

The Board of Commissioners for the City of Alamo, Texas met for the Special Meeting held on Monday, November 6, 2023 at 6:00 p.m., at the City of Alamo Municipal Building.

**COMMISSION PRESENT:**

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

**COMMISSION ABSENT:**

**STAFF PRESENT:**

Robert L. Salinas, City Manager	Sergio Zavala, Planning Director
Alexandra Rangel, Assistant City Manager	Heriberto Perez, PI Director
Chris Palacios, City Attorney	Yvette Mendoza, Finance Director
Richard Ozuna, Police Chief	Alicia Cano, HR Director
Roy Contreras, Fire Chief	Julio Villareal, Public Works Director
Sandra Chavez, Parks and Rec. Director	Isauro Trevino AEDC Director
Adela Perez, Purchasing Agent	Ana Garza, Executive Assistant

**I. CALL MEETING TO ORDER**

*Mayor Diana Martinez called the special meeting held on Monday November 6, 2023 to order at 6:00 p.m. at the City of Alamo Municipal Building. PSJA Memorial Athlete Jay Perez led the Pledge of Allegiance and City Manager Robert Salinas led the Invocation.*

**C. Presentation and Announcements**

*Library Director Lori Solis announced Election Day November 7, 2023 from 7a.m. to 7p.m. Also, Friday November 10 the City of Alamo will be closed in observance of Veteran's Day.*

*Commissioner Pete Morales recognized Senior PSJA Memorial Athlete, Jay Perez for his State Athlete of the Year Award from TAFF Games.*

**D. Consideration and Action to approve the minutes for the special meeting of October 17, 2023.**

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

**E. Consideration and Action to approve Lamar Billboard Contract.**

*City Manager Robert L. Salinas stated that the current billboard contract with Lamar advertising is set to expire on November 13, 2023. The renewal contract will run from November 14, 2023 - November 11, 2024. The renewal contract will keep the same flat rate \$58,851.00 for the year and includes an additional \$2,016.00 for new artwork to be produced featuring the new city logo. The billboards are located facing east at NS EXP 83 E/O LOOP 493, Donna, TX and facing west at SS EXP 83 .2MI. E/O CESAR CHAVEZ, Alamo, TX and receive an average of 818,840 weekly impressions. The billboards are used to advertise the hotel/motels in the area.*

*Commissioner Okie Salinas asked if the hotels and or motel pay for the advertising*

*City Manager Robert L. Salinas responded Yes, they do through the Hotel/Motel Tax.*

*Commissioner Okie Salinas requested a preview of the updated billboard and ask to see the return on investment to reach a decision.*

City Manager Robert L. Salinas stated that Lamar will be charging \$2,000 extra to update the billboard and that he will request a preview for further review.

Commissioner Okie Salinas motioned to table and Mayor Pro-Tem J.R. Garza seconded. Motioned carried.

**F. Consideration and Action to approve new job description for Media Specialist.**

City Manager Robert L. Salinas presented the Media Specialist job description stating that under general supervision from the Public Information Director, he/she will be responsible for developing, implementing, and managing multimedia communication strategies to promote the City of Alamo. This position plays a vital role in enhancing the city's public image, engaging residents, and fostering community pride through various media channels. The Media Specialist will coordinate and produce multimedia content, manage social media platforms, and interact with the public to ensure effective communication and positive community relations.

Commissioner Pete Morales asked what the salary for this new position would be.

City Manager Robert L. Salinas answered, that it would be about \$13.00 an hour.

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

**G. Consideration and Action to approve a Contract Renewal between the City of Alamo and Valley Initiative for Development and Advancement, Inc. (VIDA)**

City Manager Robert L. Salinas stated The City of Alamo has been in partnership with VIDA for several years. The City annually approves a contract with VIDA that authorizes the sum of \$12,500 that will be used to promote and encourage training and development of Alamo residents to help create a competent work force which will benefit new or expanded business enterprises. This contract will allow the City of Alamo and VIDA to continue our partnership.

Commissioner Pete Morales requested that the VIDA project be advertised in the City of Alamo social media.

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

**H. Consideration and Action to approve a resolution for street closure of Business 83 and FM 907 for the Annual City of Alamo Christmas Parade Friday, December 8, 2023 and use of Downtown Central Park stage.**

Library Director Lori Solis stated this item is a resolution for the street closure of Business 83 and FM 907 for the Annual City of Alamo Christmas Parade Friday, December 8, 2023 and use of Downtown Central Park stage.

