

The Board of Commissioners for the City of Alamo, Texas met for the Regular Meeting held on Tuesday, August 20, 2024 at 6:00 p.m., at the City of Alamo Municipal Building.

COMMISSION PRESENT:

Mayor J.R. Garza
Okie Salinas, Mayor Pro-Tem
Pete Moreles, Commissioner
Roel Leon Moreno Jr, Commissioner
AJ Garcia, Commissioner

COMMISSION ABSENT:

STAFF PRESENT:

Robert L. Salinas, City Manager	Alexandra Rangel, Assistant City Manager
Rick Palacios, City Attorney	Sergio Zavala, Planning Director
Alex Oyoque, Museum Director	Ronnie Cruz, City Engineer
Jose Tamez, Library Director	Saul Solis, Alamo Police Chief
Julio Villarreal Jr. Public Works Director	Ana Garza, Executive Assistant
Arturo Aguirre, HR Director	Sandra Chavez, Parks & Rec. Dir
Adela Perez, Purchasing Agent	Lya Yllades, Public Information Director
Nina Chavez, Creative Producer	Efrain Vazquez, Interim Fire Chief
Isauro Trevino, AEDC Consultant	Yvette Mendoza, Finance Director

I. CALL MEETING TO ORDER

Mayor J.R. Garza called the regular meeting held on Tuesday August 20, 2024 to order at 6:00 p.m. at the City of Alamo Municipal Building. City Manager Robert L. Salinas led the Pledge of Allegiance and Pastor Tuttle led the Invocation.

C. Presentation and Announcements

- *Commissioner Pete Morales congratulated Alamo Police Chief, Saul Solis, for an excellent turn out at the National Night Out at the Alamo Central Park.*
- *City Manager Robert L. Salinas invited everyone to the Food Drive on August 21st, 2024 at the Alamo Sports Complex Park at 898 S. 7th St. Alamo TX starting at 8:30 AM.*

D. Consideration and Action to Approve the minutes for a regular meeting on August 6th, 2024.

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

E. Consideration and Action to Approve the minutes for a special meeting on August 7th, 2024.

Mayor Pro-Tem Okie Salinas motioned to approve, Commissioner AJ Garcia seconded. Motioned carried.

F. Consideration and Action to approve a resolution to designate authorized signatories for the Community Development Block Grant – Resilient Communities Program, (CDBG-RCP) program for GLO state contract number 23-160-019-E455.

City Manager Robert L. Salinas stated that this resolution is to allow Mayor J.R. Garza, Assistant City Manager, Alexandra Rangel and himself to be signatories with anything in regards to this Community Development Block Grant-Resilient Communities Program, (CDGB-RCP) for GLO state contact number 23-160-019-E455

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

G. Consideration and Action to approve a resolution regarding Civil Rights which includes the following policies: Citizen Participation Plan and Grievance Procedures; Section 3 Policy; Excessive Force Policy; Limited English Proficiency (LEP) Standards Plan; Section 504 Policy and Grievance Procedures; Code of Conduct Policy.

City Manager Robert L. Salinas stated that this resolution goes along with the CDBG, GLO, RCP grant.

Commissioner AJ Garcia motioned to approve, Mayor Pro-Tem Okie Salinas seconded. Motion carried.

H. Consideration and Action to approve a resolution regarding the Municipal Maintenance Agreement between the City of Alamo and the Texas Department of Transportation.

City Manager Robert L. Salinas stated that TxDOT requires a resolution to be approved by the City of Alamo for the Municipal Maintenance Agreement submission.

Mayor Pro-Tem Okie Salinas motioned to approve. Commissioner AJ Garcia seconded. Motion carried.

I. Discuss and Consider Proposed Tax Rate for the City of Alamo for Fiscal Year Beginning October 1, 2024 through September 30, 2025.

