



Mayor: Mario Garza
Mayor Pro-Tem: Jesus “Jesse” Ramirez
Commissioners: Ernesto “Neto” Guajardo
Raudel Maldonado
Pete Garcia

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SAN JUAN CITY COMMISSION

Location: San Juan Memorial Library
Multipurpose Meeting Room
1010 S. Standard
San Juan, Texas 78589
Tuesday, November 14, 2017

REGULAR MEETING AGENDA
6:00 PM

- I. CALL TO ORDER**
- II. INVOCATION**
- III. PLEDGE OF ALLEGIANCE**
- IV. PUBLIC COMMENTS**
- V. PRESENTATIONS**
 - A. Planning and Zoning Monthly Report.
 - B. Sanitation Monthly Report.
 - C. Parks and Recreation Monthly Report.
 - D. Library Monthly Report.
- VI. PUBLIC HEARING/ORDINANCES**

- A.** Conduct a Public Hearing and Consider an Ordinance in First Reading for a Conditional Use Permit for the Sale of Alcoholic Beverages for Off-premise Consumption at the Proposed “Tremendoz Drive-Thru” Located at 2201 N. Cesar Chavez Road, Legally Described as Lot 1, C&B Subdivision, as Requested by Bladinich Rodriguez.
- B.** Consider Adopting an Ordinance Amending the City of San Juan Code of Ordinance Chapter 4 Business Regulations by Adding Article 4.11 Grease Traps Establishing the Installation, use, Maintenance Requirements, Monitoring, and Enforcement of Grease Traps and Interceptors for Commercial Businesses Generating Fats, Oils, and/or Grease: Providing for Penalties; Providing for Injunctive Relief; Providing for Repealer Clause; Providing for a Savings Clause; Providing for Publication and an Effective Date.

VII. DISCUSSION AND POSSIBLE ACTION ON THE FOLLOWING MATTERS:

- A.** Consider the Approval of the Budget for Economic Development Corporation 2017-2018.

VIII. CONTRACTUALS/RESOLUTIONS

- A.** Consider Adoption of a Preliminary Budget for Fiscal Year 31 (2018) of the Hidalgo County Urban County Program.
- B.** Consider Preliminary and Final Plat Approval of the Hinojosa Acres Subdivision being a 2.0 acre tract of land out of Lot 7, Block 9, Block 13 and Lot 5, Block 13, John Closner Subdivision, Located Approximately 600 feet South of Moore Road along the East Side of Nebraska Avenue as Requested by Homero Gutierrez.
- C.** Consider Approval of a Lease Agreement with the Pharr-San Juan-Alamo School District for the Future Sorensen Elementary School Neighborhood Park.
- D.** Consider Selection and Authorizing the City Manager to Enter into a Contract Agreement for the Lease of Tabulation Equipment for the Special Election in January 2018.
- E.** Consider Resolution to Cast Votes for One or More Candidates for the Hidalgo County Appraisal District Board of Directors for 2018-2019.

IX. CONSENT AGENDA

- A. Consider Adoption of an Ordinance in Second Reading for an Amendment to Appendix A, Unified Development Code, Chapter 2, Article IV, Section 11 of the San Juan Code of Ordinances to Allow Car Wash Facilities in the Expressway Corridor District.
- B. Consider Adoption of an Ordinance in Second Reading Granting to AEP Texas, Inc. Its Successors and Assigns, a Non-exclusive Franchise to Construct, Maintain and Operate Lines and Appurtenances and Appliances for Conducting Electricity In, Over, Under and Through the Streets, Avenues, Alleys and Public Places of the City of San Juan, Texas.
- C. Consider an Ordinance in Second Reading for a Rezoning Request from Multi-Family Residence District (R-MF) to Single-Family Residence District (R-S) for a Property Legally Described as the West 20.0 Acres out of Lot 1, Block 43, Alamo Land and Sugar Company's Subdivision, Located Approximately a Quarter of a Mile East of Raul Longoria Road along the South Side of Nolana Avenue, as Requested by Ricardo Salinas.
- D. Monthly Collection Report -September 2017.
- E. Approval of Minutes.
 - 1. May 23, 2017
 - 2. June 07, 2017
 - 3. June 13, 2017
 - 4. June 27, 2017
 - 5. July 31, 2017

X. EXECUTIVE SESSION

- A. The San Juan City Commission will Convene Into Closed Session Pursuant to the Provision of the Chapter 551, Subchapter D, Exceptions to Requirements that Meetings be Open, Texas Government Code §550.071 (Consultation with Attorney) and Texas Government Code §551.072 (Deliberation Regarding Real Property) as follows:
 - 1. Discussion and Possible Action Regarding the Purchase, Exchange, Lease, or Value of Real Property, Tract 1 and Tract 2. (Pursuant to Texas Code, §551.072 Deliberation About Real Property and 551.071 Consultation with Attorney.)

XI. RECONVENE

- A. The City Commission will Reconvene in Open Session to Take Necessary Action, if any, in Accordance with Chapter 551, Open Meetings, Subchapter E, Procedures Relating to Closed Meeting, §551, Requirement to Vote or Take Final Action in Open Meeting.

XII. ADJOURNMENT

CERTIFICATION

I certify that the above notice of the Regular Called Meeting of the City of San Juan is true and correct; and that I posted such notice on the bulletin board. A place convenient and readily accessible to the public on the _____ in accordance with the Texas Open Meetings Act (Tex. Gov't. Code §551-041 - §551.050).

DIANA CAVAZOS
CITY SECRETARY
CITY OF SAN JUAN, TEXAS

CERTIFICATION OF REMOVAL

I certify that the agenda of items to be considered by the City Commission was removed by the City Secretary's Office from the San Juan City Hall bulletin area on the the _____ of _____, 2017.

OFFICE OF THE CITY SECRETARY



Mayor: Mario Garza
Mayor Pro-Tem: Jesus "Jesse" Ramirez
Commissioners: Ernesto "Neto" Guajardo
Raudel Maldonado
Pete Garcia
"The Friendly City"

MEMORANDUM

TO: Benjamin Arjona, City Manager
FROM: Xavier Cervantes, Director of Planning XC
DATE: November 7, 2017
SUBJECT: October 2017 Report

The City of San Juan Planning Department is busy processing subdivision plats, rezoning applications, applications for special/conditional use permits, applications for variances and undertaking other duties as listed below.

- 49 building permits were issued with a \$2,739,694.00 in total valuation.
- 185 garage sale permits were issued (\$1,850.00 in revenues).
- Provided customer service and support to 740 people and handled approximately 2,048 calls.
- The building inspectors made approximately 533 inspections.
- 11 permits were issued for new houses.
- Provided customer service and handled approximately 400 calls regarding animal control.

SUBDIVISIONS IN PROCESS

- Minnesota Vegas Ranches Phase 1
- San Juan Eldora
- Garden Ridge Phase 2
- Texas National Bank
- Black Hills Estates
- Hinojosa Acres
- Saint Michel
- County Park Phase 1

NEW BUSINESSES OPENING IN THE CITY DURING THIS MONTH

- Palma Vista Main Office – 901 W. 1st Street
- Fit Zumba Studio – 2105 N. Raul Longoria Rd.
- VIP Barber Shop – 1211 N. Raul Longoria Rd.
- S.T. Auto Glass – 2604 N. Raul Longoria Rd.
- The Hangout Bar – 302 E. Business 83
- Casa Esperanza de Vida – 909 W. FM 495
- World Finance – 111 W. FM 495
- Luxury Tuxedo Rental – 2205 N. Raul Longoria Rd.

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SUBSTANTIAL BUILDING PERMITS ISSUED OR PROCESSED IN THE PAST MONTH

- Golden Chick Restaurant
- Mr. Valencia's Commercial Plaza along Nolana Avenue

CONDITIONAL AND SPECIAL USE PERMITS IN PROCESS

- Alcohol Sales at Tremendouz Drive Thru

REZONING APPLICATIONS IN PROCESS

- Nolana Avenue just West of the County Park

VARIANCE APPLICATIONS IN PROCESS

- Pole sign for the Golden Chick restaurant

ORDINANCES IN PROCESS

- Sprinkler system in coordination with Utilities Department.
- Alarm systems in coordination with Police and Fire Departments.
- Grease traps in coordination with Utilities Department

PUBLIC SAFETY BUILDING PROJECT

Bi-monthly meetings took place with the architects and the building contractor. The project is scheduled to be completed in November, 2017.

UTILITY EASEMENTS

The Department worked with the Project Engineer and the Utilities Director to obtain the necessary easements to undertake the First Time Sewer Connections Project scheduled to commence in the Summer or Fall of 2017. Forty (40) easements were obtained from property owners at no cost to the City.

DAVIS-BACON REGULATIONS

The Planning Department conducts employee wage interviews and reviews payroll reports to make sure the project contractors and subcontractors are in compliance with the Davis-Bacon Federal Act. At this time the only project that is impacted by this Act because federal funds are involved is the Water Plant # 2 Expansion Project and the First Time Sewer Connections Project.

STORMWATER REGULATIONS

The Department is the Stormwater Manager for the City of San Juan. The City of San Juan is a member of the Rio Grande Valley Stormwater Taskforce that is now coordinated by UTRGV. The department ensures the City is in compliance with all TCEQ and EPA laws regarding stormwater discharge. Regional meetings are attended regularly to keep track of this task.

METROPOLITAN PLANNING ORGANIZATION

The Department represents the City of San Juan in the Metropolitan Planning Organization (MPO) Technical Advisory Committee for County-wide transportation planning. Meetings are attended monthly.

OPERATION CRACKDOWN

The Department is very involved in this program in conjunction with the San Juan Police Department and the Public Works Department to tear down unsafe structures that augment crime in the City

neighborhoods. Thirty-two (32) structures have been identified as unsafe and thirteen (13) have been torn down since the start of the operation in February 2015. The demolitions are handled by the Public Works Department. Staff is working with our new tax attorneys to get more unsafe structures under tax foreclosure to allow city personnel to demolish them.

HIDALGO COUNTY URBAN COUNTY PROGRAM

The Fiscal Year 29 (2016) project includes paving improvements along Coconut, Pullin, Hooper and Salazar Streets (Capri Subdivision). A pre-construction meeting was held on Wednesday July 5, 2017. The project was completed in October of 2017.

The Fiscal Year 30 (2017) project includes paving improvements in the Clark Terrace Phase 1 & 2 Subdivisions. The documents were submitted on time to start the advertisements and the environmental review. If everything goes according to schedule the project is expected to be completed by the Spring or Summer of 2018.

The Fiscal Year 31 (2018) project was selected by the City Commission during the July 25, 2017 meeting. The project will involve the repaving of streets in the High School East Subdivision along PSJA Bears Trail Street. If everything goes according to schedule the project is expected to be completed by the Spring or Summer of 2019.

PASEO DE LAS FLORES DRAINAGE PROJECT

The Department is the manager for this project. The project was awarded to Bearkat Construction for \$882,282.00. The Notice to Proceed was issued on July 7, 2016. The project is 99 percent complete at this time. The drainage system is operational. The project was completed in October, 2017.

PAVING IMPROVEMENTS PROJECT PHASE 1

The Department is the manager for this project. Perez Consulting Engineers is the firm that was selected by the City Commission to conduct the engineering. The engineering contract was signed on December 15, 2016. The awarding of the bids went before the City Commission during their May 23 meeting and the project was awarded to 2GS, LLC dba Earthworks Enterprise out of Penitas, Texas in the amount of \$1,425,557.75. The project commenced on Monday June 26, 2017 and is 60 percent complete. The project is expected to be completed in November or December, 2017.

PAVING IMPROVEMENTS PROJECT PHASE 2

\$1.84 million is available for additional street improvements. The engineering contract with Cruz-Hogan Consultants was approved by the City Commission on August 22, 2017. The \$1.84 million available includes engineering, surveying and geotechnical fees. The project should go out for bids in January, 2018 and should be completed by the Summer, 2018.

