

The Board of Commissioners for the City of Alamo, Texas met for the Regular Meeting on Tuesday, June 21, 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 21, 2022 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

Mayor Pro-Tem Pete Morales thanked Commissioners Fuentes and the Drainage District #1 regarding the project on Crockett Rd. In addition, notifying the community there will be a lady wolverine soccer camp from July 11th – July 12th from 6:30pm-8pm. He also congratulated the summer tennis team and thanked Coach Cepeda and Parks and Recreation.

Lori Solis announced on Friday June 24th at 8PM the City will host Music in the Park and the city's inaugural Freedom Bash on July 2nd from 3PM-10PM.

D. Consideration and Action to approve the minutes for the first regular meeting of June 7, 2022.

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

E. Consideration and Action on a request by the Alamo Crime Stoppers to operate the Beer Garden for the City of Alamo 2023 Watermelon Festival event.

City Manager Robert Salinas stated he received a request from the Alamo Crime Stoppers in early June asking to be the operators for next year's Watermelon Festival, the request was submitted by Crime Stoppers President LJ Geoni.

Mayor Pro-Tem Pete Morales stated this festival has been a staple to many volunteers within the community and the chamber have been doing a good job.

Commissioner Okie Salinas stated he was reminded that the watermelon committee are the ones who make the decisions.

City Manager Robert Salinas responded, although this has been around for 10 years he was unaware how it has been done, but the chamber has been the ones running the beer garden for the last few years.

Commissioner Okie Salinas stated he received a text from the chair from the watermelon committee letting him know they are the ones who make the decision as well elaborated on the what they do with the proceeds.

Mayor Pro-Tem Pete Morales stated the committee are the ones who vote on the bands and everything that goes with it.

City Manager Robert Salinas responded yes, he was on the committee this year and they looked into every detail. Regarding that issue, it was never discussed because it has never been an issue before.

Commissioner Okie Salinas asked City Attorney is there some we can do?

City Attorney Rick Palacios stated because he is not sure if it's a chamber or a city sponsor event, the best thing to do is to table it or take no action at this time.

Mayor Pro-Tem Pete Morales stated it was to his understanding this why a committee was created so the commission wouldn't get involved.

City Attorney Rick Palacios stated so the options are taking no action and it doesn't have to come back next time and if we do table we will bring it back next time.

Commissioner Okie Salinas stated we just finished a little over month ago and we can take our time on deciding. He asked Police Chief Ozuna and Melisa regarding any active grants to help out the Crim Stoppers?

Melisa Gonzales stated the not for fundraising, they pertain to operations and for payment of tips.

Commissioner Okie Salinas stated as a city we can step up to help.

Mayor Pro-Tem Pete Morales asked is crime stoppers still getting funding from forfeiture funds?

Mayor Diana Martinez responded no

Police Chief Richard Ozuna responded it is very particular on what it can be used for.

Mayor Pro-Tem Pete Morales stated perhaps a fundraiser can be done such as a golf tournament.

Sharon stated she believed the funds need to be used for awards but we also need an administrative cost that come from donations.

Commissioner Okie Salinas motioned to take no action, and Commissioner Pilar Garza seconded. Motion carried.

F. Consideration and Action on a request by the PSJA Wolverines Quarterback Club to utilize the Alamo Youth Center for a Loteria Fundraiser Saturday, June 25, 2022 from 5PM-8PM.

City Manager Robert Salinas stated the Quarterback Club have found another location to host the Loteria Fundraiser.

No action taken

G. Consideration and Action on an agreement between Vanguard Academy and the City of Alamo to provide a School Resource Officer.

City Manager Robert Salinas stated last year it was brought forth and this is a renewal, Vanguard will pay for one officer and the city will provide one officer.