City Manager Robert L. Salinas stated the City Commission must consider a proposed tax rate that will support the city budget. Last year the rate adopted was \$0.5801 per \$100 valuation. In order to support the proposed budget, it is recommended that the city propose the tax rate of \$0.6022 per \$100 valuation. Senate Bill 2 requires one public hearing notice. The publication for the public hearing will be on August 28, 2024, in the Advance News Journal. Staff is proposing to hold the hearing and adopt the tax rate on September 17, 2024. Note that a ROLL CALL Vote is required for this item.

Commissioner Roel Leon Moreno Jr. motioned to approve the \$0.6022per \$100 valuation.

Mayor Pro-Tem Okie Salinas motioned to approve the \$0.6022per \$100 valuation.

Commissioner AJ Garcia motioned to approve the \$0.6022per \$100 valuation.

Commissioner Pete Morales motioned to approve the \$0.6022per \$100 valuation.

Mayor J.R. Garza motioned to approve the \$0.6022per \$100 valuation.

J. Consideration and Action to approve an Interlocal Agreement between TML IRP and the City of Alamo for a Cyber Liability and Data Breach Response/Fund.

Human Resources Director Arturo Aguirre stated that this Interlocal Agreement will provide additional coverage and liabilities for damages caused by Cyber Security Breaches. This will benefit the city in case any cyber-crimes are committed against the city. This Agreement would also allow the City to become a member of this fund. This will cost the city an additional \$1002.76 annually. Staff's Recommendation: Approval

Mayor Pro-Tem Okie Salinas asked if the City of Alamo has an existing agreement and if this was just an addition?

Human Resources Director Arturo Aguirre answered that the current agreement will soon end, and he is requesting that a new agreement be prepared in advance.

Mayor J. R. Garza motioned to approve, Commissioner AJ Garcia seconded. Motion carried.

K. Consideration and Action on repairs regarding the Demolition and Installation of New HVAC ductwork, ceiling insulation, and new ceiling tiles for the Sgt. Fernando De La Rosa Memorial Library.

Purchasing Agent Adela Perez stated that Demolition of affected ceiling, insulation, new HVAC wrap, re-wrapping of ductwork, new ceiling insulation, and tiles is in the scope of services. Units that are affected will be removed to properly install liners on the first five feet of the supply and return plenums due to condensation build-up. The 3 firms contacted that examined, assessed & provided their price quote are as follows:

FIRM	QUOTE	DATE
SKO Elite LLC.	\$35,780.00	8/12/24
Quantum Mechanical Contractors	\$43,584.00	8/12/24
SERVPRO of McAllen	\$71,199.56	7/30/24

In observing the above, SKO Elite has provided the lowest responsible price quote. SKO Elite recently did work at City Hall. All work performed by SKO Elite comes with a 1-year warranty. Staff's Recommendation: Award to SKO Elite LLC.,

Mayor Pro-Tem Okie Salinas asked for an update on the repair that SKO Elite performed at City Hall?

Purchasing Agent Adela Perez stated that it has worked great.

Mayor Pro-Tem Okie Salinas asked if what he had requested before, which was to look into the scope of work when requesting a quote has been done.

City Manager Robert L. Salinas answered that unfortunately the companies all price differently for the same amount of work.

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

L. Consideration and Action to amend the current "Health Fitness" section of the Alamo Police Department Rules and Regulations as required by the Texas Commission on Law Enforcement (TCOLE).

Alamo Police Chief Saul Solis stated that the City of Alamo Police Department would like to seek approval to amend the "Health Fitness" section of the Alamo Police Department as required by the Texas Commission on Law Enforcement (TCOLE). The purpose of this policy is to ensure that all members of this agency remain medically and psychologically fit for duty and able to perform their essential job functions. The amended portion of the section has been submitted and attached. Recommendation The Alamo Police Department requests approval of the policy amendment. This item is now before you.

Mayor Pro-Tem Okie Salinas asked whether the City of Alamo sends police officers for medical and psychological exams, and if there is a requirement for these exams to be conducted annually?

Alamo Police Chief Saul Solis explained that officers currently undergo medical and psychological evaluations before being hired, but there is no requirement for them to take these exams annually. However, he is considering implementing yearly exams in the future.

