

The Board of Commissioners for the City of Alamo, Texas met for the Regular Meeting on Tuesday, November 01, 2022 at 6:00 p.m., at the City of Alamo Municipal Building.

COMMISSION PRESENT:

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

COMMISSION ABSENT:

STAFF PRESENT:

Robert L. Salinas, City Manager	Sergio Zavala, Planning Director
Alexandra Rangel, Assistant City Manager	Adela Perez, Purchasing Agent
Cris Palacios, City Attorney	Alex Oyoque, Museum Director
Richard Ozuna, Police Chief	Ronnie Cruz, City Engineer
Roy Contreras, Fire Chief	Julio Villareal, Public Works Director
Rafael Tapia, AEDC Director	Yvette Mendoza, Finance Director
Lori Solis, Library Director	Melissa Leal, Water Billing Supervisor
Michael Torres, IT Director	

1. CALL MEETING TO ORDER

Mayor Diana Martinez called the regular meeting held on Tuesday November 01, 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

Savannah Lerma stated A Perfect Body ribbon cutting will be held tomorrow at 10am, the Veterans Day Ceremony will be on November 11th at 9am, Prayer Breakfast at Winter Ranch at 8 am, Toy Drive has officially started and boxes will be within Fire Station number 2, City Hall and Alamo Chamber.

City Manager Robert Salinas announced the Museum Symposium starting on November 3&4, and the small reception Thursday at 6pm. Also, a closing ceremony for flag football and volleyball happening this Wednesday at 6pm at the Alamo Youth Center.

Commissioner Okie Salinas thanked the staff for the Halloween event

Mayor Diana Martinez thanked Lori Solis and the volunteers for the event as well

Mayor Pro-Tem Pete Morales thanked the staff and foodbank for the food drive we had earlier this week.

D. Consideration and Action to approve the minutes for the second regular meeting of October 18, 2022.

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

E. Presentation by PSJA regarding the Alamo Middle School Park.

City Manager Robert Salinas stated he spoke with Dr. Arredondo and stated they will not be able to attend today's meeting. However, he was given a sample of the park in Alamo Middle School. It seems to have outdoor learning activities, as well it is a community park. We asked for an could MOU be presented in the future, and Dr. Arredondo

Commissioner J.R. Garza asked why wasn't anyone able to come in?

City Manager Robert Salinas responded he was not given an explanation.

Commissioner Okie Salinas stated he spoke with him earlier and stated they will work on an MOU.

Mayor Pro-Tem Pete Morales asked for the map to be posted online for the community to know.

F. An Update and Discussion Regarding the Wastewater Treatment Plant Project.

Josh Berryhill gave an update on the wastewater treatment plant, preparation for closeout winter 2022/ spring 2023.

Mayor Pro-Tem Pete Morales asked are we going to blacktop the whole area?

Josh Berryhill responded no, it is all weather surface, 10 inches of crushed rock

Commissioner J.R. Garza asked regarding on the warranty, does it begin during acceptance?

Josh Berryhill responded as for the SBRs it would be the start of the basins, after testing and starts of the plant and after everything is okay the warranty will start.

G. Presentation of the Alamo Chamber of Commerce Annual Report

Savannah Lerma gave an update on year 2020-2021 annual report.

Mayor Diana Martinez asked what were the earnings for the watermelon festival

Savannah Lerma responded she does not have the exact cost, but that cost is within the total expenses.

H. Consideration and Action on a Resolution to approve the Temporary Street Closures on a Portion of 9th and 7th and from Main to Austin Ave. for Veteran's Fest 2022.

City Manager Robert Salinas stated on November 11th we will have a Veteran's Run, this route will be a shorter route than those in the past. It will start on Main street to 7th down to Austin and to 9th.

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

I. Consideration and Action on a Proposed Increase in Paving Budget

City Manager Robert Salinas stated before you is a request to increase the 2022-2023 paving budget in order to complete the re-paving of several streets. Due to rising costs of paving material, we are not able to do as many streets as anticipated. For this fiscal year we are proposing the following streets:

- *Stensbo -From Alamo Rd. to 13th St.*
- *Citrus -From Alamo Rd. to 13th St.*
- *11th St. -From Duranta to Stensbo*
- *12th St. -From Duranta to Stensbo*
- *Austin Ln. -From Alamo Rd. to 12th St.*
- *12th St. -From Business 83 to Crockett St.*

The money we would be using would be from left over funds of the 2020 CARES Act Reimbursement Funds which is now in our reserves. The total budget amendment would be for a total of \$75,000. This will allow us to complete all of the aforementioned streets for FY 22-23. These will not be all of the streets that will be re-paved, please recall that we will be re-paving many other streets, using Urban County Funds, that fall within our Low-mod Pct. Areas.