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

H. Consideration and Action on approving a resolution for ICMA Retirement Services

Sandra Aguilar stated the name had been changed to Mission Square, at the moment the city has TMRS as a primary pension, but the contribution rate is at 5% with a ½ to 1% matching. These 457 plans will allow to have extra monies for retirement, and it does not cost the city anything.

The only thing required is a pre-tax line item through payroll. The employee can contribute as little as \$10 per pay period and the max is \$ 788 per pay period and once they are over the age of 50 they can contribute up to \$27,000. They can choose the type of plan they want as well roll over any vacation.

Mayor Diana Martinez asked don't we have a presentation around August?

HR Director Alicia Cano responded yes, it is open enrollment.

Commissioner J.R. Garza asked is this considered as an IRA?

Sandra Aguilar responded this is pre-tax but we offer both, if you decided a pre-tax, which helps with the taxable income at the end of the year and we also offer the Roth IRA which is after tax dollars that one has a limit of \$6,000 or \$7,000 if they are over 50 years of age.

City Attorney Rick Palacios asked it was stated there will be no cost to the city but will there be an expense to the employee?

Sandra Aguilar responded no

City Attorney Rick Palacios asked what about the investment fees?

Sandra Aguilar responded every mutual fund has its own expense ratio

City Attorney Rick Palacios asked what is the range of the expense ratio?

Sandra Aguilar responded the index funds will ratio will vary from 1%.

Commissioner J.R. Garza asked it will be up the employee to decided if they want to go Roth or a traditional IRA.

Sandra Aguilar responded if the city decides to do both

City Manager Robert Salinas stated this allowing her to present the options to the employees

Commissioner Okie Salinas stated he has been part of this program for a long time and it is great.

Mayor Diana Martinez motioned to approve both programs and Commissioner Okie Salinas seconded. Motion carried.

I. Consideration and Action to declare items listed as surplus and salvage and authorize City Personnel to sell such items through public auction

Purchasing Agent Adela Perez stated staff is seeking approval to declare items as surplus and/or salvage. Items have been acquired by the City over the past two (2) years. All items have been determined as surplus and/or salvage by Department Directors. Surplus items are to be sold on our next City Auction and Salvage items are to be disposed of.

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

J. Consideration and Action to award the bid for Auctioneering Services

Purchasing Agent Adela Perez stated staff is seeking approval to move forward with the proposal from Bond & Bond Auctioneers for our next City Auction, it will be live in person and will be simulcast on 2 on-line platforms.

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

K. Consideration and Action on a contract to lease 1,250 acre-feet of water from Hidalgo County Irrigation District #2.

City Manager Robert Salinas stated because of the high usage it was recommended to purchase 2,500 acre-feet but it is still early in the year it was best to purchase half now.

Commissioner Okie Salinas asked if he ever sees a difference in price?

City Manager Robert Salinas responded it is usually \$60 per acre-foot.

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

L. Consideration and Action to approve emergency repair costs for an Emergency Sewer Line Repair.

City Manager Robert Salinas responded on June 15th we had an old 600 ft clay line of sanitary sewer, it was removed and replaced and included the installation of a manhole and service connections, the total cost for this project was \$60,000. This item is before you since the cost of repair was over \$15,000.

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

M. Consideration and Action on Backhoe Equipment Repair for Public Works Department

City Manager Robert Salinas responded there was 2 backhoes that went out at the same time one needed a motor and the other needed a transmission, the total amount \$33,858.58. This item is before you since the costs to repair are over \$15,000.

City Manager Robert Salinas asked are they running?

Public Works Director Julio Villarreal responded one is, the other should be ready soon.

Mayor Pro-Tem Pete Morales asked who keeps up with the maintenance, and do they check the oil periodically?

Public Works Director Julio Villarreal responded the mechanic and yes, every day.

City Manager Robert Salinas responded one is 13 years old and the other 18 years old, we just got a new one from the budget.

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

N. Consideration and Action to Purchase a New Phone System for the Alamo Police Department

City Manager Robert Salinas responded there was a request to replace the phone lines, and it is before you because it is over \$15,000.

