modular Home (R-MH) District to Duplex, Multifamily, Townhouse & Apartment (R-2) District; Applicant is Luis Escalante

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

H. Consideration and Possible Action on a Final Plat Approval for The Heights at Alamo Subdivision, being 48.202 acres out of Lots 10, 11, & 14, Block 40, Alamo Land & Sugar Company's Subdivision; zoning districts being R-2 and 'C'; Developer is Ammo Development, LLC; Engineering firm is Melden & Hunt.

Planning Director Sergio Zavala stated the 48+ acre site is at the SW juncture of SH 495 and Alamo Road. The Heights at Alamo shows 4 substantial commercial lots, 87 residential lots (proposed w/R-2 zoning), and 4 common lots -2 common lots designed for on-site detention, and the other 2 for 'Green Areas'. All lots meet or exceed the city's area requirement, i.e., 6250 sq. ft. All lots will have access to paved public streets; and some lots will also have rear public access via 4 proposed 20' alleys.

Water/Hydrants: The water CCN belongs to the City of Alamo. The plan shows a new 12" water line along the entire northern and eastern perimeter of the plat. The system will be looped to an 8" water line near the NE juncture, and a 2nd loop will be tied to another 8" water line at its southeastern point, too. Within the various 8 streets and alleys, a new 8" system interconnects with each other. Sanitary Sewer: The City of Alamo is the sanitary sewer CCN provider for this area. The plan shows connection onto the city's 8" system on the southeastern point by a new sewer network comprised of 8", 10", and 12" sanitary sewer lines to service all the lots. A deep sewer line (10'+) will be extended to Alamo Road along Valle Vista Street so that it will serve un-developed acreage to the east (& across the street) of Alamo Road Drainage: The drainage report has been approved by the Hidalgo County Drainage District #1. The streets are designed to flow into 2 common detention ponds via 24", 30", and 36" storm lines; also, there is a linear detention swale areas along the front perimeter of commercial Lots 88, 89, 90 and 91. On the detention ponds' observed standing water after a rainfall and to comply with the City's drainage policies to have such standing water drained within 48 hours, both detention ponds will be equipped with pumps to push that thru to the

State's storm system. The City's consulting engineer does not object to this solution so long as the HOA is perpetually responsible for its use and upkeep

Staff recommendation: Final Plat Approval subject to:

- 1) No objection to accept 20' dedication for Diana Avenue, but to be paved 18' edge-to-edge.*
- 2) Comply with all other format findings, prevailing subdivision regulations/policies, including the City's approval of the CCRs, all sidewalks to be 5', water district exclusion, etc.*

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

I. Consideration and Possible Action on Ordinance to Amend Sections 10-5A-2 and 10-5B-2 of Alamo's Code of Ordinances to include 'Accessory Buildings/structures/surface improvements designed primarily for the Senior Residential Development' in the SH/R-I and SH/R-MH zoning districts

Planning Director Sergio Zavala stated planning recently reviewed a building permit application for pickle-ball court improvements on property zoned Senior Housing Residential District (SH/R-1); it was to be next to some shuffleboard or tennis courts designed to be used by the senior residents within that gated development. However, when reviewing the zoning districts' Permitted Uses, the typical 'Accessory Structures' was not discovered. The amendment before you propose to include in the Senior Housing Residential District and the Senior Housing Residential Mobile Home District the following verbiage within these districts' 'Permitted Uses': "Accessory buildings, structures, and/or surface improvements designed to be primarily used by the senior residents of the affected development". With this amendment, future building permit applications may be streamlined through the permitting process. Staff recommends approval.

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

J. Consideration and Possible Action to Amend Section 10-3-3-(C)(3) of Alamo's Code of Ordinances relating to Maximum Coverage by an Accessory Structure in the Rear Setback.