Mayor Pro-Tem Okie Salinas motioned to approve, Commissioner Roel Leon Moreno Jr. seconded. Motion carried.

M. Consideration and Action to adopt the "Small Unmanned Aircraft System" (DRONE) policy for the Alamo Police Department.

Alamo Police Chief Saul Solis stated that the City of Alamo Police Department would like to seek approval to adopt the "Small Unmanned Aircraft Systems" (DRONE) policy for the Alamo Police Department. The purpose of this policy is to assist emergency responders through provision of a

complimentary aerial visual perspective. The policy provides guidelines for the procurement, management, maintenance, deployment, and operation of "Small Unmanned Aircraft Systems" by or at the direction of the Alamo Police Department. The adopted policy has been submitted and attached. Recommendation, The Alamo Police Department requests approval to introduce the above-mentioned policy. This item is now before you.

Mayor Pro-Tem Okie Salinas asked how many DRONE pilots did the Alamo Police Department have?

Alamo Police Chief Saul Solis stated that they have 3 at the moment but that in the middle of September 3 more officers will be going to the school.

Commissioner AJ Garcia asked if the IT Department had a DRONE and if so, will the Police Department be able to use it and or be transfer to their department?

IT Director Michael Torres answered that it could be transfered to the Alamo Police Department but unfortunately it might not be as updated as the ones that the Alamo Police Department have.

Commissioner Roel Leon Moreno Jr. motioned to approve. Commissioner Pete Morales seconded. Motion carried

N. Discussion and Possible Action to Appoint or Re-appoint a Member to the Planning and Zoning Commission due to an Expiring Membership Term.

Planning Director Sergio Zavala stated that in the Code of Ordinances, Section 2-2-2: Membership and Terms, provision (A) mandates that a member of the Planning & Zoning Commission must be a resident of the City of Alamo. Provision (B) reflects the mandate that the P&Z members' term will be for three (3) years and "may be reappointed by a majority vote of the Board of Commissioners ... ". With the above foundation, please be advised that Mrs. Nellie Medina was appointed on August 15, 2023 to the P&Z Commission (to replace Gabby Hernandez who was appointed to the EDC Board). Mrs. Medina's PZ membership is set to expire on Sept. 18, 2024; her attendance record is as follows:

<u>Member</u>	<u>2023-24</u>
Nellie Medina	7 of 8 meetings (88%)

Mrs Medina was called on August 13th to see if she'd be receptive on serving another term, if reappointed. She replied that she'd like to be re-appointed to continue serving on P&Z. This item is now before you.

Mayor Pro-Tem Okie Salinas motioned to appoint Nellie Medina, Commissioner AJ Garcia seconded. Motion carried.

O. Discussion and Possible Action to Amend Title 4 'Public Health and Safety Chapter 4 'Nuisances1, Section 4-4-3 'Unwholesome Matter; Stagnant Water; Filth; Carrion' to clarify the ordained boundaries to abate Public Nuisances.

Planning Director Sergio Zavala stated that it has come the attention of the Planning Department that Sect. 4-4-3 (3) raised concern and confusion as to its current wording. This provision is intended to instruct the general public and appropriate staff of what boundaries to abate whenever a public nuisance is determined. The current verbiage states this to supposedly instruct us on where to abate a public nuisance:

Such lots or parcels of real estate, in addition to the grounds within their respective boundaries, shall be held to include all lots or parcels of real estate to the centerlines of adjacent or abutting street or alleys.

Instead of the convoluted verbiage above, the enclosed draft (ordinance) declares the following: The maintenance boundaries of lots or parcels of property to promptly abate Public Nuisances shall include the following criteria:

1. *The legal boundaries of the recorded Lot(s); parcel(s) or tract(s) of real estate property;*
2. *The area that extends beyond the recorded property lines up to the street curb and/or edge of pavement; (Note: 'Street' as used herein shall include a public street or a private street.)*
3. *The area that extends beyond the recorded property lines up to the centerline of abutting public alleys; (Note: 'Public' means recorded public alleys, prescriptive public alleys, or apparent publicly used alleys, in effect.)*
4. *If there is any area that may be a unique hybrid of the above 3 criteria or of similar circumstances where the stewardship to maintain it is questioned, such shall be presented to the City Manager for assessment and final determination. There is no appeal from the City Manager's decision on the matter.*

Planning's Recommendation: Approval.