October 2017 MONTHLY REPORT

Activity	Total	Valuation	Fees
<i>Commercial</i>	1	\$ 1,250,000.00	\$ 4,893.25
<i>Apartments</i>	0	\$ -	\$ -
<i>New Residence</i>	11	\$ 941,200.00	\$ 4,515.42
<i>Additions</i>	3	\$ 175,000.00	\$ 801.90
<i>Repair/Renew/Remodel/Re-Inspect</i>	13	\$ 130,350.00	\$ 431.82
<i>House Moving</i>	0	\$ -	\$ -
<i>Mobile Homes</i>	0	\$ -	\$ -
<i>Carports/D-ways/Sidewalk/Concrete</i>	6	\$ 11,194.00	\$ 224.54
<i>Fences</i>	5	\$ 5,891.00	\$ 120.53
<i>Storage Rooms/Porches/Signs</i>	5	\$ 33,559.00	\$ 270.75
<i>Misc.</i>	5	\$ 192,500.00	\$ 944.45
Total Permits	49	\$ 2,739,694.00	\$ 12,202.66
<i>Plumbing</i>	59	\$ -	\$ 4,140.00
<i>Electrical</i>	40	\$ -	\$ 3,233.00
<i>Mechanical</i>	13	\$ -	\$ 945.00
<i>Electrical Licenses</i>	0	\$ -	\$ -
<i>Occupational Licenses</i>	19	\$ -	\$ 760.00
<i>Demolitions</i>	0	\$ -	\$ -
<i>Garage Sales</i>	185	\$ -	\$ 1,850.00
Total Permit:	316		\$ 10,928.00
Grand Total:	365	\$ 2,739,694.00	\$ 23,130.66

Code Enforcement

October 2017 Report

I. Cano & R. Ureste, Code Enforcement

Inspections Department

October 2017 Report

A. Jaramillo, B. Mata & J. Estrada Building Inspectors

Illegal Dumping	6	Setbacks	7
Work Orders	29	Foundation	24
Commercial, Abandoned & Junked Vehicles	18	CSI /Backflow	7
Garage Sale Signs & W/out Permits	11	Nail Pattern	13
Rubbish	2	Framing/Poly-Seal/Windstorm	18
Banners & Temp. Signs	3	Rough Electrical	59
Fowl Odor	0	Rough Plumbing	26
Building w/o Permit	5	Rough Mechanical	18
Certified Letters	50	Vents & Pipes	17
Complaints Filed in Court	2	Sewer	21
Towed, Abandoned & Junked Vehicles	0	Gas	1
Street Vendor	2	Driveway/Sidewalk	24
Conducting Business in Residence	2	Insulation	13
		Infiltration	11
Total Code Enforcement Activities	130	Final	30
		Occupational Inspection	17
		Mobile Home Inspection	0
		House Inspection	0
Zoila Martinez & Janie Soto		Plan Review	18
		Permit Sign Off	36
		Other	173
Total In-Person	740		
Total Call-in's	2048		
Animal Control Calls	400	Total Activities	533



Mayor: Mario Garza
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Commissioners: Ernesto “Neto” Guajardo
Raudel Maldonado
Pete Garcia

MEMORANDUM

TO: Benjamin Arjona, City Manager
FROM: Carmen Gonzalez, Director of Sanitation
DATE: November 4, 2017
SUBJECT: Monthly Report

In the month of October the departments accomplished the following:

SANITATION DEPARTMENT

- The front loader trash truck has been available to pick up the trash from those businesses that have other providers. The trash containers are in and a letter was sent to those businesses that have other providers advising them of the necessary timeline to close their accounts with their current providers, since the City refuse ordinance stipulates that the City has exclusive responsibility for garbage collection services.
- The Department continues to document on the containers that are left behind by using video cameras that were issued by the Information Technology Department. In doing so, I am glad to say residential complaints have diminished by 90%, and the department has justification on why trash was not picked up.
- There are two (2) employee assigned to checking garbage containers to ensure that the residents are getting billed properly. As for the North Alamo Residents, our city staff is finding that there are several residents that are paying for one container yet receiving city services for two (2) or more containers. The procedure is to verify with North Alamo Water the number of containers the resident is paying for, and then our employees are sent to advise the customer and pick up the extra containers.
- Brush pickup for November 1 – 15 are two (2) days behind schedule due to the fact that a grapple truck broke down and it took approximately three weeks for the repairs to be completed. Another reason for the delay was that the only front loader that picks up businesses (before the burnt unit was repaired) and school trash, broke down for one (1) day, therefore, the grapple crew had to assist pulling out the trash from the containers and loading it into the grapple truck. Please note that the brush crew is also provided with a video camera and this has also helped with citizen's complaints. The crew continues to hand out the brush schedule to residents that cut their trees after the brush has been picked up. Residents are informed they can go to the City's web-site to find the brush schedule in English and Spanish. The Department is also providing a one-time courtesy pick-up and by doing so the brush complaints are at a minimum.
- Our Staff has also begun to mulch the brush that is free of debris and this has minimized the trip to the landfill, fuel cost, vehicle maintenance and travel time. Unfortunately, since the mulch is too large, it cannot be used at the parks or wetlands. All residents will be notified that brush must be separated from the debris if it is not separated, brush will not be picked up. Our Staff will be advertising in the Advance News the schedule for brush pick up in order to provide better customer service.

CENTRAL GARAGE

- Mechanics are providing all necessary maintenance on vehicles, tractor mowers and other heavy equipment. All vehicles are checked daily before workers begin their routes. The project to take a trash truck and convert it to a roll-off continuous. There is also a vehicle that was declared surplus three years ago and has been converted into a trailer.
- The body and fender employee is also fixing broken 30 cubic yard containers, mowers, weed eaters and commercial containers. All in all we are making use of all equipment in one way or another. The employee will begin to coat the bottom of the 3, 6, and 8 cubic yards so that the container does not get rusted too quickly.

STREETS DEPARTMENT

- The mowing crew is working on the main streets as-well-as residential areas. There are two (2) crews doing the right-of-ways one on the south and the north side.
- Repair of streets/alleys is continuous. The crew continues with repairing main streets and the residential neighborhoods. The crew is scheduled to do cement repairs to the entrance of South Gate because of the high traffic volume. There is a crew assigned to repair the alleys when necessary they will cut trees and get weed eating done. Street signs are being replaced daily. Staff has been placing “No Dumping Signs” and speed limit signs on Hall Acres. Hall Acres is scheduled to have speed bumps set in place but must wait because the crew is waiting for the “Speed Bump Ahead” signs.
- The sweeper continues functioning on a daily basis in the City of San Juan. CDL employees are being trained on the sweeper as backups. The sweeper was out on Chula Vista, Short Road, North Gate, Nebraska, San Antonio and some residential side streets. Staff is looking into purchasing a used mechanical sweeper since one sweeper for the entire City is not enough.
- A crew was assigned to check all storm drains so that the storm drain map can be updated. A crew is also making sure that all inlets are clean and logos marked with blue paint. There are now a lot of inlets that have been identified and painted.
- The street crew finished the street repair next to Fire Station #2 by having the street cemented because of the heavy traffic flow.

MISCELLANEOUS

- I have an employee studying to get his vector license for fumigating and will be testing at the end of October. There is another employee that is also studying for the license and will be trained as the backup. The crew will begin to fumigate on the north part of town.
- Weather permitting; the Department will continue the Neighborhood Cleanup, thus far Valencia Village and Paseo De Las Flores have been cleaned.
- The city shop continues to clear of all containers that are unrepairable and vehicles that have been declared surplus.



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MEMORANDUM

TO: Benjamin Arjona, City Manager

FROM: Patrick Willingham, Director of Parks and Recreation

DATE: 11/07/2017

SUBJECT: Parks and Recreation Monthly Report.

For the month of October 2017, we have the following to report:

Parks Division, staff continues to maintain our city parks and landscape areas as needed. This past month staff has assisted the department as well as various organizations with several events that took place throughout the month such as parades, walks and festivals. In addition to these events our parks crews have maintained our game fields that play host to our flag football league.

In our Events Division, Ruben Rodriguez successfully helped complete several events throughout the month, these events are as follows:

Red Ribbon Parade, October 14, 2017.

Homecoming Parade, October 26, 2017

Cancer Awareness Walk, October 28, 2017

Halloween Festival, October 31, 2017

Each one of these events was very well attended and all went very smoothly. Staff was continually praised by the event organizers and the community as well. This month staff will continue preparing for upcoming events:

Veteran’s Day Event- November 9, 2017

Lighting of City Hall-December 1, 2017

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Reindeer 5K- December 2, 2017

Noche De Paz- December 9, 2017

In our Recreation Division, our flag football, youth tackle football and youth volleyball leagues are well underway with over 700 youth participating this fall. I am very proud to inform you that our fall leagues have increased 32% in participation this year. We have added 7 new volleyball teams and 11 new football teams. We would like to thank the PSJA ISD and our community of San Juan, Texas for coming out and being strong supporters of our Parks and Recreation Department. Furthermore, we are preparing for our upcoming winter leagues as well, which will include winter baseball/softball, boys youth soccer and girls youth basketball.

Maintenance Division staff continues to provide professional maintenance and custodial throughout the city. Throughout the month of October our maintenance staff worked diligently to prepare our new Public Safety Building for the grand opening which took place on Wednesday November 1, 2017. Staff continues to provide assistance where needed throughout the city so that buildings and parks are clean and operating properly on a daily basis.

This fall has proven to be a very busy time for us in the Parks and Recreation Department. We are very proud of the accomplishments thus far however we will continue working to provide quality of life experiences for both our youth and all citizens of our community.



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Pete Garcia

MEMORANDUM

TO: Mr. Benjamin Arjona, City Manager
FROM: Armandina Sesín, Library Director
DATE: November 6, 2017
SUBJECT: October Monthly Report

Enclosed is the October monthly report including statistics and programs:

For the month of October we had 4,147 visitors. Out of those visitors, 1,889 were here for computer use only. We had 113 new patrons added to our circulation system. We requested and received forty three (43) Interlibrary Loans (ILL). The library checked out a total of 2,333 items both adult and children's. We had 187 in-house circulation items. We helped the public with an estimated 732 reference/informational questions. We had 13 children's programs with an attendance of 76 people. The monthly amount deposited was \$1,710.21 both fines and fees.

Please see attached statistical report.

During the month of October:

- Attended the Directors' meetings
- Attended the City Commission meetings
- Went to City Hall to make the weekly money deposits for the library
- Attended a webinar for Adult Programming
- Attended the monthly HCLS meeting at the McAllen Public Library
- Attended the Library Board Meeting
- Managed the day to day operations of the San Juan Memorial Library

Meetings to be held in November, 2017

Multipurpose Room

Special Called Meeting, November 1st
Planning & Zoning Meetings, November 2nd & 16th
Directors' Meetings, November 3rd & 20th
Library Advisory Board Meeting, November 8th
Keep San Juan beautiful Meeting, November 8th
City Commission Meetings, November 14th & 28th

Training Room:

GED in Spanish, Mondays thru Thursdays, from November 1st to 30th
Computer classes on Tuesdays and Thursdays, from November 2nd to 30th
US Small Business Administration, November 1st & 2nd

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**San Juan Memorial Library
October 2017 Statistics**

Statistics	
Total Visitors	4,147
Computer Users	1,889
Total Checkouts	2,333
In-House Use	187
Inter-Library Loans	43
New Patrons	113
Reference\ Informational Questions	732
Children's Programs	13
Attendance	76

Multipurpose Room Reservations	Attendance
2nd Directors Meeting	15
5th Planning & Zoning	19
10th City Commission	50
11th Civil Service	4
11th Library Board	5
13th Special Called Meeting	12
16th Directors Meeting	17
17th Special Called Meeting	10
19th Open Enrollment	110
20th Directors Meeting	16
20th Open Enrollment	90
23rd Finance Dept - Executive Room	3
24th TMC Headstart	30
24th City Commission	52
30th Planning & Zoning	14
31st Halloween Party	31
Total	478

Training Room Reservations	Attendance
2nd Spanish GED Classes	6
3rd Computer Classes	6
3rd Spanish GED Classes	6
4th Spanish GED Classes	4
5th Computer Classes	5
5th Spanish GED Classes	5
9th Spanish GED Classes	4
10th Computer Classes	3
10th Spanish GED Classes	7
11th Spanish GED Classes	6
11th Keep San Juan Beautiful	7
12th Computer Classes	2
16th Spanish GED Classes	4
17th Computer Classes	5
17th Spanish GED Classes	4
18th Computer Classes	3
18th Spanish GED Classes	5

Checkouts	
DVDs	654
Books Juvenile	1,473
Books Adult	206
Total	2,333

WiFi Usage	
LibGuest	588
LibStaff	35
LibAdmin	0
Total	623

Study Room Attendance	
Study Rooms	102

Facebook Page	
Likes	1
Visitors	35

SJML Homepage	
Visitors	48,236

Deposits	
Fines	\$ 427.01
Copies	\$ 1,283.20
Total	\$ 1,710.21

Outreach Programs	Attendance
27th CRC	260
Total	260

T.R. Reservations (cont.)	Attendance
19th Spanish GED Classes	5
20th Small Business Assoc.	1
23rd Spanish GED Classes	5
24th Computer Classes	3
24th Spanish GED Classes	4
25th Spanish GED Classes	5
26th Computer Classes	6
26th Spanish GED Classes	4
27th Small Business Assoc.	1
30th Spanish GED Classes	6
31st Computer Classes	3
31st Spanish GED Classes	6
Total	136

Computer Classes	
Attendance	36

San Juan Memorial Library
October 2017 Statistics

19th Planning & Zoning	5
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Youth & Children's Programs/Attendance

Date	Program	Attendance
Tuesday, October 3, 2017	Coloring	3
Tuesday, October 3, 2017	Homework	2
Wednesday, October 4, 2017	Homework	4
Thursday, October 5, 2017	Homework	2
Thursday, October 5, 2017	Coloring	2
Thursday, October 5, 2017	Game Night	4
Wednesday, October 11, 2017	Coloring	2
Saturday, October 14, 2017	Coloring	5
Saturday, October 14, 2017	Story Time/Craft	9
Saturday, October 14, 2017	Movie	4
Monday, October 16, 2017	Homework	5
Thursday, October 26, 2017	Game Night	3
Tuesday, October 31, 2017	Halloween Party	31
Total	13	76

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
NOVEMBER 14, 2017

Conduct a Public Hearing and Consider an Ordinance in First Reading for a Conditional Use Permit for the Sale of Alcoholic Beverages for Off-premise Consumption at the Proposed “Tremendoz Drive-Thru” Located at 2201 N. Cesar Chavez Road, Legally Described as Lot 1, C&B Subdivision, as Requested by Bladinich Rodriguez.