Planning Director Sergio Zavala stated Attached please find Sec. 10-3-3. The highlighted section states the following: "The accessory building SHALL NOT occupy more than 30% of the required minimum rear yard area. In R-1 and R-2 Districts, no accessory building shall be more than one (1) story in height." Trying to govern a maximum % of coverage to a fenced-in rear yard appears is challenging to monitor, thus challenging to enforce. Planning simply recommends that this un-conventional provision be deleted. Staff Recommendation: Delete only the following sentence in its entirety, i.e., 'The accessory building shall not occupy more than thirty percent (30%) of the required minimum rear yard area.' Planning & Zoning Commission met on May 18, 2022 and voted 7-0 to approve this item.

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

K. Consideration and Possible Action to Amend Section 11-3-15(a) of Alamo's Code of Ordinances relating to the Park Fee Assessment.

Planning Director Sergio Zavala stated the City of Alamo imposes a \$300/housing unit equivalent (for each home or each apartment). This has been the norm since 2017. (NOTE: Before the \$300 levy, Alamo's park fee was \$50/unit.). Attached you will also find a brief cross-section of what another municipalities levy for the same expected park improvement. Alamo is near the bottom of this compare/contrast chart. In attending the last 2 Parks and Recreation Board meetings, the condition of the parks and its amenities is a high priority for the PRB and the Board of Commissioners. It seems appropriate to justly raise the fee to keep on par with other RGV cities to magnify our parks for the general public's safe use. Staff Recommendation: Increase the Park Fee to (at least) \$500/unit.

Commissioner Okie Salinas asked how does Edinburg get for everyone to pay their half

City Manager Robert Salinas responded the developer pays half at the beginning at the plat recordation and the builder will pay as they come in for construction. They way Edinburg and San Juan do it, its more of an accounting issue. This way we get it upfront.

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

City Manager Robert Salinas asked Mr. Zavala, this will only apply to the new subdivision moving forward.

Planning Director Sergio Zavala responded yes that is correct.

L. Consideration and Possible Action to Designate a 'No Parking Zone' on a certain area of Becker Street (east of Tower) Pursuant to Section 6-4-6 of Title 6 'Motor Vehicles and Traffic' of Alamo's Code of Ordinances

Planning Director Sergio Zavala stated City officials receive consistent concerns voiced by area residents during the occasional garage sale that is permitted at the SE corner of Tower/Becker; this is because cars & trucks will park on both sides of Becker while taking their time in patronizing the (permitted) garage sale. Be advised that Becker Street has a 30' B-B pavement section in the plats' 60' ROW. The current paving code mandates 32' B-B. When 2 vehicles park on both sides of Becker, this'll usually consume 10' on either side approx. 20'; thus, this leaves about 10'-12' to enter/exit. As one may logically conclude, the entry & exit lanes are constrained to thus result in near misses, extra careful maneuvering, & a general sense of anxiety & frustration.

The proposed ordinance will result in Becker Street (east of Tower) to be fully open since no vehicles will be permitted to park 50' from Towers' curb line. The measure will allow traffic to safely enter/exit, which BTW includes easier access for any first responders, too. Also, Sec. 6-4-6 is being amended to better express intent, stipulate penalties, etc. Staff recommends approval.

Mr. Robert Meza stated his concerns regarding the garage sales on Becker Street.

Ms. Blanca Meza stated her concerns regarding the traffic and safety hazards regarding the garage sales on Becker Street.

Mayor Pro-Tem Pete Morales asked about code enforcement coming in on a Saturday to check

City Manager Robert Salinas responded yes, she has been coming in on Saturdays.

Commissioner Okie Salinas asked what color?

Mayor Pro-Tem Pete Morales asked how about the white lines?