Commissioner Okie Salinas asked can we have a map of the streets that have been paved?

City Manager Robert Salinas responded yes

Mayor Diana Martinez asked regarding Commissioner Fuentes response from Ridge Road to Border Rd.

City Manager Robert Salinas responded no, at this moment he will be asking for help for Ridge Rd. and Moore Rd.

Mayor Pro-Tem Pete Morales asked regarding Palmview Rd. will this road be placed on the list?

City Manager Robert Salinas responded he will look into it if the road is low mod area, if not he will see if it can be towards the end of the year.

Commissioner J.R. Garza asked if Stensbo is next to the car wash?

City Manager Robert Salinas responded yes

Commissioner Okie Salinas asked City Engineer if his drainage project will affect the roads.

City Engineer Ronnie Cruz responded no

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

J. Consideration and Action to approve the Lamar contract for the advertising of Alamo hotel/motels.

City Manager Robert Salinas stated this is annual Lamar contract with 2 locations one in Alamo and in Weslaco.

Commissioner J.R. Garza asked can we change the picture out?

City Manager Robert Salinas responded yes

Commissioner J.R. Garza asked if he can get with Heriberto to change the picture.

Commissioner Okie Salinas asked can we look into this amount of \$58,000 and see if we are getting our return on investment.

City Manager Robert Salinas responded yes, he asked if the commission wishes to approve and wait for the numbers or table the item.

Mayor Pro-Tem Pete Morales asked when is contract due?

Heriberto Perez-Zuniga responded on the 14th

City Manager Robert Salinas responded and our next meeting is on November 15th, he asked Mr. Perez -Zuniga to ask for an extension.

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

K. Consideration and action to replace/re-appoint members to the Alamo Parks and Recreation Board.

Commissioner J.R. Garza motioned to remove Miguel Contreras and appoint Luis Magana, and Commissioner Okie Salinas seconded. Motion carried.

PUBLIC HEARING

Public Hearing on a proposed Renewal of a Conditional Use Permit for a Mobile Food Vendor Court on Lettered Lots (Alamo) ANN IRR TR E. 835.09' -N. 196.35', ADJ to Railroad, Lot G, 3.38 AC. NET being located at 103 N. Tower Road, Alamo, TX; Zone is Commercial (C); Applicant is Zoo Wee Mama, LLC (Roel Landa)

Planning Director Sergio Zavala stated the 3+ acre site is at the SW corner of Tower Road and Railroad Avenue. It is an irregular-shaped tract, and has driveway access from Tower Road, and throughout its frontage to Railroad Avenue. There are perimeter sidewalks along Tower Road, too. As observed in the aerial exhibit, there is one elongated business structure with several offices that will house the primary restaurant with restroom available for patrons. We note that there are 65 paved parking spaces that are mostly available, i.e., the warehouse to the SW (La Bodega) has 5 occupants but they close at 5 pm; thus, the 4 spaces can then be used by the restaurant's staff. Driveway access will be from Tower (1-way entry), and wrapping around the structure and exiting northward to Railroad Avenue. The landscaped 3' hedge is still non-existent along Tower; however, some effort has recently been made in having plants along Tower-Staff will monitor the area to see if they will reach the 3' height mandated by Code. The site plan shows 6 food vending stations where the days/hrs. of operation were amended to Wednesday thru Sunday, from 6pm to midnight. All food vending trailers are inspected, secure their own business license, and are on a paved surface, too. All food vendors will be subject to random monitoring, too. The prevailing ordinance also prohibits no loudspeakers/amplification or strobing lights as it relates to the mobile food court.

Roel Landa stated thanked the community for their success after a year.

L. Consideration and Action on an Ordinance to Renew of a Conditional Use Permit for a Mobile Food Vendor Court on Lettered Lots (Alamo) ANN IRR TR E. 835.09' -N. 196.35', ADJ to Railroad, Lot G, 3.38 AC. NET being located at 103 N. Tower Road, Alamo, TX; Zone is Commercial (C); Applicant is Zoo Wee Mama, LLC (Roel Landa)

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

PUBLIC HEARING

Public Hearing on a proposed Conditional Use Permit to sell alcoholic beverages for on-site consumption in an 'Entertainment Establishment' being the proposed 'Cantina del Diablo' on Lots 9-11, Block 2, Cabana South Subdivision being located at 916 W. Frontage Road, Alamo, TX; Zone is Commercial (C); Applicant is Mario Zuniga