STAFF COMMENTS AND RECOMMENDATIONS:

Mr. Rodriguez is requesting a Conditional Use Permit for the Sale of Alcoholic Beverages (wine and beer) for Off-Premise Consumption at the proposed “Tremendoz Drive-Thru”. He is taking over the business that was opened two (2) years ago as C&B Drive-Thru located along the West side of Cesar Chavez Road just North of Sioux Road.

The applicant is proposing to sell alcoholic beverages Monday thru Friday from 7:00 a.m. to 12:00 a.m., Saturdays from 7:00 a.m. to 1:00 a.m. and Sundays from 12:00 p.m. to 12:00 a.m.

Staff mailed a notice of the public hearing to three (3) property owners within a two hundred (200) foot radius and received no comments in favor or against the request.

RECOMMENDATION:

During their October 19 meeting, the Planning and Zoning Commission unanimously recommended approval of the conditional use permit subject to the list of conditions.

PREPARED BY:

Xavier Cervantes,
Director of Planning
and Zoning

APPROVED BY:

Benjamin Arjona, City
Manager

MEETING DATES:
PLANNING AND ZONING COMMISSION – 10/19/2017
CITY COMMISSION – 11/14/2017
DATE PREPARED – 10/30/2017

PAGE 1

STAFF REPORT
GENERAL INFORMATION

APPLICATION:	Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption at the proposed “Tremendoz Drive-Thru”.
APPLICANT:	Bladinich Rodriguez
SURVEYOR/ENGINEER:	N/A
LEGAL:	Lot 1, C&B Subdivision
LOCATION:	2201 N. Cesar Chavez Road
CURRENT USE OF PROPERTY:	Drive-thru
EXISTING LAND USE AND ZONING:	<u>North</u> – Outside city limits <u>South</u> – Residential; Single-Family Residence District (R-S) <u>West</u> – Outside city limits <u>East</u> – Outside city limits
ACCESS AND CIRCULATION:	This property has access onto Cesar Chavez Road.
PUBLIC SERVICES:	Water service is provided by the North Alamo Water Supply Corporation and sewer is provided by the City of San Juan.
RECOMMENDATION:	Staff recommends approval of the conditional use permit for the Sale of Alcoholic Beverages for Off-Premise Consumption subject to the conditions as listed in the packet.

EVALUATION AND CONDITIONS FOR APPROVAL

Mr. Rodriguez is requesting a Conditional Use Permit for the Sale of Alcoholic Beverages (wine and beer) for Off-Premise Consumption at the proposed "Tremendoz Drive-Thru". He is taking over the business that was opened two (2) years ago after the property was annexed and properly subdivided.

The applicant is proposing to sell alcohol Monday thru Friday from 7:00 a.m. to 12:00 a.m., Saturdays from 7:00 a.m. to 1:00 a.m. and Sundays from 12:00 p.m. to 12:00 a.m.

Staff mailed a notice of the public hearing before the Planning and Zoning Commission to three (3) property owners within a two hundred (200) feet radius and received no comments in favor or against the request.

Staff recommends approval subject to the following conditions:

1. The applicant must comply with the City's *Security Cameras Ordinance*.
2. The proposed alcohol sale hours are Monday thru Friday from 7:00 a.m. to 12:00 a.m., Saturdays from 7:00 a.m. to 1:00 a.m. and Sundays from 12:00 p.m. to 12:00 a.m.
3. The applicant must agree to update the alcohol license with the city every year.
4. No loading or unloading of merchandise in a public street.
5. Must maintain the buffer with the residential uses to the South.

ATTACHMENTS:

Location Map
Aerial Photo
Zoning Map
Operation Hours Letter
Incident report
List of neighboring property owners receiving notice
Photos
Ordinance

FINAL RESOLUTION OF REQUEST & COMMENTS:

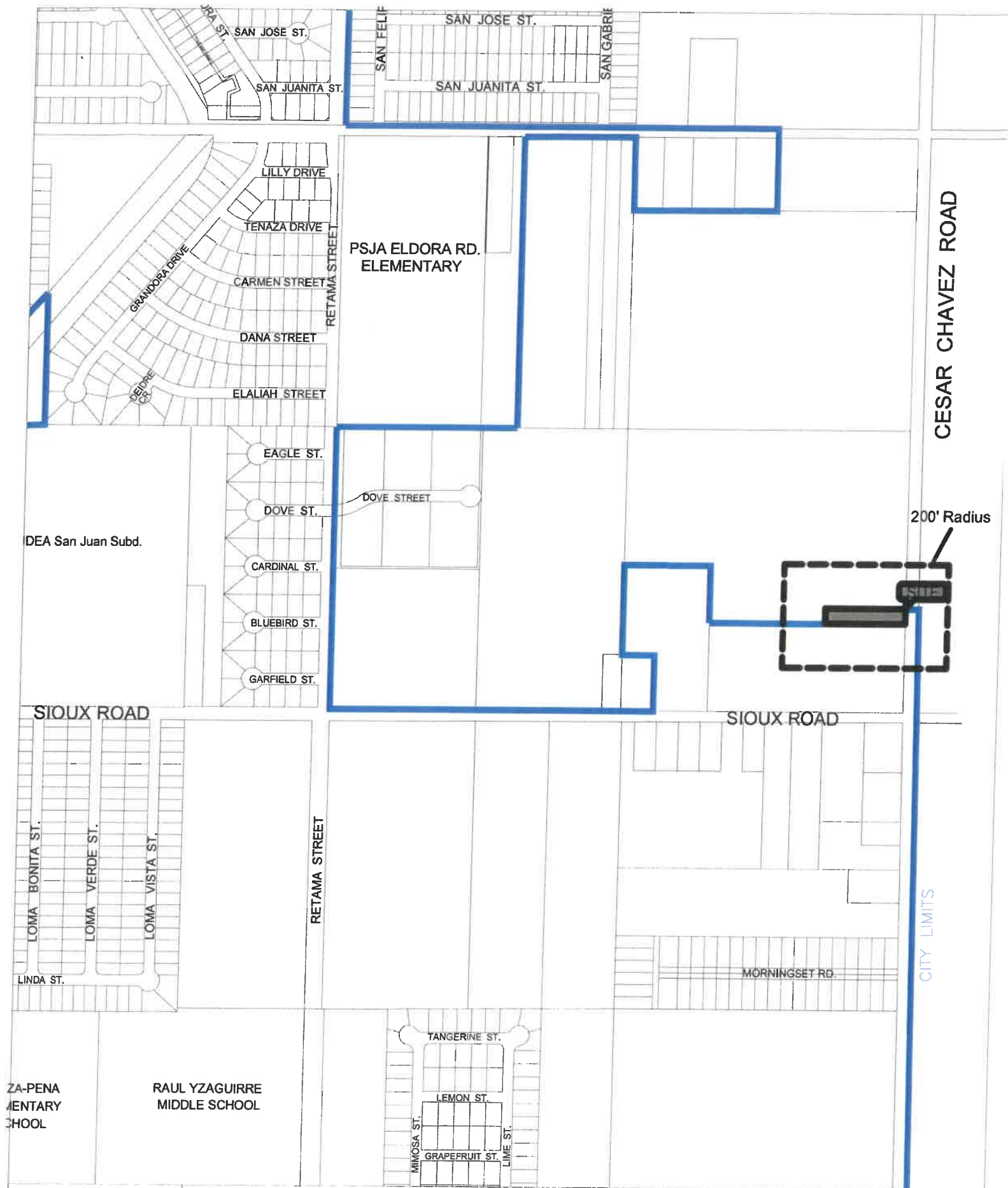
P&Z – 10/19/17 Commissioner Gonzalez made a motion to approve the conditional use permit request subject to the list of requirements as recommended by Staff. Commissioner Zambrano seconded the motion. The motion passed with a (4-0) vote.

Chairwoman Castillo asked if the establishment had previously been outside the city limits. Mr. Cervantes said that the drive-thru has always been inside the city limits but that the property owners want to rent the drive-thru to Mr. Rodriguez and that was why the conditional use permit was before the board.

**CONDITIONAL USE PERMIT
"TREMENDOZ DRIVE-THRU"
NOVEMBER 14, 2017**

PAGE 3

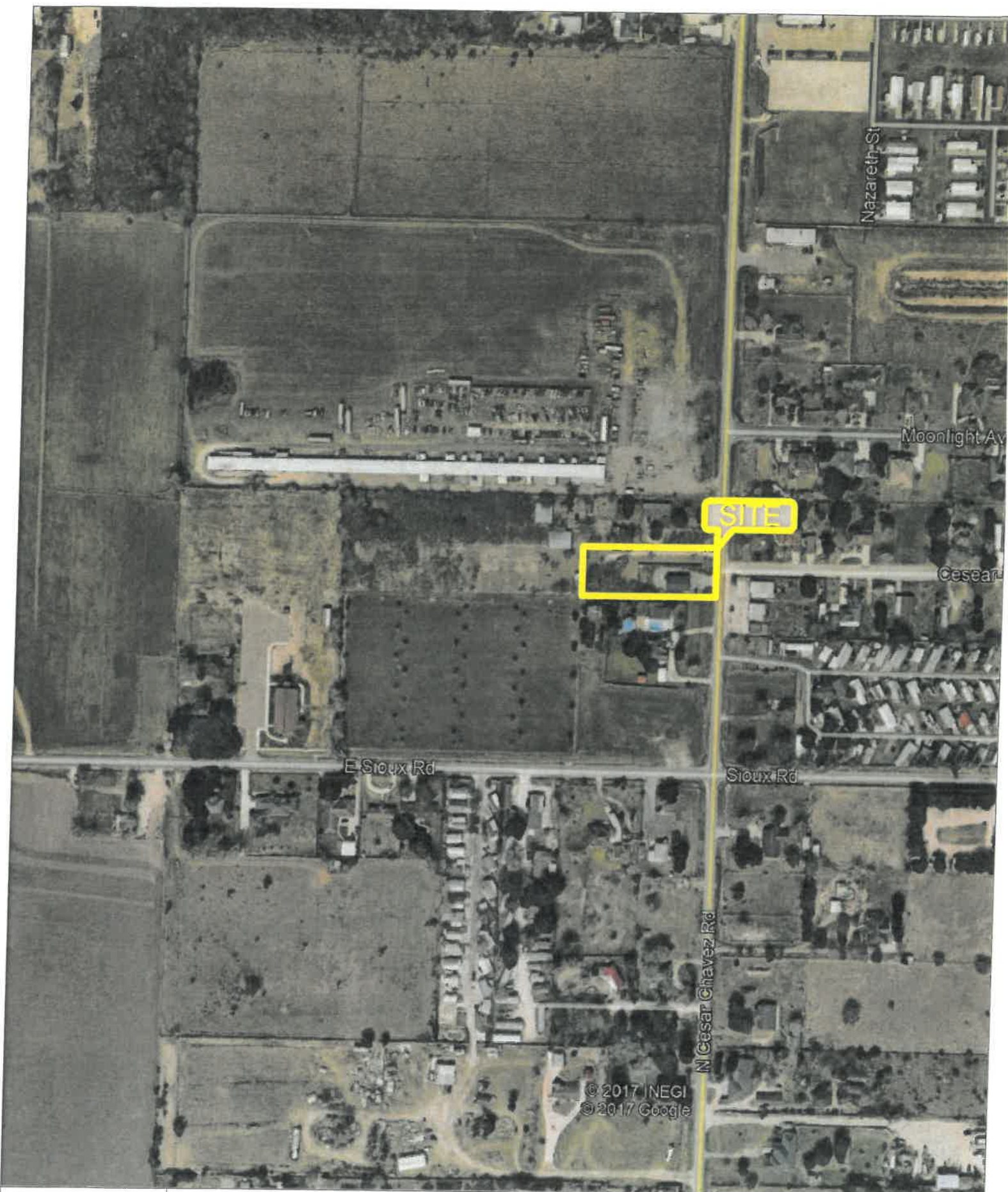
Commissioner Gonzalez asked if there had been any complaints on the drive-thru. Mr. Cervantes said no. Chairwoman Castillo asked if the drive-thru hours and name were going to remain the same. Mr. Cervantes said that the hours would remain the same but the name was going to change.



Legend

-  CITY LIMITS
-  Proposed area

Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption at the proposed "Tremendoz Drive-Thru" located at 2201 N. Cesar Chavez Road, legally described as Lot 1, C&B Subdivision, as Requested by Bladinich Rodriguez.