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

**I. Consideration and Action on purchasing additional timeclocks for Fire Station 1, AEDC, Wastewater Treatment Plant and City Hall.**

City Manager Robert L. Salinas stated that the timeclocks for Fire Station 1, AEDC, Wastewater Treatment Plant and City Hall is presented to Commission due to the budget being more than the \$15,000 mark. The cost for the 5 timeclocks is \$16,128.89

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

**J. Consideration and Action to approve An Ordinance Amending the Code of Ordinance Title 1, Chapter 6 “City Officers and Employees’ Section 1-6-4 “Personnel Policy Guidelines”.**

Assistant City Manager Alexandra Rangel stated that this item is an Ordinance Amending the Code of Ordinance Title 1, Chapter 6 City Officers and Employees', Section 1-6-4 Personnel Policy Guidelines has been revised. The following updates include;

- Attendance
- Appearance
- Updated Holidays
- Manual Leave
- Evaluations
- City Property and Vehicle Use
- City Equipment
- Social Media

Commissioner Okie Salinas asked who had participated in adding and revising the policy and if the directors were advised of such changes or if they had any questions and or concerns.

City Manager Robert L. Salinas answered that Finance Director Yvette Mendoza, Human Resources Director, Alicia Cano as well as Assistant City Manager Alexandra Rangel, dialogued and exchanged different thoughts and opinions as well as investigations amongst other cities to reach an updated policy manual.

Commissioner Okie Salinas requested a meeting/workshop to further discuss the updated policy manual.

City Manager Robert L. Salinas suggested a workshop meeting November 21, 2023 before the City Commission Meeting and itemize the revised policy later that afternoon.

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

**K. PUBLIC HEARING**

**Public hearing Discussion and Possible Action on an Ordinance to Approve or Disapprove a Conditional Use Permit to Have a Mobile Food Vending structure on commercially zoned property being the S. 73.34' -N. 439.98' -W. 594', Lot 9, Block 40, Alamo Land & Sugar Company's Subdivision; 934 N. Cesar Chavez; C-Commercial zoning district; Applicant Aide Del Rosario Encina De Leon.**

Planning Director Sergio Zavala stated that the 1-acre site is located approximately 300' south of SH 495, along the east side of Cesar Chavez Road. There are 2 driveways from Cesar Chavez onto the property. The southern driveway has a rolling gate that appears to be mostly closed during noon time. In the CUP's previous use, no parking issues surfaced. The applicant's days & hours of operation are Wed thru Sundays, 8 am to 11 pm; the food trailer will be closed on Monday & Tuesdays. Arrangements were made with the owner to afford restroom availability. The food vendor's staff must all have their food handler's certificates. There is 1 hydrant just outside the NW juncture of this property. There was no public opposition voiced at P&Z.

No citizen participation.

**L. Consideration and Action to Discussion and Possible Action on an Ordinance to Amend Title 10 'Zoning Regulations', Chapter 2 'Rules and Definitions' to include definitions for 'Townhouse', 'Condominium', and 'Townhouse Condominium'; Simplifying the name of Chapter 6 from 'Duplex, Multi-family, Townhouse and Apartment District' to 'Multi-family and Townhouse District'; and establishing regulations for townhouse uses.**

*Planning Director Sergio Zavala stated that the Planning Department was recently approached by a prospective developer and their agent to perhaps develop a townhouse project. Although the R-2 district includes 'Townhouse' in its current name, Alamo does not have any townhouse regulations in its Zoning Code. As such & w/the support of P&Z, Planning proposes to amend the R-2 district that does the following:*

- *Simplifies the name of the R-2 zoning district from Multi-family, Townhouse District' to 'Multi-family and Townhouse District'.*
- *Inserts definitions for: Condominium, and Townhouse, and Townhouse Condominium.*
- *Under 'Permitted Uses' for R-2, it inserts 'Townhouse condominiums' and 'Condominium development'. Also, hospitals or animal hospitals are being deleted from being a permitted use in R-2; and will be proposed as a 'Permitted use' in the Commercial zoning district (in another ordinance).*
- *Section 10-6-4 is re-titled to 'Setback Regulations for Multi-family Units'. This is due to establishing different setbacks for townhouses (in Sect. 10-6-4 (A)).*
- *Section 10-6-4 (A) is NEW; this provision outlines the townhouse regs, i.e., area requirements, setbacks, lot sizing, height of townhomes & required # of parking spaces. This section also footnotes the current verbiage in Sect. 11-3-5 (A) in our Subdivision Code requiring paved alleys for a townhome development...this 'note' was deemed as a helpful piece of information to alert staff, developers, engineers, etc., of this mandatory infrastructure.*
- *Section 10-6-5 'Intensity of Use' was reconciled to only refer to multi-family construction since the Townhouse regs are now re-directed to Sect. 10-6-4 (A).*

*Commissioner Okie Salinas motioned to approve and Commissioner Maria Del Pilar Garza seconded. Motioned carried.*