Planning Director Sergio Zavala stated he received notice about an hour prior the name change to Cantina De Mario. In addition, the commercially zoned site is approximately 1000' east from Alamo Road, along the north side of the Expressway's Frontage Road. The property has an existing commercial structure that not long ago (2020) had a cantina lounge use. Though it has a driveway off of the Frontage Road, the 3 striped parking spaces will NOT be used for parking but are desired as a seating area for patrons to congregate. Staff has not received the proposed site plan showing the# of tables, chairs, etc., for this outside dining/drinking concept. There are 6 parking spaces to the rear of the structure -these 6 spaces are earmarked for Staffs use. There are 13 other striped/paved spaces that the warehouse uses to the adjoining west. The south-facing parking spaces are infringed upon by grass & should be maintained to have the min. 18' parking space length (IPMC). The same person owns both the proposed bar and the warehouse; but still, we'd need the written consent of using the warehouse's parking for the Cantina del Diablo's patrons. Driveway access to these parking spaces is from the Frontage Road. We note that the rear yard area to the Cantina has a 6' wood fence buffer; and there is no gate to access the alley to the north. This alley also serves the residences to the north. The proposed days and hours of operation are from 5pm to 2am. The warehouse to the adjoining west closes at 6pm (as staff was informed). Thus, the parking spaces will be freed up entirely a bit after 6pm; thus, it appears that the parking plan is satisfactory (again, pending written consent from the owner). There are no fire hydrants in the immediate area. In fact, there are no water lines along the Frontage Road. The closest hydrant is approximately 1000' to the west. In assessing this with the Fire Marshal, if the city is inclined to approve it, it may be conditioned upon the applicant

providing the cost of 1 fire hydrant to be held in escrow; thus, if and when the water line is installed, the city may use the escrowed funds to install the hydrant. Planning's 1st recommendation is DENIAL - the Cantina del Diablo should be AT LEAST 300' from nearby homes - - 21 homes w/in 300'. If allowed to operate, the PD can expect calls to respond to typical issues faced by a similar bar that once operated at the same location.

- 1. Abide by the City's Noise Ordinance; be noise-vigilant esp. during special events.*
- 2. Required LANDSCAPING TREES/SHRUBS along the Frontage Road (1 tree/30' + 3' hedge shrubbery).*
- 3. Comply with prevailing TABC licensing; any food sold requires food handlers' cards, too.*
- 4. Have the appropriate staff secure the required food-handler's health certificates.*
- 5. Have professional security after 10pm evening hours; secure business license.*
- 6. Provide written consent on using warehouse parking; remove grass from re-stripped spaces.*
- 7. Escrow 1 fire hydrants' cost; to be used when city or others install a min. 8" water line.*
- 8. Secure variance from ZBA on 300' distance; if not approved, CUP is null and void.)*

City Manager Robert Salinas asked if the calls referenced are from the past business

Planning Director Sergio Zavala responded yes

Commissioner J.R Garza asked is this commercially zoned

Planning Director Sergio Zavala responded yes

Mayor Pro-Tem Pete Morales asked if the 3 incidents were from the past 2 years

Planning Director Sergio Zavala responded yes

Commissioner Okie Salinas stated perhaps these requirements are a little much

Planning Director Sergio Zavala responded these are what is best for the city but we can modify the requirements.

Aldo Romero stated since he has lived there, there have been several occasions of disturbance even though police have been called.

Commissioner Okie Salinas asked when was this location was approved as a bar?

City Manager Robert Salinas responded about 5-6 years ago.

Commissioner Okie Salinas stated in the future for citizens to report loud noises to avoid these issues.

Mario Zuniga stated he is trying to start a business to call his own, and he is willing to work with the city.

Mayor Pro-Tem Pete Morales asked this will be good for one year

Planning Director Sergio Zavala responded yes

Aldo Romero asked what is the cut of time for loud music

City Manager Robert Salinas responded 11PM

Mayor Pro-Tem Pete Morales asked if the building was sound proof?

Planning Director Sergio Zavala responded no. In addition to the conditions, 1 will be changed to 6 months and 8 will be removed. This will be taken back to ZBA

Commissioner Okie Salinas asked when will this be?

Planning Director Sergio Zavala responded as soon as the application is submitted then we can bring before ZBA.