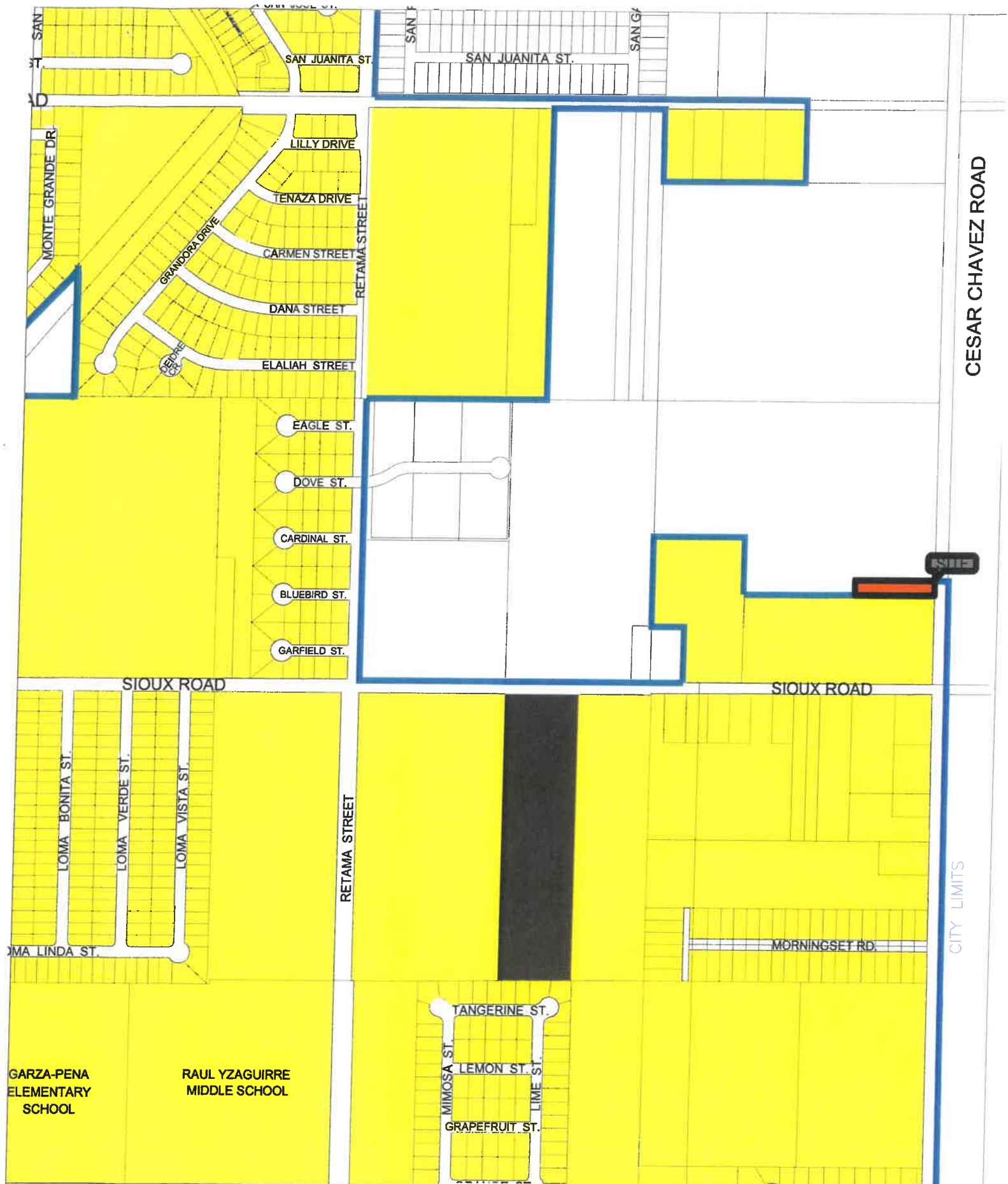


Legend

- CITY LIMITS
- Proposed area

Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption at the proposed "Tremendoz Drive-Thru" located at 2201 N. Cesar Chavez Road, legally described as Lot 1, C&B Subdivision, as Requested by Bladinich Rodriguez.





Zoning Districts

 Single Family Residential (R-S)	 Heavy Commercial (C-3)
 Manufactured Home (R-MH)	 Light Industrial (I-1)
 Multi-Family Residential (R-MF)	 Heavy Industrial (I-2)
 Neighborhood Commercial (C-1)	 Open Space (O)
 General Business (C-2)	 Exp. Corridor (EC)

Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption at the proposed "Tremendoz Drive-Thru" located at 2201 N. Cesar Chavez Road, legally described as Lot 1, C&B Subdivision, as Requested by Bladinich Rodriguez.



AFFIDAVIT

October 6, 2017

To whom it may concern:

I, **Bladinich Rodriguez** am requesting a Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption at the proposed "**Tremendoz Drive-Thru**" located at **2201 N. Cesar Chavez Road**, legally described as the **Lot 1, C&B Subdivision**.

The sale of alcohol will be:

Monday from 7:00 a.m. to 12:00 a.m.

Tuesday from 7:00 a.m. to 12:00 a.m.

Wednesday from 7:00 a.m. to 12:00 a.m.

Thursday from 7:00 a.m. to 12:00 a.m.

Friday from 7:00 a.m. to 12:00 a.m.

Saturday from 7:00 a.m. to 1:00 a.m.

Sunday will be 12:00 p.m. to 12:00 a.m.



Signature



Notary Public



Calls For Service Report - SAN JUAN POLICE DEPARTMENT

Sorted by Call_Number, Call_Date, Call_Time

Call_Date : 01/01/2015 00:00 - 10/12/2017 23:59

Block_Number : 2201, 2201

Street : cesar chavez

AddressCategory : LOCAL ADDRESS

Call Number	Date	Time	Agency	Call Type	Callers	Address	Zone	District	Disposition	Officer / Unit Role	Racial Profile Data
16-08459	06/26/2016	12:07:36	SAN JUAN PD	EMS CALL	CC	2201 N CESAR CHAVEZ ROAD SAN JUAN, TX 78589			REPORT	464 - Ramirez, J Primary	NO
		Sent To Dispatch- 06/26/2016 12:07:51							BACKUP	480 - Flores, C Primary	
									BACKUP	EMS 1 - EMS 1, Primary	
									BACKUP	ENG 2 - ENGINE 2, Primary	
									BACKUP	LAD 1 - LADDER 1, Primary	
									ARREST	486 - Adame, A Primary	NO
									BACKUP	479 - Montoy, J Primary	
									BACKUP	477 - Lopez, E Primary	
									OTHER	484 - Lazo, J Primary	NO
									BACKUP	499 - Segovia, K Primary	
									BACKUP	484 - Ramirez, J Primary	
									ARREST	484 - Hernandez, Y Primary	NO
									BACKUP	477 - Escalon, J Primary	

4 Records Selected

10/12/2017 12:21

* There is more than one case number.

Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption at the proposed "Tremendoz Drive-Thru" located at 2201 N. Cesar Chavez Road, legally described as Lot 1, C&B Subdivision, as Requested by Bladinich Rodriguez.

Rodriguez, Bladinich
408 Silver Creek
Alamo, TX 78516

Garcia, Brenda and Linda Torres
3408 Thompson Rd.
Mission, TX 78574-4281

Calera, Raul
2110 N. Cesar Chavez Rd.
San Juan, TX 78589

Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption at the proposed "Tremendoz Drive-Thru" located at 2201 N. Cesar Chavez Road, legally described as Lot 1, C&B Subdivision, as Requested by Bladinich Rodriguez.



Proposed Site

ORDINANCE NO.

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT FOR THE SALE OF ALCOHOLIC BEVERAGES FOR OFF-PREMISE CONSUMPTION AT "TREMENDOZ DRIVE-THRU" LOCATED AT 2201 N. CESAR CHAVEZ ROAD, LEGALLY DESCRIBED AS LOT 1, C&B SUBDIVISION, AS PROVIDED IN ARTICLE IV, OF THE ZONING ORDINANCE, CITY OF SAN JUAN, HIDALGO COUNTY, TEXAS, PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE; PROVIDING FOR A CODE DISPOSITION.

WHEREAS, Bladinich Rodriguez has applied for a Conditional Use Permit under Article IV; of the Zoning Ordinance of the City of San Juan for the Sale of Alcoholic Beverages for Off-Premise Consumption.

WHEREAS, this type of activity is prohibited by said Zoning Ordinance unless a Conditional Use Permit is granted; and,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SAN JUAN, TEXAS, AS FOLLOWS:

SECTION I. That a Conditional Use Permit under Article IV of the Zoning Ordinance of the City of San Juan, Texas, be granted to Bladinich Rodriguez for the Sale of Alcoholic Beverages for Off-Premise Consumption at the proposed "Tremendoz Drive-Thru" at property legally described as Lot 1, C&B Subdivision, subject to the following conditions:

1. The applicant must comply with the City's *Security Cameras Ordinance*.
2. The proposed alcohol sale hours are Monday thru Friday from 7:00 a.m. to 12:00 a.m., Saturdays from 7:00 a.m. to 1:00 a.m. and Sundays from 12:00 p.m. to 12:00 a.m.
3. The applicant must agree to update the alcohol license with the city every year.
4. No loading or unloading of merchandise in a public street.
5. Must maintain the buffer with the residential uses to the South.

SECTION II. PUBLICATION AND EFFECTIVE DATE CLAUSE. This Ordinance shall be published in the official newspaper of the City of San Juan, Texas, as provided by law, and shall be and remain in full force and effect from the after said date of publication.

PASSED and **APPROVED** on first reading on the 14th day of November, 2017.

PASSED and **APPROVED** on second and final reading on the ____ day of _____, 2017.

CITY OF SAN JUAN

MARIO GARZA, MAYOR

APPROVED BY:
Palacios, Garza & Thompson, P.C.

ATTEST:

DIANA CAVAZOS
CITY SECRETARY

CITY ATTORNEY

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
NOVEMBER 14, 2017

Consider Adopting an Ordinance Amending the City of San Juan Code of Ordinance Chapter 4 Business Regulations by Adding Article 4.11 Grease Traps Establishing the Installation, use, Maintenance Requirements, Monitoring, and Enforcement of Grease Traps and Interceptors for Commercial Businesses Generating Fats, Oils, and/or Grease: Providing for Penalties; Providing for Injunctive Relief; Providing for Repealer Clause; Providing for a Savings Clause; Providing for Publication and an Effective Date.

STAFF COMMENTS AND RECOMMENDATIONS:

Consider Adopting an Ordinance Amending the City of San Juan Code of Ordinance Chapter 4 Business Regulations by Adding Article 4.11 Grease Traps Establishing the Installation, use, Maintenance Requirements, Monitoring, and Enforcement of Grease Traps and Interceptors for Commercial Businesses Generating Fats, Oils, and/or Grease: Providing for Penalties; Providing for Injunctive Relief; Providing for Repealer Clause; Providing for a Savings Clause; Providing for Publication and an Effective Date.

RECOMMENDATION:

Staff Recommends Approval

PREPARED BY:

David Salinas,
Director of Utilities

APPROVED BY:

Benjamin Arjona, City
Manager

ORDINANCE NO. 2017-_____

AN ORDINANCE AMENDING THE CITY OF SAN JUAN CODE OF ORDINANCES, CHAPTER 4 BUSINESS REGULATIONS BY ADDING ARTICLE 4.11 GREASE TRAPS ESTABLISHING THE INSTALLATION, USE, MAINTENANCE REQUIREMENTS, MONITORING, AND ENFORCEMENT OF GREASE TRAPS AND INTERCEPTORS FOR COMMERCIAL BUSINESSES GENERATING FATS, OILS, AND/OR GREASE; PROVIDING FOR PENALTIES; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR CODIFICATION; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, it is the desire of the City Commission to prevent the accumulation of grease within the sewer system of the City of San Juan which can lead to sanitary sewer main blockages and subsequent back-ups and sanitary sewer overflows; to reduce the costs of maintaining the sewer system by preventing the accumulation of grease within the sewage system; to establish guidelines for installation and maintenance and provide enforcement controls for failure to comply with the guidelines; and to protect public health and insure the quality of water in the waterways of the State of Texas from pollution caused by sanitary sewer overflows.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SAN JUAN, TEXAS:

SECTION 1

All of the above premises are hereby found to be true and correct legislative and factual findings of the City of San Juan, Texas and they are hereby approved and incorporated into the body of this Ordinance.

SECTION 2

Chapter 4, Business Regulations, of the Code of Ordinances of the City of San Juan, Texas, is hereby amended by the addition of a new Article 4.11 entitled "Grease Traps" as follows:

ARTICLE 4.11 GREASE TRAPS

Sec. 4.11.001 Applicability and Prohibitions

(a) This ordinance shall apply to all non-domestic users of the Publicly-Owned Treatment Works (POTW), as defined in this Ordinance.

(b) Grease traps or grease interceptors shall not be required for residential users.

(c) Facilities generating fats, oils, or greases as a result of food manufacturing, processing,

preparation, or food service shall install, use, and maintain appropriate grease traps or interceptors as required in Section 4.11.003 of this Ordinance. These facilities include but are not limited to restaurants, food manufacturers, food processors, hospitals, hotels and motels, prisons, nursing homes, and any other facility preparing, serving, or otherwise making any foodstuff available for consumption.

(d) No user may intentionally or unintentionally allow the direct or indirect discharge of any petroleum oil, non-biodegradable cutting oil, mineral oil, or any fats, oils, or greases of animal or vegetable origin into the POTW system in such amounts as to cause interference with the collection and treatment system, or as to cause pollutants to pass through the treatment works into the environment.

Sec. 4.11.002

Definitions

All terms used in this Ordinance shall be given their meaning as provided by the Texas Food Establishment Rules found in 25 Tex. Admin. Code, ch. 229, §§ 161-171 and 173-175, including any future amendments of such rules, unless otherwise defined in the following definitions.

(a) Act means Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et. seq.

(b) BOD means the value of the 5-day test for Biochemical Oxygen Demand, as described in the latest edition of "Standard Methods for the Examination of Water & Wastewater."