Commissioner Okie Salinas asked Chief Ozuna if this is everything he is looking for?

Police Chief Richard Ozuna responded yes

Mayor Pro- Tem Pete Morales is this also tapping into the fire department?

Police Chief Richard Ozuna responded no, it is a standalone.

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

O. Consideration and Action on Ordinance to Amend Title 4 Public Health and Safety, Chapter 1 Fire Marshal, Section 4-1-3 (A) 'Service Fee Rate Structure'; to establish a Re-inspection Service Fee Rate Structure for the Fire Marshal's Services

Planning Director Sergio Zavala stated in February 2022, a fee rate schedule was approved for services provided by the Fire Marshal. However, there is an occasion where the business operator (for example) may fail their annual fire inspection; thus, inducing a Re-Inspection service but with no fee for such. Staff proposes that when a Re-Inspection is required, that the re-inspection serve fee be based on 50% of the typical inspection fee for that line item. We have attached the Fire Marshals' service fee rate schedule that was approved earlier this year to provide a larger measure of perspective. Staff feels that the 50% Re-Inspection rule is fair since it provides the same level of services as the initial inspection (which initially imposed 100% of the fee). Staff Recommendation: Approval.

Commissioner Okie Salinas asked if he can get the total number of fees collected through the year.

City Manager Robert Salinas responded yes

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

P. Consideration and Action on Ordinance to Amend Title 4 Public Health and Safety, Chapter 1 Fire Marshal, to include a new Section 4-1-4 'Burn Permit Regulations'

Planning Director Sergio Zavala stated the City of Alamo does not have burn permit regulations. However, stemming from a request for an authorized burn (SW Alamo/SH495), the City's Fire Department has assessed favorably to establish such regulations with highest regard to safety to the subject properties and surrounding properties. The enclosed Ordinance reflect the following as proposed regulations:

- \$100 base fee+ \$150/hr. to obtain the Burn Permit.*
- Permitted only on development tract(s) of 20+ continuous acres. However, City Manager. may discern if lower acreage is ok dependent on acreage configuration/location.*
- Burn pile to be 150 to structures; 300' to streets, parks, schools, medical facilities.*
- Only dead trees, limbs, shrubs to be burned; no construction material, trash, etc.*
- Applicant's on-site supervisor to have substantial water source & heavy equipment capable to extinguish burn (if deemed necessary).*
- Fire Dept. fire truck to be on-site during burn (thus the \$150/hr. cost)*
- Burn pile(s) to be cleared/disked at a 100' radius around pile(s).*
- Applicant to notify Fire Marshal person-to-person of when they'd start.*
- Applicants' on-site supervisor to always be on site during entire burn process.*
- City of Alamo to follow County Fire Marshal's daily determination to burn or not.*
- No burning shall ever occur should the County authorities impose a burn ban.*
- If complaints come in (smoke too intense, odor, visibility, health), it will be extinguished.*
- Only 1 pile shall be burned at any one time. NO multiple piles burning.*
- No minors present during burning process.*
- City of Alamo held harmless for injuries and/or damages of burn process.*

Commissioner Okie Salinas stated \$150/hr. cost to have a fire truck to be parked seems a little expensive on a developer perhaps we can change the base fee.

City Manager Robert Salinas asked how do they do it in McAllen?

Commissioner Okie Salinas responded if they call us we go, but the charge of \$150 is a little much. As long they follow the rules there shouldn't be any issues.

Planning Director Sergio Zavala stated perhaps we can change the base fee based on the acreage.

City Manager Robert Salinas asked perhaps it is best to table this item and he is not sure if other cities do the same?

Fire Chief Roy Contreras responded we can do like the county and call as needed and do a base rate.

Commissioner Okie Salinas responded as long they follow the rules there shouldn't be any issues.