City Manager Robert Salinas responded he will check with Alex De La Rosa to check on the colors

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

M. Consideration and Possible Action to Approve the 2021 Population Estimate for the City of Alamo as it relates to Section 6-6-15(B) of Alamo's Code of Ordinances to determine whether to increase Wrecker Services (Rotation)

Planning Director Sergio Zavala stated in compliance to Sec. 6-6-15 (B) of Alamo's Code of Ordinances, "The City Planning Department is hereby charged with the responsibility of determining the yearly population of the City". This mandate's intent is to annually discern whether to increase the number of rotating wrecking companies based on 1 wrecker per 2000 in city population. Reviewing last June's 2021 action, the Board of Commissioners approved the population estimate of 20,404; this figure considered the population up to July 2021. In Planning's current task of ascertaining Alamo's population, moving forward, we are going to factor in the

projected population through the end of the calendar year 2021, i.e., from August 2021 to Dec. 31, 2021 (5 months). We believe this is the intent of Sec. 6-6-15 (B) as it clearly stipulates the "population of the City." NOTE: in June 2023, the population will be estimated on the 12 months of 2022. In consideration of new building permits, move-in's, etc., and pursuant to the 3.71/population per Alamo household (census criteria), the 2021 population for Alamo, Texas is estimated at 20,698. Planning recommends that the Board of Commissioners approve the 20,698 pop. estimate.

Commissioner Okie Salinas we can wait until the census to get an official

City Manager Robert Salinas responded yes

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

N. Consideration and Action on an Ordinance Establishing a City Scholarship Program to School-aged Children to Participate in the City of Alamo's Recreational Programs and Related Activities/Events

Planning Director Sergio Zavala stated the City of Alamo will have recreational programming & activities that require a user-cost fee. With single-income families in a trying economy in the midst of a continuing pandemic, and now compounded by rising gasoline costs, some Alamo families will struggle to pay the cost of their school-aged children to participate. As a good 1st step to help, staff proposes the Alamo Recreational Scholarship Assistance Program (ARSAP). This initiative is designed to simply help pay the participation costs for Alamo kids, and provide a measure of relief to the overall family.

Attached please find an ordinance that will accomplish the following:

- *Establishes the Alamo Recreational Scholarship Assistance Program (ARSAP) designed to help pay the cost of participation to certain school-aged children; vetted through a standard application process*
- *\$1000 approved for the summer of 2022 (FY 2021-22)*
- *In subsequent fiscal years, ARSAP budget amount will follow typical budget review/approval process.*
- *The City Manager's office will develop an application form with eligibility and award criteria; may seek the help from the Parks & Rec. staff; the City Manager's office will oversee the ARSAP selection process.*
- *Consent forms to be signed by a parent or legal guardian for photo/video images to be posted on city's official website.*

City Manager Robert Salinas responded this was brought up by Steven to help low income families, and he is looking into it with other cities.

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

EXECUTIVE SESSION: 7:05PM

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:

- 1. Pursuant to Texas Government Code §551.074 Personnel Matters and §551.071 Consultations with Attorney:**
 - a. Discussion Regarding City of Alamo Grants, the Grant Process and Grant Consulting Services.**

- b. Discussion regarding the general duties of the Parks and Recreation Director.
- c. Discussion to set and approve a salary for the Alamo Police Department Communications Supervisor position

OPEN SESSION: 8:28 PM

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.

O. Consideration and Action to set and approve a salary for the Alamo Police Department Communications Supervisor position

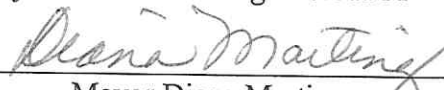
Mayor Pro-Tem Pete Morales motioned to approve as discussed in Executive Session, and Commissioner J.R. Garza seconded. Motion carried.

CITIZEN PARTICIPATION: Five minutes per person with no response from the City
Herb Moering voiced his concern regarding tax rates

I. ADJOURNMENT

Citizens are encouraged to sign the attendance sheet.

There being no further business, Mayor Diana Martinez adjourned the meeting at 8:31PM



Mayor Diana Martinez

ATTEST:



Alexandra Rangel, City Secretary