**M. Consideration and Action to Discussion and Possible Action on an Ordinance to Amend Title 10 "Zoning Regulations", Chapter 9 "Commercial District" to add/amend certain permitted and conditional uses; and enhancing its building setback provisions.**

*Planning Director Sergio Zavala stated to amend the R-2 district (new Townhouse zone regs), this induced Planning to review the Commercial zoning district since R-2 was linked to the Commercial zone as shown below:*

- *Since 'Hospitals, and animal hospitals' were deleted from the R-2 district, these same uses are now being inserted in the Commercial zoning district.*
- *Residential uses are being deleted from being outright 'permitted' in the Commercial zone; thus, only 'Non-residential uses in C-1' are being permitted.*
- *The existing provision dealing with grandfathered single-family homes is being simplified; expressing that such have vested rights and could expand pursuant to prevailing R-1 building setbacks (or plat noted setbacks).*
- *Updating the permitted uses of 'Movie, cinema and/or performing arts theater'.*
- *A single-family residence is a current 'conditional use' in the Commercial district; staff is suggesting to add 'multi-family units or condominiums' also as 'conditional uses'.*

- *The provisions on Commercial setbacks are being enhanced by referring to recorded plat notes taking precedence (if any); also, on side yard setbacks at 0' or so, specifying that such structures must meet applicable building & fire-safety code, e.g., fire-rated walls.*

*Commissioner Oscar Salinas motioned to approve and Mayor Pro-Tem J.R. Garza seconded. Motioned carried.*

**N. Consideration and Action to Discussion and Action on an Ordinance amending Title 9 'Building Regulations', Chapter 1 'Building Codes to add a new regulation for mandatory debris containment during construction; new provisions being in the Building Codes' Section 9-1-1-1 (A){I}; Residential Codes' Section 9-1-1-2 (A){I}; and the Property Maintenance Codes' Section 9-1-1-9 (A){I}**

*Planning Director Sergio Zavala stated that Stemming from a recent situation where adjoining lots where apartments were being built, most of them did not have a debris containment area - - this is usually done by the contractor building a 'square' with 4' x 8' pieces of plywood. This serves the project well when it is used by the builder and his subs. When there is no containment, plastic wrapping and other papers are wind-driven to adjoining properties; and construction fragments invite risky & hazardous site.*

*Commissioner Okie Salinas motioned to approve, and Commissioner Pete Morales seconded. Motioned carried.*

**O. Consideration and Action to Discussion and Possible Action on an Ordinance to amend Title 9 'Building Regulations', Chapter 1 'Building Codes', Section 9-1-1-8 'Electrical Code' outlining regulations for Electrical Vehicle Supply Equipment (EVSE); and Section 9-1-3 (F) to establish a fee per EV port inspections**

*Planning Director Sergio Zavala stated that Recently, there have been 2 or so Electric Vehicle (EV) charging stations that were built. When staff approached my office with the question: 'What regs do we use?', we jointly searched the approved codes; but to no avail because there was no code regulating EV charging ports. In researching the matter, we discovered Senate Bill (SB) No. 1001 that was enabled on Sept. 1, 2023. The draft ordinance references the statute, but for the most part, it was customized for Alamo's use, with high regard given to maximizing safety.*

*Commissioner Okie Salinas motioned to approve, Commissioner Pete Morales seconded. Motioned carried.*

**P. Consideration and Action to Discussion and Possible Action on an Ordinance to Amend Title 11 'Subdivision Regulations', Chapter 3 'Design Standards and Required Land Improvements', Section 11-3-15 'Parks and Other Public Use' by adding a new provision to require Park Fees during the permit process for Non-residentially zoned/platted properties where park fees were not received; or when residential unit increments occur through sundry zoning regulations.**

*Planning Director Sergio Zavala stated that the current protocol is for developers to pay the park fees for residentially zoned lots on their plat. If you may recall, the fee was upgraded last year to \$500/dwelling unit. Staff has never required park fees for non-residentially zoned platted lots because there is a logical expectation that such properties will be used for commercial purposes. The current zoning code permits residential units on commercially zoned lots. The conditional use permit (CUP) process may also result in residential projects on commercially zoned lots; meaning that a residential effect may result on lots where no park fees were paid. He is proposing the following;*

1. Approve the attached ordinance.
2. Impose park fee/residential unit if building residential units on property that has a non-residential zone, e.g., Commercial, Office, or Industrial zoning district.
3. Impose park fee/residential unit if a residentially-related permit is being issued on a property that was recorded with a commercial zone, for example, but has since been rezoned for (multi-family) residential purposes.
4. Levy park fees as noted to be imposed only on plats recorded after the enabling date of the Park Dedication Fee Ordinance; this is deemed a fair & just measure.