Commissioner AJ Garcia motioned to approve, Mayor Pro-Tem Okie Salinas seconded. Motion carried.

P. Discussion and Possible Action on an Ordinance to Amend Title 11 'Subdivision Regulations', Chapter 4 'Administration and Enforcement', Section 11-4-2 'Variances'; to Establish an Administrative Fee to process Subdivision Plat variances

Planning Director Sergio Zavala stated that in assessing the time to research variances to Alamo's Subdivision Codes, Staff occasionally cross-references other cities perspectives; and prepares variance summaries which, dependent on the variance requested, may result in a multi-page document. As such, planning perceived that it was time to consider levying a correlating variance administrative processing fee, i.e., Alamo does not levy a fee to provide this variance assessment service. See the variance fees imposed by other RGV cities below:

<u><i>Municipality</i></u>	<u><i>Variance Fee</i></u>	<u><i>Municipality</i></u>	<u><i>Variance Fee</i></u>
<i>Harlingen</i>	<i>\$25</i>	<i>San Juan</i>	<i>\$0</i>
<i>Mission</i>	<i>\$150</i>	<i>Pharr</i>	<i>\$750</i>
<i>Alton</i>	<i>\$450</i>	<i>Edinburg</i>	<i>\$450</i>

In Planning's assessment, there needs to be a fee imposed. The question becomes 'What would be a fair amount?' Answer: it all correlates to TIME. Planning testifies that there are different types of variances; thus, to impose a flat fee for ALL variances, regardless of what it is, seems unjust. See below:

- A. Type A variances are easy to assess; they are necessary to where the developer has no choice but to request a variance due to, let's say, surrounding developments were previously approved that do not induce a 'needed' variance to this subdivision*
- B. Type B variances take moderate research; especially where there is precedence set.*
- C. Type C variances take intensive examination; record searching; multi-page reports are typical.*

Planning's recommendation;

- Type A-MINOR variances should impose a \$50.00 fee*
- Type B-MODERATE variances should impose a \$150.00 fee*
- Type C-INTENSIVE variances should impose a \$250.00 fee*

Planning and Zoning Commission Meeting July 7th, 2024: Unanimously approved.

City Manager Robert L. Salinas stated for the record that some subdivision may require multiple variances and in doing so, multiple fees will be charged.

Commissioner Roel Leon Moreno Jr. motioned to approve. Commissioner AJ Garcia seconded. Motion carried.

Q. Consideration and Action to approve Taco Bell incentive at 812 N. Alamo Road to waive permit and related fees.

AEDC Consultant Isauro Trevino stated the Taco Bell project has been awarded the following;

- 2 incentives
- Job creation grant
- Demolishing

He is recommending to assist them by waiving only the construction permit fees and excluding all utilities fees. They will be responsible to pay the sewer and water connection as well as the water meters.

Mayor J.R. Garza asked about the sales tax that Taco Bell will be bringing in?

AEDC Consultant Isauro Trevino answered that about \$160,000 in general but that the city only gets about 25% of that.

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

R. Discussion and Action to approve Payment #1 on the Chapter 380 Agreement between City of Alamo and 533 Properties, LLC.

AEDC Consultant Isauro Trevino stated that the 533 Properties LLC. Is the legal name to Dutch Bros. AEDC has approved payment #1 in the amount of \$15,000. Once the Dutch Bros meet the 1st year conditions they will forward the invoice to the City Managers office for payment.