(c) COD means the value of the test for Chemical Oxygen Demand, as described in the latest edition of "Standard Methods for the Examination of Water & Wastewater."

(d) EPA means the United States Environmental Protection Agency.

(e) Fats, oils, and greases (FOG) means organic polar Compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical test procedures established in 40 CFR 136, as may be amended from time to time. All are sometimes referred to herein as "grease" or "greases."

(f) Generator means any person who owns or operates a grease trap/grease interceptor, or whose act or process produces a grease trap waste.

(g) Grease trap or interceptor means a device designed to use differences in specific gravities to separate and retain light density liquids, waterborne fats, oils, and greases prior to the wastewater entering the sanitary sewer collection system. These devices also serve to collect settleable solids, generated by and from food preparation activities, prior to the water exiting the trap and entering the sanitary sewer collection system. Grease traps and interceptors are also referred to herein as "grease traps/interceptors."

(h) Grease Trap Waste means material collected in and from a grease trap/interceptor in the sanitary sewer service line of a commercial, institutional, or industrial food service or processing

establishment, including the solids resulting from de-watering processes.

(i) Indirect Discharge or Discharge means the introduction of pollutants into a POTW from any non-domestic source.

(j) Interference means a discharge which alone or in conjunction with a discharge or discharges from other sources inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal, or is a cause of a violation of the city's TPDES permit.

(k) pH means the measure of the relative acidity or alkalinity of water and is defined as the negative logarithm (base 10) of the hydrogen ion concentration.

(l) POTW or Publicly-Owned Treatment Works means a treatment works which is owned by a state or municipality as defined by section 502(4) of the Clean Water Act. This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes all sewers, pipes and other conveyances that convey wastewater to a POTW Treatment Plant. The term also means the municipality as defined in section 502(4) of the Act, which has jurisdiction over the indirect discharges to and the discharges from such a treatment works. For purposes of this ordinance, the terms "sanitary sewer system" and "POTW" may be used interchangeably.

(m) TCEQ means the Texas Commission on Environmental Quality, and its predecessor and successor agencies.

(n) Transporter means a person who is registered with and authorized by the TCEQ to transport sewage sludge, water treatment sludge, domestic septage, chemical, toilet waste, grit trap waste, or grease trap waste in accordance with 30 TEXAS ADMINISTRATIVE CODE §312.142.

(o) TSS means the value of the test for Total Suspended Solids, as described in the latest edition of "Standard Methods for the Examination of Water & Wastewater."

(p) User means any person, including those located outside the jurisdictional limits of the city, who contributes causes or permits the contribution or discharge of -wastewater into the POTW, including persons who contribute such wastewater from mobile sources.

Sec. 4.11.003 Installation Requirements and Maintenance Requirements

(a) Installations

- 1) New Facilities. Food processing or food service establishments which are newly proposed or constructed, or existing facilities which will be expanded or renovated to include a food service facility, where such facility did not previously exist, shall be required to design, operate and maintain a grease trap/interceptor in

accordance with locally adopted plumbing codes or other applicable ordinances. Minimum size of the trap for new facilities shall be 1,000 Gallon unless a justifiable design can be provided at the time of plan review, or special exceptions are granted from the Building Official or Director of Utilities. Grease traps/interceptors shall be installed and inspected prior to issuance of a certificate of occupancy.

- 2) Existing Facilities. Existing grease traps/interceptors must be operated and maintained in accordance with the manufacturer's recommendations and in accordance with these Model Standards, unless specified in writing and approved by the POTW.

(b) Cleaning and Maintenance

- 1) Grease traps and grease interceptors shall be maintained in an efficient operating condition at all times.
- 2) Each grease trap pumped shall be fully evacuated unless the trap volume is greater than the tank capacity on the vacuum truck in which case the transporter shall arrange for additional transportation capacity so that the trap is fully evacuated within a 24-hour period, in accordance with 30 TEXAS ADMINISTRATIVE CODE §312.143.
- 3) All grease trap/interceptor waste shall be properly disposed of at a facility in accordance with federal, state, or local regulation.

(c) Self-Cleaning

- 1) Grease trap self-cleaning operators must receive approval from the POTW annually prior to removing grease from their own grease trap(s) located inside a building, provided:
 - (A) the grease trap is no more than fifty (50) gallons in liquid/operating capacity;
 - (B) proper on-site material disposal methods are implemented (e.g. absorb liquids into solid form and dispose into trash after being double bagged);
 - (C) the local solid waste authority allows such practices;
 - (D) grease trap waste is placed in a leak proof, sealable container(s) located on the premises and in an area for the transporter to pump-out; and
 - (E) Detailed records on these activities are maintained.

2) Grease trap self-cleaning operators must submit a completed self-cleaning request to the POTW for approval. The written request shall include the following information:

(A) Business name and street address;

(B) Grease trap/interceptor operator name, title, and phone number;

(C) Description of maintenance frequency, method of disposal, method of cleaning and size (in gallons) of the grease trap/interceptor; and

(D) Signed statement that the operator will maintain records of waste disposal and produce them for compliance inspections.

3) Self-cleaners must adhere to all the requirements; procedures and detailed record keeping outlined in their approved application, to ensure compliance with this ordinance. A maintenance log shall be kept by self-cleaning operators that indicates, at a minimum, the following information:

(A) Date the grease trap/interceptor was serviced;

(B) Name of the person or company servicing the grease trap/interceptor;

(C) Waste disposal method used;

(D) Gallons of grease removed and disposed of;

(E) Waste oil added to grease trap/interceptor waste; and

(F) Signature of the operator after each cleaning that certifies that all grease was removed, disposed of properly, grease trap/interceptor was thoroughly cleaned, and that all parts were replaced and in operable condition.

4) Violations incurred by grease trap self-cleaners will be subject to enforcement action including fines and/or removal from the self-cleaner program.

(d) Cleaning Schedules

1) Grease traps and grease interceptors shall be cleaned as often as necessary to ensure that sediment and floating materials do not accumulate to impair the efficiency of the grease trap/interceptor; to ensure the discharge is in compliance with local discharge limits; and to ensure no visible grease is observed in discharge.

2) Grease traps and grease interceptors subject to these standards shall be completely

evacuated a minimum of every ninety (90) days for traps greater than 50 gallons and every thirty (30) days for traps up to 50 gallons, or more frequently when:

(A) Twenty-five (25) percent or more of the wetted height of the grease trap or grease interceptor, as measured from the bottom of the device to the invert of the outlet pipe, contains floating materials, sediment, oils or greases; or

(B) The discharge exceeds BOD, COD, TSS, FOG, pH, or other pollutant levels established by the POTW; or

(C) If there is a history of non-compliance.

3) Any person who owns or operates a grease trap/interceptor may submit to the POTW a request in writing for an exception to the ninety (90) day pumping frequency of their grease trap/interceptor. The POTW may grant an extension for required cleaning frequency on a case-by-case basis when:

(A) The grease trap/interceptor owner/operator has demonstrated the specific trap/interceptor will produce an effluent, based on defensible analytical results, in consistent compliance with established local discharge limits such as BOD, TSS, FOG, or other parameters as determined by the POTW, or

(B) Less than twenty-five (25) percent of the wetted height of the grease trap or grease interceptor, as measured from the bottom of the device to the invert of the outlet pipe, contains floating materials, sediment, oils or greases.

4) In any event, a grease trap and grease interceptor shall be fully evacuated, cleaned, and inspected at least once every 180 days.

(e) Manifest Requirements

1) Each pump-out of a grease trap or interceptor must be accompanied by a manifest to be used for record keeping purposes.

2) Persons who generate, collect and transport grease waste shall maintain a record of each individual collection and deposit. Such records shall be in the form of a manifest. The manifest shall include:

(A) Name, addresses, telephone, and commission registration number of transporter;

(B) Name, signature, address, and phone number of the person who generated the waste and the date collected;

- (C) Type and amount(s) of waste collected or transported;
 - (D) Name and signature(s) of responsible person(s) collecting, transporting, and depositing the waste;
 - (E) Date and place where the waste was deposited;
 - (F) Identification (permit or site registration number, location, and operator) of the facility where the waste was deposited;
 - (G) Name and signature of facility on-site representative acknowledging receipt of the waste and the amount of waste received;
 - (H) The volume of the grease waste received; and
 - (I) A consecutive numerical tracking number to assist transporters, waste generators, and regulating authorities in tracking the volume of grease transported.
- 3) Manifests shall be divided into five parts and records shall be maintained as follows.
- (A) One part of the manifest shall have the generator and transporter information completed and given to the generator at the time of waste pickup.
 - (B) The remaining four parts of the manifest shall have all required information completely filled out and signed by the appropriate party before distribution of the manifest.
 - (C) One part of the manifest shall go to the receiving facility.
 - (D) One part shall go to the transporter, who shall retain a copy of all manifests showing the collection and disposition of waste.
 - (E) One copy of the manifest shall be returned by the transporter to the person who generated the wastes within 15 days after the waste is received at the disposal or processing facility.
 - (F) One part of the manifest shall go to the POTW within 15 days after the waste is received at the disposal or processing facility.
- 4) Copies of manifests returned to the waste generator shall be retained for five years and be readily available for review by the POTW.

(f) Alternative Treatment

- 1) A person commits an offense if the person introduces, or causes, permits, or suffers the introduction of any surfactant, solvent or emulsifier into a grease trap. Surfactants, solvents, and emulsifiers are materials which allow the grease to pass from the trap into the collection system, and include but are not limited to enzymes, soap, diesel, kerosene, terpene, and other solvents.
- 2) It is an affirmative defense to an enforcement of Section 4.11.003 (f) (1) that the use of surfactants or soaps is incidental to normal kitchen hygiene operations.
- 3) Bioremediation media may be used with the POTW's approval if the person has proved to the satisfaction of the POTW that laboratory testing which is appropriate for the type of grease trap to be used has verified that:
 - (A) The media is a pure, live bacterial product which is not inactivated by the use of domestic or commercial disinfectants and detergents, strong alkalis, acids, and/or water temperatures of 160/F (71/C).
 - (B) The use of the media does not reduce the buoyancy of the grease layer in the grease trap and does not increase the potential for oil and grease to be discharged to the sanitary sewer.
 - (C) The use of the bioremediation media does not cause foaming in the sanitary sewer.
 - (D) The BOD, COD, and TSS discharged to the sanitary sewer after use of the media does not exceed the BOD, COD, and TSS which would be discharged if the product were not being used and the grease trap was being properly maintained. pH levels must be between 5 and 11.
- 4) All testing designed to satisfy the criteria set forth in Section 4.11.003 (f) (3) shall be scientifically sound and statistically valid. All tests to determine oil and grease, TSS, BOD, COD, pH, and other pollutant levels shall use appropriate tests which have been approved by the Environmental Protection Agency and the Texas Commission on Environmental Quality and which are defined in Title 40, Code of Federal Regulations, Part 136 or Title 30, TEXAS ADMINISTRATIVE CODE §319.11. Testing shall be open to inspection by the POTW, and shall meet the POTW's approval.

Sec. 4.11.004

Schedule of Penalties

1. If the POTW determines that a generator is responsible for a blockage of a collection system line the generator shall owe a civil penalty of \$1,000 for the first violation, \$1,500 for a second violation, and \$2,000 for the third violation within a two-year period, Continuous violations shall result in an increase in penalty by \$500 and may also result in termination of services.
2. Any person violating any of the provisions of this Ordinance shall be subject to a written warning for the first violation, a \$1,000 civil penalty for the second violation, a \$1,500 civil penalty for the third violation, and a \$2,000 civil penalty for the fourth violation within a two- year period. Consistent violations will result in a \$500 increase in civil penalty and may result in termination of service.

Sec. 4.11.005

Enforcement

The Director of Utilities or his/her designee shall have the administrative authority to enforce this ordinance. Whenever the City finds that any user has violated or is violating this ordinance, or any prohibition, limitation, or requirements contained in the ordinance, the City will implement the enforcement response plan. Enforcement response necessary to initiate corrective action may include but not be limited to the following:

1. Notice of violation. The city may serve upon any user a written notice stating the nature of violation. Within 24 hours of the time and date of the notice or first regular work day, a plan for the satisfactory correction thereof shall be submitted for approval by the Director of Utilities.
2. The City of San Juan may suspend water service when such suspension necessary, in the opinion of the Director, in order to stop an actual or threatened discharge which:
 - a) Presents or may present an imminent or substantial endangerment to the health or welfare of persons or the environment; and/or
 - b) Causes stoppages or excessive maintenance to be performed to prevent stoppages in the sanitary sewer system.

Any person notified of a suspension of water service shall immediately stop or eliminate the discharge. In the event of a failure of the person to comply voluntarily with the suspension order, the city shall take such steps as deemed necessary, including immediate termination of water utility services, to prevent or minimize damage to the sanitary sewer collection system or endangerment of any individuals.

The City of San Juan shall reinstate utility services when such conditions causing the suspension have been corrected or eliminated. A detailed written statement submitted by the user describing the cause(s) of the violation and the measure(s) taken to prevent any future occurrence shall be submitted to the City of San Juan, Director of Utilities, within fifteen days of the date of the

occurrence.

Sec. 4.11.006 **Injunctive Relief**

A person who causes a violation of this Article is subject to a suit for injunction as well as prosecution for criminal violations.

SECTION 3. REPEALER CLAUSE.