Planning Director Sergio Zavala he agreed with City Manager in regards on tabling the item, but also pursuant to the base fee and the number of piles and confirm with other cities.

Mayor Pro-Tem Pete Morales asked Mr. Zavala if he gets request for these types of permits.

Fire Chief Roy Contreras responded yes, we actually got it from the developer on 495 and Alamo Rd. and it depends on the area.

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

Q. Final Plat Approval of the proposed Frolomo Subdivision, being a 3.120 Acre tract out of Lot 6, Block 36, Alamo Land & Sugar Company's Subdivision; zoned Commercial; Developer is Frost/Freedom Bank; Engineer is Melden & Hunt, Inc.

Planning Director Sergio Zavala stated the proposed subdivision is located on the SW corner of Interstate 2 and Alamo Rd, this subdivision contains 2 lots, both being over 1 acre each. The water CCN belongs to City of Alamo. The site has existing water service for the Frost Bank site, however the developer is proposing to add an additional water service for the second lot. The fire department has reviewed the subdivision and is requesting an additional fire hydrant. After connecting to an existing sewer trunk line, a new 6" service to serve (vacant) Lot 2 will be provided. The development fronts Alamo Rd. which is a 120' Major Thoroughfare as per the MPO Thoroughfare plan. The developer is required to dedicate an additional 20' ROW in order to comply with the minimum 60' ROW requirement from centerline or an ideal 120' ROW east-to-west. The project engineer is requesting to keep the existing ROW as is due to the existing property constraints and existing & future businesses would be negatively impacted by this requirement. In reviewing the existing businesses in this area of Alamo Rd. (Whataburger, Church's, Pizza Hut), one can see that the 60' ROW from Alamo Road's centerline requirement will not be easily accommodated in this area as it would remove existing parking & potentially buildings (if required); thus, staff nor P&Z objects to the variance. Since this is a state highway, the City does not acquire escrow fees from the developer. Drainage for the subdivision shall consist of runoff from the parking area into a type "C" inlet discharging into a proposed detention pond for Lot2. Staff recommends approval subject to:

- 1. No objection to the ROW variance*
- 2. Provide proof of water district exclusion*
- 3. Comply with all other subdivision and format findings*

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

R. Request by Dutch Brothers Coffee Shop thru R. Gutierrez Engineering to have the Board of Commissioners authorize the City Manager's Office to issue a Building Permit Prior to Subdivision Compliance on Property on a 0.64 Acre Tract out of Lot 6, Block 36, Alamo Land & Sugar Company's Subdivision (SW Alamo Rd/Expwy)

Planning Director Sergio Zavala stated planning staff received a written request from R. Gutierrez Engineering, received June 17, 2022, to have the Commissioners consider authorizing the City Manager to issue a building permit for a new Dutch Brothers Coffee Shop to be part of the remodeling effort of Alamo Bank's drive-through service window area. 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. The same process is ongoing at Rojas Heavy Equipment along the Expressway.

Staff recommendation: approval subject to no permit issued until after the Notice to Proceed is issued for water/sewer line extensions; and no occupancy until after the associated plat is recorded and a City of Alamo business license is issued.

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

Mayor Pro-Tem Pete Morales abstained.

EXECUTIVE SESSION: 6:41 PM

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 §551.071 Consultations with Attorney and §551.087 Deliberation Regarding:
 - a. Discussion regarding potential Republic Services Contract
 - b. Discussion regarding potential economic development incentives for Ammo Development LLC.

OPEN SESSION: 7:20 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.

S. Consideration and Action regarding potential economic development incentives for Ammo Development LLC.

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

T. Presentation of Departmental Reports

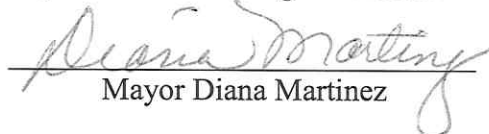
Departmental Reports were included in the commissioner's packet, no comments from the City Commission.

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