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

S. Presentation and update on Projects Management for FY 2023-24

AEDC Consultant Isauro Trevino gave his August 2024 Monthly Report that included the following;

- Community Grants FY 2025
- Construction of the new Police/Court Project Funding \$2,450,000 Committee Approval
- FY 2025 CPF 34 Storm Drainage Project
- Safer Grant Submission
- Fire Prevention and Safety Grant
- EPA Project Water Plant Renovation)
- Capitol Projects
 - Tower Road project (AEDC/TIRZ)
 - GLO Drainage Project (State grant)
 - Sewer Plant Project (TWDB)
 - Fire Station Renovation (City/General Fund)
 - Urban County Street Improvements
 - Precint #2 MOU: Ridge Road Street Improvement (Tower to Border)
 - Bònita Estate Sewer (ARPA funds)
 - Morningside South Sewer (ARPA funds)
 - TXDOT/Alamo Rd Drainage Project (ARPA funds)
 - Gus Guerra Park w/PSJA ISD (School/TPWD grant)
 - City Welcome Sign

- *Funding pending*
 - *FY 2025 Body Worn Cameras Grant (40)*
 - *FY 2025 Rifle-Resistant Body Armor (40)*
 - *FY 2025 Criminal Justice Grant (10 security cameras)*
 - *FY 2025 Project Safe Neighborhoods Grant (sky-tower)*
 - *FY2024 State Homeland Security Program*
 - *Border Zone Fire Department Grant Program*
 - *Local Border Security Program*
 - *Operation Lone Star Grant Program*
 - *VBLF Grant*
 - *TWDB PIF Lift Station*
 - *Five Year Plan – Underway*
 - *Financial Advisor*

T. Presentation and update on Streets Projects for FY 2023-24

AEDC Consultant Isauro Trevino gave an update on the following:

- *FY 2023-24 Street Projects Update:*
 - \$1,300,000 in Street Improvements in the City of Alamo*
 - *\$265,000 in Urban County Funds (numerous Streets)*
 - *Ebony Avenue (from 6th St to Tower Rd.)*
 - *5th ½ St. (from Duranta to Ebony)*
 - *6th St. (from Austin to Ellis)*
 - *7th ½ St. (from Duranta to Frontage Rd.)*
 - *8th St. (from Duranta to Frontage Rd.)*
 - *9th St. (from Duranta to Frontage Rd.)*
 - *9 ½ St. (Duranta to Frontage Rd.)*
 - *10th St. (Duranta to Frontage Rd.)*
 - *10th St. (Linda Gail Subdivision)*
 - *10 ½ St. (from Duranta to Frontage Rd.)*
 - *Austin St. (from Tower Rd to 7th St.)*
 - *Bowie St. (form Tower Rd. to 7th St)*
 - *Nebraska St. (from ¼ mile East of Cesar Chavez Rd. to Tower Rd.)*
 - *Only small section pending for 100% completion*
 - *\$150,000 in Direct City Funds (numerous streets)*
 - *Palmview St*
 - *Country Club Drive*
 - *Acacia St.*
 - *Border Rd. (Duranta-Business 83)*
 - *\$50,000 on MOU with County for Ridge Rd. (Tower-Border)*
 - *Ridge Rd. (Tower-Border)*
 - *\$850,000 on City/AEDC partnership (Tower Rd)*
 - *Tower Rd (Frontage to Business 83)*
 - *Tower Rd (Frontage to Hackberry)*

A paving behind the scenes video was shown to the City Commission and the Public.

The City Commission congratulated the Public Works Director Julio Villarreal and all his staff for their hard work and dedication.

U. Presentation of Departmental Reports

No comments from City Commission.

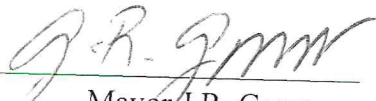
CITIZEN PARTICIPATION: Five minutes per person with no response from the City Commission. Residents must sign up prior to the city meeting.

No citizen participation

I. ADJOURNMENT

Citizens are encouraged to sign the attendance sheet.

There being no further business, Mayor J.R. Garza adjourned the meeting at 6:48 p.m.



Mayor J.R. Garza

ATTEST:



Alexandra Rangel, Assistant City Manager

Alexandra Rangel, Assistant City Manager