This Ordinance shall be cumulative of all other ordinances dealing with the same subject and any provision of any ordinance in direct conflict with any provision of this Ordinance is hereby repealed and the provisions of this Ordinance shall supersede any provisions in conflict herewith; all provisions of any other ordinance not in conflict herewith shall remain in full force and effect.

SECTION 4. SAVINGS CLAUSE.

If any section, part, or provision of this ordinance is declared unconstitutional or invalid, by a court of competent jurisdiction, then, in that event, it is expressly provided, and it is the intention of the City Commission in passing this ordinance that its parts shall be severable and all other parts of this ordinance shall not be affected thereby and they shall remain in full force and effect.

SECTION 5. CODIFICATION CLAUSE.

The provisions of Section I of this Ordinance are to be published in the location indicated in the Code of Ordinances of the City of San Juan, Texas, as soon as practicable.

SECTION 6. PUBLICATION AND EFFECTIVE DATE.

This Ordinance shall take effect immediately upon its passage and publication according to law.

READ, CONSIDERED, PASSED AND APPROVED on first reading at a regular meeting of the City Commission of the City of San Juan, Texas, at which a quorum was present and which was held in accordance with Vernon's Texas Codes Ann., Government Code, Section 551.041, on the ____ day of _____, 2017.

READ, CONSIDERED, PASSED AND APPROVED on second and final reading at a regular meeting of the City Commission of the City of San Juan, Texas, at which a quorum was present and which was held in accordance with Vernon's Texas Codes Ann., Government Code, Section 551.041, on the ____ day of _____, 2017.

Mario Garza, Mayor

ATTEST:

Diana Cavazos, City Secretary

APPROVED AS TO FORM:

Palacios, Garza & Thompson, P.C.
City Attorney

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
NOVEMBER 14, 2017

Consider the Approval of the Budget for Economic Development Corporation 2017-2018.

STAFF COMMENTS AND RECOMMENDATIONS:

Enclosed please find the proposed budget for Economic Development Corporation 2017-2018 for your consideration and approval. The budget has already been approved by the Economic Development Corporation Board.

RECOMMENDATION:

Consider Approval of the Budget for Economic Development Corporation 201-2018 as Recommended by Staff.

PREPARED BY:

Benjamin Arjona,
City Manager

APPROVED BY:

Benjamin Arjona, City
Manager

APPROVED BUDGET 2017-18

REVENUES

SALES TAX	\$	878,460.00
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TOTAL REVENUES	\$	878,460.00
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EXPENSES

SALARIES	\$	115,000.00
OVERTIME	\$	2,000.00
SOCIAL SEC. TAX	\$	8,500.00
HEALTH INSURANCE	\$	14,000.00
RETIREMENT	\$	3,560.00
WORKERS COMP	\$	550.00
UNEMPLOYMENT	\$	450.00
ADVERTISING	\$	5,000.00
ACCT. SERVICES	\$	12,000.00
AUDIT	\$	7,500.00
INTERNET	\$	2,500.00
PRINTING	\$	1,200.00
POSTAGE & SHIPPING	\$	1,200.00
COPIERS	\$	4,500.00
TELEPHONE	\$	6,500.00
AUTO ALLOW. & MILEAGE	\$	3,000.00
OFFICE RENTAL	\$	35,000.00
UTILITIES	\$	5,000.00
LEGAL	\$	40,000.00
PROFESSIONAL SERV.	\$	36,000.00
PROMOTIONAL	\$	12,000.00
CONTRACTUAL SERVICES	\$	11,000.00
LOCAL SPONSORSHIPS	\$	4,000.00
OFFICE SUPPLIES	\$	2,500.00
OTHER SUPPLIES	\$	2,800.00
MAPS & PLANS	\$	2,500.00
UNIFORMS/SHIRTS	\$	1,800.00
MEETING EXPENSES	\$	2,400.00
TRAVEL & TRAINING	\$	18,000.00
MEMBERSHIPS	\$	12,000.00
CITY EVENTS	\$	30,000.00
DEBT SERVICE	\$	350,000.00
UNOBLIGATED	\$	126,000.00

TOTAL EXPENSES	\$	878,460.00
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Approved at a Board of Directors Meeting held on
August 31, 2017 at which a quorum was present.

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
NOVEMBER 14, 2017

Consider Adoption of a Preliminary Budget for Fiscal Year 31 (2018) of the Hidalgo County Urban County Program.

STAFF COMMENTS AND RECOMMENDATIONS:

Enclosed in this packet please find the recommended preliminary budget for Fiscal Year 31 (2018) of the Hidalgo County Urban County Program. This budget is subject to changes as dictated by officials from the Urban County Program.

Staff recommends \$3,000.00 for administrative expenses, \$4,000.00 to Senior Community Outreach, \$7,500.00 to Amigos Del Valle, \$7,500.00 to the Boys and Girls Club of Alamo/San Juan, \$5,000.00 to CASA of Hidalgo County, \$5,000.00 to Nuestra Clinica del Valle, and \$244,051.00 for street improvements.

The \$244,051.00 for street improvements would cover the materials and engineering/geotechnical expenses for the repaving of the streets in the High School East Subdivision except for Andrews Street.

RECOMMENDATION:

Adopt a preliminary budget for Fiscal Year 31 (2018) of the Hidalgo County Urban County Program.

PREPARED BY:

Xavier Cervantes,
Director of Planning
and Zoning

APPROVED BY:

Benjamin Arjona, City
Manager

AVAILABLE FUNDS: \$ 276,051.00

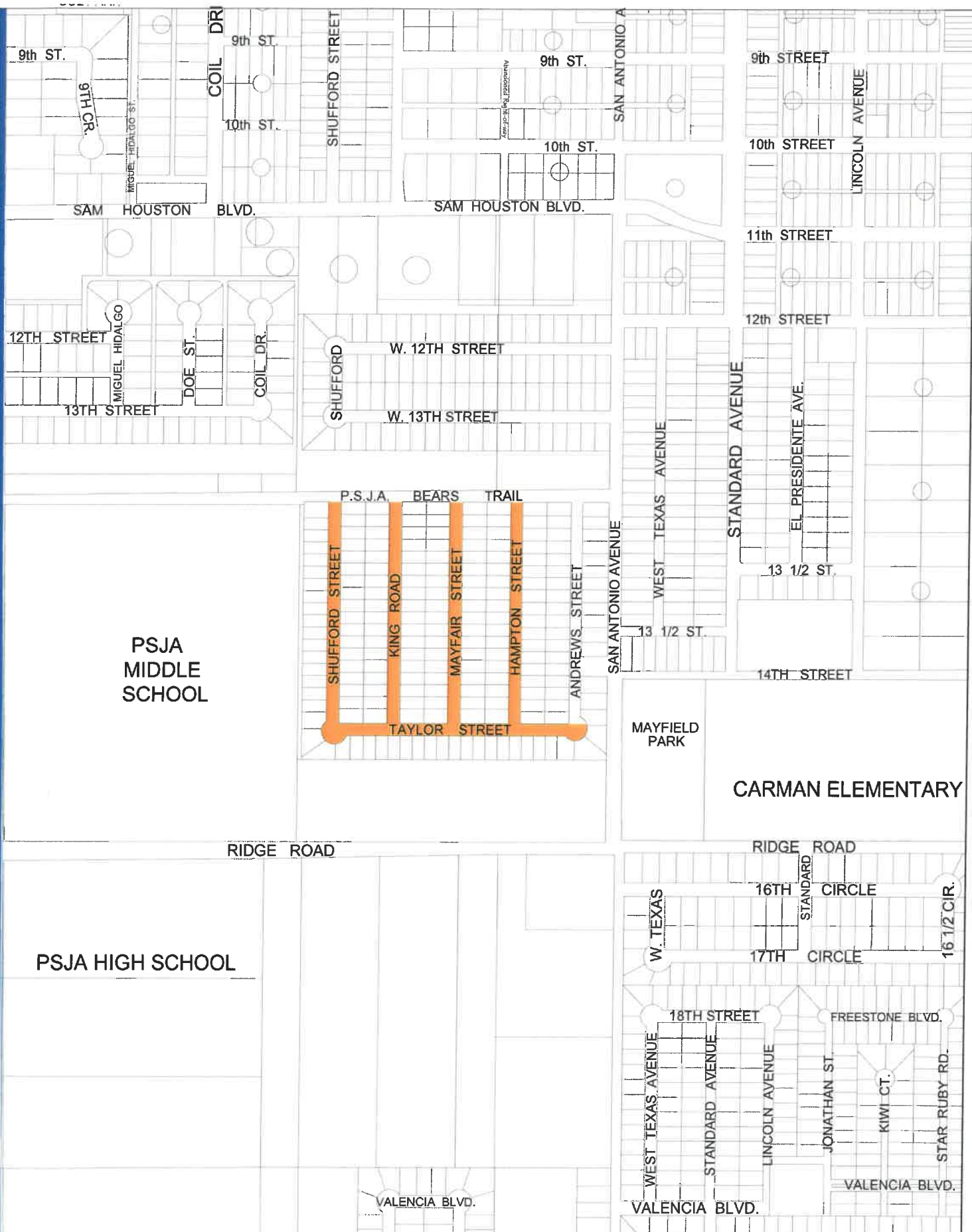
MATRIX	PROJECT NAME	ESTIMATED
CODE	BRIEF DESCRIPTION (INCLUDE AGENCY NAME)	AMOUNT
21A	General Administration	\$ 3,000.00
03J	Street Improvements -High School East Subdivision	\$ 244,051.00
05A	Senior Services-Sr. Community Outreach	\$ 4,000.00
05A	Senior Services-Amigos Del Valle	\$ 7,500.00
05	Public Services(General)- B&G Club of Alamo/SJ	\$ 7,500.00
05N	Abused & Neglected Children-CASA of Hidalgo	\$ 5,000.00
05M	Nuestra Clinica del Valle	\$ 5,000.00
	TOTAL:	\$ 276,051.00

**URBAN COUNTY PROGRAM
ALLOCATION OF FUNDS FOR SOCIAL SERVICES AGENCIES**

Senior Services - Sr. Community Outreach
 Senior Services - Amigos del Valle
 Public Services - Boys and Girls Club Alamo-San Juan
 Abused and Neglected Children-CASA of Hidalgo County
 Nuestra Clínica del Valle

FY 29 FUNDED	FY 30 FUNDED	FY 31 REQUESTED	FY 31 STAFF RECOMMENDED
\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00
\$ 7,500.00	\$ 7,500.00	\$ 10,000.00	\$ 7,500.00
\$ 7,500.00	\$ 7,500.00	\$ 13,500.00	\$ 7,500.00
\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
\$ 5,000.00	\$ 5,000.00	\$ 25,000.00	\$ 5,000.00
\$ 29,000.00	\$ 29,000.00	\$ 57,500.00	\$ 29,000.00

VETERANS BLVD. ("I" RD.)



Urban County Program Project - 2018 Funds

Senior Community Outreach Services, Inc.

840 West Austin Avenue
Alamo, Texas 78516-2516

Phone: (956) 787-9524

Fax: (956) 702-2717



October 24, 2017

Mr. Javier Cervantes Director
City of San Juan
Community Development Department
709 South Nebraska Street
San Juan, Texas 78589



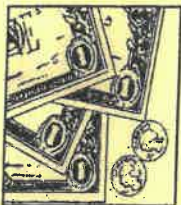
Companionship



Home Care



Hospice Care



Home Management



Transportation

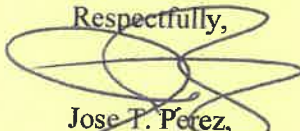
Dear Mr. Cervantes

Thank you for your invitation to attend The City of San Juan Public meeting in reference to the Community Development Block Grant (CDBG) funding. Please be advised that we are still interested in partnering with the City of Juan to address the social and economic needs of the elderly and adults with disabilities that are living with limited income and need help in advocacy and assistance in applying for support services available in our community.

Senior Community Outreach Services, Inc. in the past month has relinquishment of Senior Companion Program (SCP) and hereby would like to change our focus in our 2018 request for funding from the CDBG Program.

We would like to utilized the \$4,000 to provide a unique service using a person-center approach to find and assist Medicare beneficiaries both seniors and younger people with disabilities and assist in completing applications for all the need -based public benefits for which they may be eligible. The Project is Benefit Enrollment Center (BEC) which will use a person-centered strategy in coordinated, community wide system to find and complete applications on behalf of Medicare beneficiaries, both seniors and person with disabilities who have limited income and resources in available benefits. The primary focus being on submitting applications for the following: Medicare Part-D Extra Help (or Low-Income Subsidy, LIS), Medicare Saving Program, (MSP) Medicaid, Supplemental Nutrition Assistance Program (SNAP) and Low-Income Energy Assistance (LIHEAP). We will be responsible to find and screen and filing application of at least 100 Medicare beneficiaries for all benefits for which they are eligible. Should you have any question please let me know.