- M. Consideration and Action on an Ordinance for a proposed Conditional Use Permit to sell alcoholic beverages for on-site consumption in an 'Entertainment Establishment' being the proposed 'Cantina def Diablo' on Lots 9-11, Block 2, Cabana South Subdivision being located at 916 W. Frontage Road, Alamo, TX; Zone is Commercial (C); Applicant is Mario Zuniga**

Mayor Pro-Tem Pete Morales motioned to approve the CUP for 6 months and Commissioner Okie Salinas seconded. Motion carried.

- N. Final Plat Approval of Alamo Point Subdivision, 11.09 Acres of Lot 6, Block 37, Alamo Land & Sugar Company's Subdivision; Zone is Commercial (C); Developer is RST Texas Real Estate, LLC; Project Engineer is CLH Engineering, Inc.**

Planning Director Sergio Zavala stated the 11.09 acres are located toward the SE area of the Expressway/Tower Road intersection, i.e., east and south of the new Stripes store site.

- The plat dedicates an additional 5' ROW for Tower Road (as had 7-11); and is dedicating an additional 10' of ROW for Duranta to equate to 40' ROW centerline.*
- The plat shows 8 new commercial lots with all lots having (or to have) paved public street frontage. The new 717' of North 4th Street shows a 50' ROW with abutting utility easements; where the pavement section will be between 38' to 40' B-B.*
- 5' sidewalks will be required along all street frontages during the building permit process.*
- On water, new 8" lines will be extended as shown on the marked utility map. All new water lines will be looped. Also, five (5) new fire hydrants will be installed pursuant to the direction of the Fire Marshal.*
- On sanitary sewer, new 8" sewer lines will be installed to serve all the lots. The plan has been reviewed by Public Works and Engineering - - it has been approved.*
- The drainage report has been approved by the HCDD#l; on-site detention will be required on a per lot basis & will be met during the building permit process.*
- The street lighting plan is enclosed. On the new North 4th Street, 5 street lights are shown. There are existing street lights along the south side of Du rants; thus, no lights are needed in this area. However, there is a need to install 2 new street lights along the Frontage Road (NE stretch).*

Staff Recommendation: Final Plat Approval subject to:

- 1) meet street lighting Code;*
- 2) water district exclusion;*
- 3) meet all other prevailing subdivision codes and policies.*

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

- O. Discussion and Action on an Ordinance to Update Title 11 'Subdivision Regulations', Section 11-3-7 (A)(I) and Section 11-3-8 (B) to reflect the correct State agency being the 'Texas Commission on Environmental Quality' (TCEQ) on approvals needed for water & sanitary sewer plans.**

Planning Director Sergio Zavala stated in Alamo's Code of Ordinances, as cited in the above caption. Briefly, the former names of 'State Department of Public Health' and 'Texas Department of Health' and the 'Texas Water Commission' need to be updated to the Texas Commission on Environmental Quality (TCEQ).

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

- P. Discussion and Action on Ordinance to Amend Title 3 'Business & License Regulations', Chapter 3 'Mobile Food Vendors', Sections 3-17-3 (B)(12)(b) and (c) to increase the# of mobile food vendors in a Mobile Food Court setting & to increase the 10,000 square foot lot criteria proportionate to increased food vendors**

Planning Director Sergio Zavala stated the City of Alamo's Mobile Food Court Ordinance requires no less than 4 and no more than 6 mobile food vendors in any mobile food court

setting (as approved through the required Conditional Use Permit process). After a business owner asked if the City could consider increasing the number of such vendors to eight (8), P&Z had a discussion item on this possibility. After a favorable consensus, the item was placed on a P&Z agenda for formal discussion and action. For the 6 food vendors in a min. 10,000 sq. ft. site, this equates to 1666 sq. ft. per vendor. When keeping the 1666 sq. ft./vendor as a minimum threshold to provide a bit more elbow space between vendors and the dining public, then a 7th vendor would equate to a min. 11,666 square feet; and if an applicant proposes 8 vendors \times 1666 sq. ft. = 13,328 sq. ft. (or rounded off to 13,400 sq. ft. Planning's Recommendation: No objection to increasing the max.# of food vendors to 8 but via the following: 4 -6 vendors= 10,000 sq. ft; if 7 vendors, then min. 11,666 sq. ft. site; and if 8 vendors proposed, then min size to be 13,400 sq. ft.