Commissioner Okie Salinas motioned to approve, Mayor Pro-Tem J.R. Garza seconded. Motioned carried.

**Q. Consideration and Action to Discussion and Possible Action to Amend Title 8 /Public Utilities', Chapter 1 'Water Use and Service', Section 8-1-3 'Water Use Regulations' to have owner /agent pay incidental service and material costs for additional water meters in the building process; and to include that the owner/agent be responsible to repair damaged utility infrastructure or reimburse the City for the reparation work**

Planning Director Sergio Zavala stated that the Planning Department was approached last Wednesday by the Public Works Directors expressing their concern that, in an apartment zoned setting, the originally contemplated single master meter to serve the 4plex was no longer desired. The owner now wanted 4 meters, i.e., 1 meter per unit. Evidently, the city taxpayers were incurring the costs for the additional 3 water meters. In reviewing Title 8, Planning nor Public Works nor Water Billing discovered any specific measure that required the owner/agent pay for the increased # of meters requested (as permitted by zoning, of course); and to be responsible for any inadvertent damage to the utility system.

Commissioner Pete Morales motioned to approve, Commissioner Okie Salinas seconded. Motioned carried.

**R. Request by Dollar Tree Store thru Colbcar, LLC to have the Board of Commissioners authorize the City Manager's Office to Issue a Building Permit Prior to Full Subdivision Compliance on Property on a 1.129 Acre Tract out of Lot 6, Block 32, Alamo Land and Sugar Company's Subdivision.**

Planning Director Sergio Zavala stated that the Planning Staff received a written request from Colbcar, LLC (see enclosure), dated October 24, 2023, to have the Commissioners consider authorizing the City Manager to issue a building permit for a new Dollar Tree store. As the Board of Commissioners may recall, the more recent request was for Dutch Bros. where it was approved subject to not issuing the permit until the Notice to Proceed was issued; and where no final occupancy would be allowed unless the plat met Subd. Codes/record the 1-lot plat. There were similar others including the Stripes store at Tower/Expwy, too. This plat is different than the other requests, though. The remnant rear tract is land-locked, i.e., it does not have public street access. The recorded deed to Dollar Tree shows this rear tract having access through a driveway easement (egress/ingress). What is required is that Dollar Tree dedicate/pave a public street to afford Hess' commercially zoned tract viable/standard access by general traffic, garbage trucks, & fire trucks. Obviously, Staff will need to recommend that typical street codes be met for life-safety reasons; though we understand that the City Commission will have the final vote on this driveway v. street variance.

Commissioner Okie Salinas asked if Colbar had purchased the entire property.

Planning Director Sergio Zavala answered that they only purchased the eastern component of the property, the property is adjacent to a northside alley and it is a total of 1.129 acres. He also stated that after reading the deed it was made aware that the westside of the property is land lock. It does have indication of driveway access, but it does not meet city code.

Commissioner Pete Morales asked how property owner will go about the maintenance of the "land lock" property.

Planning Director Sergio Zavala answered that the property owner and or manager is responsible for the maintenance of their property. Code Enforcement and or the City Inspector will notify the property owner and or manager if property is not maintained properly.

Commissioner Okie Salinas motioned to table item, Commissioner Pete Morales seconded. Motioned carried.

### **S. Consideration and Action to Discussion and Possible to Appoint or Re-appoint Members to the Zoning Board of Adjustments**

Planning Director Sergio Zavala stated a Discussion and Possible Appoint or Re-appoint Members to the Zoning Board of Adjustments the ZBA is a board that considers variances (exceptions) to zoning regulations such as building setbacks, Lot density (square footage), height codes, etc. Alamo has not had any requests for variance all year long – this means that applicants are simply complying to Alamo's codes. Since Planning recently received a variance request, this induced staff to view the ZBA memberships, discovering that all ZBA memberships had expired on 3/2/23. Article 1, Section B of the ZBA Bylaws state that "The ZBA shall be composed of 5 members, who shall be appointed by the Board of Commissioners All members are to reside within Alamo's city limits." Section E specifies the term of ZBA membership at 2 years. The ZBA has 2 alternates whose terms have also expired. Planning suggests that, since all terms have expired, and in order to make efficient use of the tenure of appointment, the members appointed this evening may start their 2-year term this evening; thus, their term will expire on Oct. 6, 2025. The ZBA members are as follows;

- Joe Castillo
- Dennis Combs
- Tommy Moncivais
- Noe Estrada
- Robert Chavez
  
- ALT Albert Rodriguez
- ALT Joseph Sweet

Commissioner Okie Salinas motioned to approve, Commissioner Pete Morales seconded. Motioned 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 7:03 PM



*Mayor Diana Martinez*

**ATTEST:**



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Alexandra Rangel, Assistant City Manager