Respectfully,


Jose T. Perez,
Executive Director

Mr. Trino Medina
Board Chairman
Alamo, Texas

Armando Dominguez
Board Director
Mercedes, Texas

Mr. Francisco Briones
Board Director
Alamo, Texas

Mrs. Marie Salazar
Board Vice Chair
Pharr, Texas

Mr. Juan Cedillo
Board Director
Pharr, Texas

Mr. Juan Alvarado
Board Director
Donna, Texas



4138 Crosspoint Blvd.
Edinburg, Texas 78539
Phone: (956) 213-9400
Fax: (956) 213-8119

BOARD OFFICERS:

GERARDO "JERRY" TAFOLLA
City Commissioner, Weslaco
President
SONIA GALLEGOS
Mayor Pro Tem, Donna
Vice-President
VICTOR LEAL
City Commissioner, Harlingen
Secretary
NORIE GARZA
Mayor Pro Tem, Mission
Treasurer
BASILIO SANCHEZ
Representative, Cameron County
Senior Member

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Commissioner, Pharr
RAUL GONZALES
Hidalgo County
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County Commissioner, Willacy County
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City of McAllen, Mayor
CHRIS TAMEZ
City of Raymondville
ANTONIO GONZALES
Commissioner, San Benito
RAUDY MALDONADO
Commissioner, San Juan
CRISTELLA DE LEÓN HERNANDEZ
Commissioner, Mercedes
RICHARD GARCIA
Mayor, Edinburg
BEN NEECE
Commissioner, Brownsville
SONIA FALCON
Finance / Banking

ALEJANDRO GUERRA
EXECUTIVE DIRECTOR

October 10, 2017

Mr. Benjamin Arjona
City Manager
City of San Juan
709 S. Nebraska
San Juan, Texas 78589

Re: Letter of request for CDBG Funds FY 2018-2019

Dear Mr. Arjona:

Amigos Del Valle, Inc. is respectfully requesting **\$10,000** in CDBG funds for fiscal year 2018-2019. These funds will continue to be utilized to provide home delivered meals to **Twelve (12)** eligible citizens for 167 days that reside within the **City of San Juan**. For your city, we currently have 40 eligible residents on the waiting list.

With your continued financial support, we will be able to continue providing much-needed meals to the homebound seniors to assist them to continue to live as healthy, independent, productive, and self-sufficient lives as possible.

Please be assured that we are very grateful for your proven generous and valuable financial and moral support for our agency's projects throughout our forty-three (43) years of experience.

Our contact person is Ms. Anita Jenny, Executive Administrative Assistant, and she can be reached at (956)213-9400, Ext 3215 or at her email address: ajenny@advrgv.org any information you may provide her regarding applications, procedures, and deadlines will be greatly appreciated.

Sincerely,

Alejandro Guerra
Executive Director



"Providing 43 Years of Service"
1974 - 2017

October 9, 2017

Honorable Commissioner Eduardo "Eddie" Cantu
Hidalgo County Precinct # 2
300 W. Hall Acres Suite G
Pharr, TX 78577

Re: Boys & Girls Club of Alamo-San Juan
Needs Assessment for UCP Year 31 (2018-2019)

Commissioner Cantu:

Thank you for last year's funding and support of the Boys & Girls Club of Alamo-San Juan. The City's past yearly assistance of \$13,500 has helped pay the salaries of the program director and program leaders serving precinct 2 youth. These staff members have direct contact with member children of the community, act as mentors, and provide direction in the program activities for both the young people and volunteers.

This year funds are being requested to help with our normal programming such as Power Hour. Power Hour reinforces and enhances the skills and knowledge young people learn at school during the hours they spend at the Club. Research shows that students do much better in school when they spend their non-school hours engaged in fun and academically beneficial activities. Project Learn allows club staff to use all program areas to create opportunities for these *high-yield learning activities*, which include leisure reading, writing activities and homework tutoring.

At this time, the Boys & Girls Club of Alamo-San Juan is requesting UCP funding in the amount of \$13,500 in support of the services it provides to 75 youth from Precinct 2.

If any other information is needed or if there are any questions regarding the Club's programs or operation, please feel free to contact me.

Sincerely,

Vivian G. Garcia
Interim Chief Professional Officer



BOYS & GIRLS CLUBS
OF ALAMO-SAN JUAN

**Boys & Girls Club
of Alamo Inc.**
501 North 13th Street
Alamo, TX 78516
Tel: 956-782-5437
Fax: 956-782-0741
Email: bgclub_alamosajuan@yahoo.com
www.782KIDS.org

**Board of Directors
Officers**

Jorge Arcaute
President

Jesus Vela, Jr.
Vice President

Melisa Gonzalez
Secretary

Trino Medina
Treasurer

Members
Richard Chavez
Diana Martinez
Roxanne Dela Garza

Chief Professional Officer
Vivian G. Garcia

GREAT FUTURES START HERE.



CASA of Hidalgo County Inc.

Ph: (956) 381-0346 Fax: (956) 381-9232

October 25, 2017

Executive Committee

John Escamilla
Board Chair

Dr. Mona Parras
Vice-Chair

Janette Gonzalez
Treasurer

Board Members

Emilio Santos
Erica Ann Perez
Dr. Richard Gillette
Marissa Sandoval Rodriguez
Patricia Palacios-Love

Advisory Board Members

Letty Garza

Honorary Board Member

Alonzo Cantu

Interim Executive Director

Lupe Silva

City of San Juan
Benjamin Arjona
City Manager
709 S. Nebraska
San Juan, Texas 78589

Dear Mr. Arjona:

We are respectfully submitting a request for funding from the City of San Juan in the amount of \$5000.00.

Court Appointed Special Advocates (CASA) is a non - profit 501 (c) (3) organizations that provide a voice in the Courts, in the best interest of the innocent children who are victims of abuse and neglect. For twenty five years (25) our program has made a difference in the lives of over 3,000 abused and neglected children, who have been placed in foster care because the abuse has been significantly severe.

The need for our program is evident, as 5 children in Hidalgo County lost their lives this year due to abuse and neglect. Currently there are over 700 children in foster care in Hidalgo County, and Child Protective Services estimates there will be over 800 by year's end. Last year alone we provided services to 16 victims from the City of San Juan. We were able to use all of the \$5000.00 allocated to CASA. In order to continue our services to the victims of abuse and neglect in the City of San Juan, we ask that you continue your support of our program.

We thank you for your previous support and appreciate your ongoing support.

Sincerely,

Lupe Silva
Interim Executive Director
CASA of Hidalgo County, Inc.

NUESTRA CLINICA DEL VALLE

ADMINISTRATIVE OFFICES
P.O. BOX 1689 PHARR, TEXAS 78577
956-787-8915

October 10, 2017

Mario Garza, Mayor
City of San Juan
709 S. Nebraska
San Juan, TX 78589

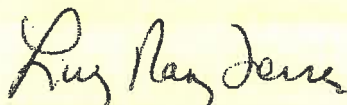
Dear Mayor Garza:

Please accept this as Nuestra Clinica del Valle's letter of intent to seek funds in the amount of \$25,000 from Urban County/CDBG funds for program year 31 (2018-2019).

Nuestra Clinica Del Valle (NCDV) will provide medical, dental and behavioral services to uninsured, economically disadvantaged residents in the City of San Juan. NCDV will provide medical, dental and behavioral services to 300 adults and children who would otherwise have no access to these services.

Please contact our office regarding additional information required in order to expedite our request.

Sincerely,



Lucy Ramirez Torres
Chief Executive Officer

1200 E. Santa Rosa / P.O. Box 355
Edcouch, TX 78538
956-262-1363

1500 First Street
Mercedes, TX 78570
956-565-3191

611 N. Bryan Rd.
Mission, TX 78572
956-580-3303

301 S. 17th St.
Donna, TX 78537
956-464-5809

801 W. 1st Street
San Juan, TX 78589
956-787-0787

201 S. Los Ebanos
Alton, TX 78574
956-519-1800

300 N. 86th St.
San Carlos, TX 78539
956-287-8850

600 N. Garza, Suite A
RG. Tex. 78582
956-487-0846

2891 E. Grant
Roma, Texas 78584
956-849-2100

2900 Raul Longoria
San Juan, TX 78589
956-781-6077

806 W. 3rd St.
San Juan, Texas 78589
956-787-0787

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
NOVEMBER 14, 2017

Consider Preliminary and Final Plat Approval of the Hinojosa Acres Subdivision being a 2.0 acre tract of land out of Lot 7, Block 9, Block 13 and Lot 5, Block 13, John Closner Subdivision, Located Approximately 600 feet South of Moore Road along the East Side of Nebraska Avenue as Requested by Homero Gutierrez.

STAFF COMMENTS AND RECOMMENDATIONS:

Mr. Hinojosa is proposing to subdivide 2.00 acres into a lot in order to build a house with an entrance along Nebraska Avenue. The property is located approximately 600 feet South of Moore Road, along the East side of Nebraska Avenue. The property is located outside the city limits of San Juan. Sewer service is not available, however, water service is provided by the City of San Juan.

The proposed subdivision is located outside the city limits within the City of San Juan's Extraterritorial Jurisdiction (ETJ). A letter from the property owner requesting annexation to the City of San Juan must be submitted prior to subdivision recording.

It is noted that the Project Engineer is requesting the following variances: 1) To not have to connect to the City sewer system and to not have to escrow the funds in lieu of connecting to the system. 2) To not have to escrow funds for 10 feet of additional pavement, curb and gutter and a 5-foot sidewalk along South Nebraska Avenue. 3) To not have to submit a letter requesting annexation to the City of San Juan.

RECOMMENDATION:

During their meeting of October 19 the Planning and Zoning Commission recommended the preliminary and final plat subject to the list of conditions granting variance number 1 and 2 and not granting variance request number 3.

PREPARED BY:

Xavier Cervantes,
Director of Planning
and Zoning

APPROVED BY:

Benjamin Arjona, City
Manager

MEETING DATES:
PLANNING AND ZONING COMMISSION – 10/19/2017
CITY COMMISSION – 11/14/2017
DATE PREPARED – 10/31/2017

PAGE 1

STAFF REPORT
GENERAL INFORMATION

APPLICATION: Preliminary and Final Plat Approval of the Hinojosa Acres Subdivision.

APPLICANT: Edgar A. Hinojosa

SURVEYOR/ENGINEER: Homero Gutierrez, P.E.

LEGAL: A 2.00 acres out of Lot 7, Block 9, Lot 4, Block 13 and Lot 5, Block 13, John Closner Subdivision.

LOCATION: Located approximately 600 feet South of Moore Road along the East side of Nebraska Avenue.

LOT/TRACT SIZE: 2.00 acres

EXISTING LAND USE AND ZONING: North – Outside city limits
South – Outside city limits
West – Residential/Single-Family Residence District (R-S)
East – Outside city limits

ACCESS AND CIRCULATION: The property has access onto Nebraska Avenue.

PUBLIC SERVICES: Water is provided by the City of San Juan. Sewer service is not available.

VARIANCE REQUEST: The applicant is requesting the following variances (see enclosed letter):

1. To not connect to the city sanitary sewer system.
2. To not escrow funds for additional pavement and curb and gutter along Nebraska Avenue.

RECOMMENDATION: Staff recommends approval of the preliminary and final plat subject to the conditions outlined in the staff's report. A comprehensive evaluation and identification of the conditions for approval is on the following page(s).

EVALUATION AND CONDITIONS FOR APPROVAL

Mr. Hinojosa is proposing to subdivide 2.00 acres into one (1) residential lot in order to build a house with an entrance along Nebraska Avenue. The property is located approximately 600 feet South of Moore Road, along the East side of Nebraska Avenue. The property is located outside the city limits of San Juan. Sewer service is not available, however, water service is provided by the City of San Juan.

The proposed subdivision is located outside the city limits within the City of San Juan's Extraterritorial Jurisdiction (ETJ). A letter from the property owner requesting annexation to the City of San Juan must be submitted prior to subdivision recording.

It is noted that the Project Engineer is requesting a variance to not have to connect to the sanitary sewer system based on the fact that the nearest available sewer line is located several hundred feet of the proposed development and he is also asking not to escrow funds for 10 feet of additional pavement and curb and gutter along Nebraska Avenue. The development has agreed to pay a prorated fee for future sewer improvements.

PLAT REQUIREMENTS

Plat:

1. A 15-foot utility easement is required along the perimeter of the subdivision as per the ordinance.
2. A 10-foot of additional Right-of-way dedication along Nebraska Avenue is required as per the Hidalgo County Thoroughfare Plan.
3. Plat note: Sidewalk along Nebraska Avenue to be required during the building permit process.

Sewer:

1. No sewer is presently available in the area. Will need a variance to be able to use a septic tank.
2. Must escrow \$3,358.78 per acre to connect to the city sewer system in the future (\$6,717.56 total)

Miscellaneous:

1. Notarized letter requesting annexation to the City of San Juan must be submitted prior to subdivision recording.
2. Escrows must be submitted prior to subdivision recording for 10 feet of additional pavement and curb and gutter along Nebraska Avenue.

Additional Fees:

1. Recording Fee \$106.00
2. Hidalgo County Drainage District \$250.00
3. A Park Dedication Fee of \$575.00 per lot being platted for single-family residential (\$575.00 total)
4. A 4% Inspection Fee shall be paid to the City of San Juan based on the final estimates for paving improvements inspected by the City.

ATTACHMENTS: Location Map
 Aerial Photo
 Zoning Map
 Subdivision Plat
 Variance Request Letter
 Photos

FINAL RESOLUTION OF REQUEST & COMMENTS:

P&Z – 10/19/17 Commissioner Zambrano made a motion to grant the variances to not have to connect to the sanitary sewer (including not having to pay the sewer escrows) and not to have to escrow for the additional pavement and curb and gutter and sidewalk along Nebraska Avenue but not granting the annexation variance. Commissioner Magallan seconded the motion. The motion passed with a (4-0) vote.