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

Q. Discussion and Possible Action on an Ordinance amending Title 3 'Business and License Regulations' Chapter 12 'Garage, Yard, and Porch Sales', Section 3-12-1 'Definitions' to enhance legitimacy of bona fide personal items to be displayed For Sale and providing sanctions thereof; Section 3-12-5 'Sales in Certain Areas Prohibited' to establish accountability of the garage sale permit holder for having incoming patrons park in 'No Parking' zones and providing sanctions thereof

Planning Director Sergio Zavala stated attached please find an ordinance that would amend the current garage sale code to enhance focus on legitimacy of personal items to be sold. If infractions are clearly evident, then the garage sale permit can be immediately revoked; and an attending police officer may issue a citation to the permit holder for continuing a garage sale without a valid garage sale permit. If there is a 2nd infraction to the same violation (of displaying non-personal items) within 12 months of being cited the 1st time, then upon a 2nd citation may be issued; and the privilege to secure garage sale permits shall be suspended for the next three permit cycles, even if said tenure rolls over to a new calendar year. Also, for areas that have 'No Parking' zones clearly marked, no person can legally park thereon during a garage sale event. If this is the case, the driver of said vehicle shall be held accountable, of course. This ordinance also declares that the garage permit holder shall also have an assumed measure of responsibility since it is his/her garage sale that is inviting people to the neighborhood. The permit holder must be vigilant that their patrons not park illegally because it places the entire neighborhood at risk by having reduced traffic lanes, i.e., 1st responders will be impeded from more freely accessing an emergency event. If this occurs, then the garage sale permit holder can be cited, and the privilege to secure future permits shall be suspended for the next 3 garage sale permit cycles. These are reasonable amendments, and the sanctions are sufficient to sting operators into compliance and to re-establish maximum safety to the surrounding residential neighborhood.

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

R. Discussion and Action on an Ordinance to Amend the Code of Ordinances' Title 1 'Administration', Chapter 6 'City Officers and Employees', Section 1-6-4 'Personnel Policy Guidelines' by adding a new Section 9-A 'PD Communications-Resolving Concerns/Grievances'

Planning Director Sergio Zavala stated this will be a new page in the personnel policy the following information has been added.

- States what the typical communications protocol is at the PD, i.e., normal chain of command structure
- Should there be a circumstance where a PD employee has voiced a concern/grievance within the PD structure and it remains un-resolved or not corrected, the PD employee will have the right to directly approach the City Manager's Office to air the

concern/grievance and the processes exhausted to resolve the issue.

- *After the PD employee has discussed the matter within the PD structure and the City Manager's office, then he/she may directly approach any member of the elected Board of Commissioners to further air the concern/grievance. However, the Charters' language is stressed that it shall remain the City Manager's decision to take final action on the concern/grievance.*
- *This new policy should establish a friendly and open dialogue between the PD employees and Management/Administration*

Commissioner Okie Salinas asked what will change in your current open-door policy

City Manager Robert Salinas responded it does not, but it allows correction towards the PD Policy making easier for employees from the Police Department to be able to come speak to me if they have a concern.

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

S. Discussion and Action on an Ordinances to Delete Title 7 'Public Ways and Property', Chapter 3 'Community Center' from the Alamo Code of Ordinances; and replacing it by a new Chapter description being Chapter 3 'Civic Use of City Facilities'

Planning Director Sergio Zavala stated:

- *Deletes the current Chapter 3 'Community Center'; there is no community center anymore but converted into the Alamo Museum (now existed since 2015).*
- *This new chapter discloses that the city has many city facilities that are intended to serve the general public's good.*
- *There are many civic organizations, non-profits, and religious/school groups that may approach the city from time to time to temporarily use the city's facilities.*
- *The current process is to have each and every agency approach the Board of Commissioners for permission to use said facilities. To facilitate the process, the Board will delegate the authority to approve or disapprove the request by such civic groups to the office of the City Manager.*
- *The ordinance disclosed criteria that Management will use to discern appropriateness.*
- *The ordinance requires the City Manage to provide an annual report in January of the preceding years' activities that were authorized & how such events were conducted.*
- *The ordinance makes specific mention of the Chamber of Commerce in having the fees waived since the CC is directly linked to the strengthening the city's economic vitality.*
- *The ordinance will be a benefit to all civic or non-profits by streamlining the consent process.*

Mayor Pro-Tem Pete Morales asked just to make sure, they have to be a 501(c) 3 to use it.

Planning Director Sergio Zavala yes

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

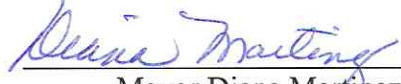
CITIZEN PARTICIPATION: Five minutes per person with no response from the City Commission. Residents must sign up prior to the city meeting.

No citizen participation

I. ADJOURNMENT

Citizens are encouraged to sign the attendance sheet.

There being no further business, Mayor Diana Martinez adjourned the meeting at 7:26PM



Mayor Diana Martinez

ATTEST:


Alexandra Rangel, Assistant City Manager