Commissioner Magallan made a motion to remove the item from the table. Commissioner Gonzalez seconded the motion. The motion passed with a (4-0) vote.

Mr. Cervantes said that staff has no objections to the first variance as there are no sanitary sewer lines nearby and it does not make sense for the developer to extend a sewer line over one thousand feet for just one residential lot. He said that the Commission had granted this type of variance for different subdivisions along Veteran's Boulevard where it is not feasible to connect to the city sewer system. He said that those other subdivisions had to pay a pro-rata fee so that when the city extends the sewer lines they already have paid their pro-rata share of the cost. Mr. Cervantes stated previously a fee of \$3,358.78 per acre has been paid by other developers as escrow in lieu of the sewer line extension.

In regards to the second variance Mr. Cervantes said that when a subdivision takes place along a collector street or arterial roadway the city policy is to request funds for additional pavement with curb and gutter and sidewalks or the developer has the option to undertake the improvements. In case the city widens the road in the future, the developer would already have paid his share of the widening of the road. He said that he didn't see a problem granting that variance because the expansion of Nebraska Avenue in that area is highly unlikely since Nebraska dead ends at Hall Acres Road.

Mr. Cervantes said that by city ordinance every new subdivision being processed in the ETJ is required to request annexation.

Isidro Fernandez said that during the previous meeting the board granted a variance to not to have to connect to the sewer system and not have to escrow for additional pavement and curb and gutter along Nebraska Avenue. Mr. Cervantes said that the item was tabled at the previous meeting and no action was taken. Mr. Fernandez said that he has the same concern about paying the \$6,700.00 for the sewer when there are no sewer is available and is out of Mr. Hinojosa's budget. Also, the additional pavement and curb and gutter when no plans for Nebraska Avenue to be widened is an

issue of concern. He added that the waiver of these fees would allow him to build a bigger house. Mr. Fernandez said that Mr. Hinojosa's main concern is that he has cattle on the property and that is the reason why Mr. Hinojosa purchased the property outside of the city limits and that is why he prefers not to be annexed into the City.

Mr. Hinojosa, property owner, said the reason he purchased the property was because a friend of his lives adjacent to the property he purchased. He said he just wants to subdivide the property into one residential lot in order to get a building permit to build his new home. He said that he can install the septic tank to service the residence. Chairwoman Castillo asked Mr. Hinojosa when he purchased the property; Mr. Hinojosa said about a year ago. Chairwoman Castillo asked if the surrounding property owners are outside of the city limits; Mr. Cervantes said yes.

Commissioner Gonzalez asked if Mr. Hinojosa can build a house without annexing into the city. Mr. Cervantes responded that the annexation is a requirement of the subdivision process and he will not be able to obtain a building permit for the house without subdividing the property. He added that he cannot complete the subdivision process unless he submits a letter requesting annexation unless the variance is granted.

Chairwoman Castillo said that at the previous meeting they had tabled the item because they wanted more information regarding the escrows for the widening of the street in order to come to an agreement with Mr. Hinojosa. Mr. Cervantes said that an agreement, as mentioned in the previous meeting, is not feasible since Mr. Hinojosa could sell the property next year and the agreement would become null and void.

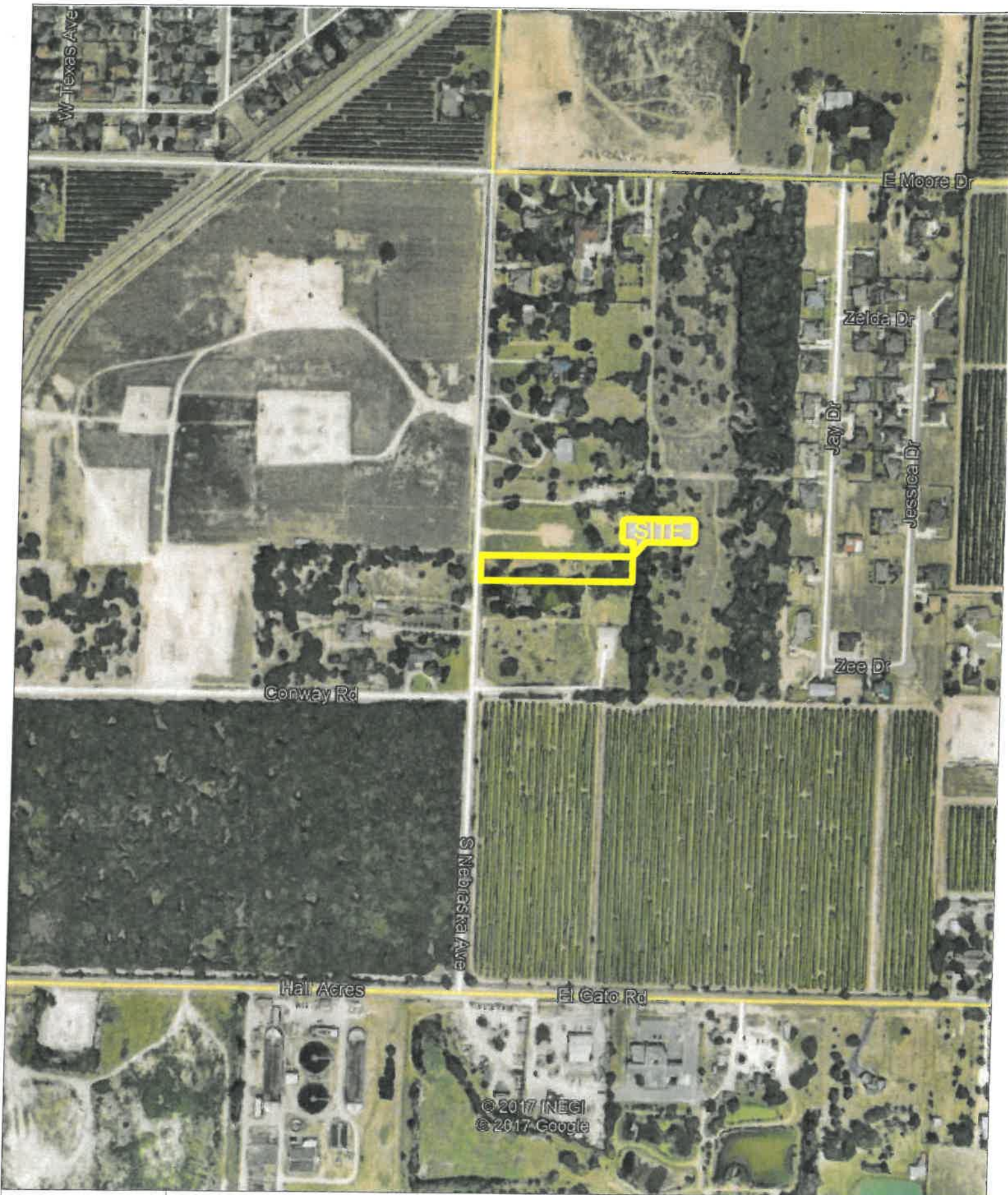
Chairwoman Castillo asked Mr. Cervantes if it was true that Mr. Hinojosa's friend did not have to annex into the city. Mr. Cervantes responded that if true, it was something that was done before he started working for the City of San Juan. Mr. Cervantes pointed out to the Medina Estates Subdivision along East Eldora Road in which the developer also did not want to be annexed into the City but had to submit the letter in order to complete the subdivision process. The City annexed the subdivision soon after.

Mr. Cervantes said that the animals that are on the property at the time of the annexation will become legal non-conforming animals and could stay. He said that the annexation law changed recently and the City cannot annex any properties involuntarily unless there is an election of the people being annexed with the majority agreeing to being annexed. Chairwoman Castillo said that she wants the city to grow and this the only way we have left to do it.

Commissioner Zambrano said that he thinks that the board should grant variance request number 1, to not have to connect to the sanitary sewer with the waiver of the fees and number 2, to not have to escrow for the additional pavement and curb and gutter along Nebraska but not grant the annexation variance.

Commissioner Gonzalez asked if there were any other restrictions for Mr. Hinojosa besides the animals on the property that would be grandfathered in. Mr. Cervantes said no, Mr. Hinojosa will have all city services (police, fire and utilities) and he would get to vote in the city elections.



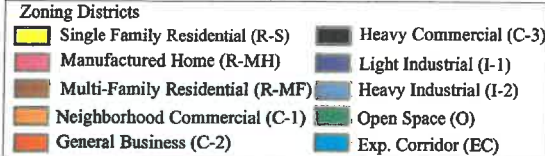


Legend

- CITY LIMITS
- Proposed area

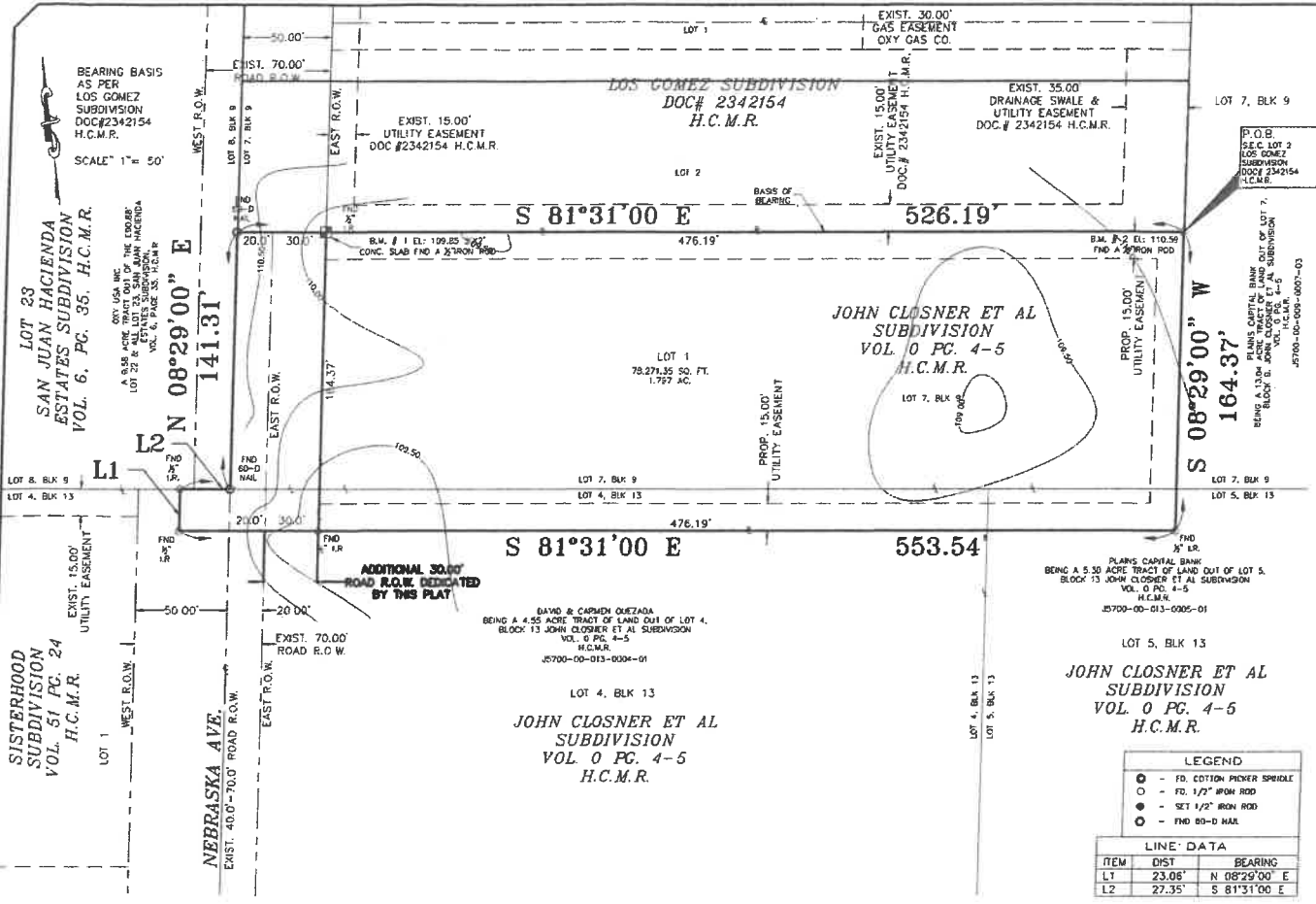
Preliminary and Final Plat Approval of the Hinojosa Acres Subdivision being a 2.00 acres out of Lot 7, Block 9, Lot 4, Block 13 and Lot 5, Block 13, John Closner Subdivision, located approximately 600 feet South of Moore Road along the East side of Nebraska Avenue, as Requested by Homero Gutierrez.





Page 62





STATE OF TEXAS
COUNTY OF HIDALGO

OWNER'S DEDICATION, CERTIFICATION, AND ATTESTATION:

I, EDGAR ADRIAN HINOJOSA, AS OWNER (S) OF THE 2.000 ACRE TRACT OF LAND ENCOMPASSED WITHIN THE PROPOSED "HINOJOSA ACRES SUBDIVISION", HEREBY SUBDIVIDE THE LAND AS DEPICTED IN THIS SUBDIVISION PLAT AND DEDICATED TO PUBLIC USE THE STREET, PARK, AND EASEMENTS SHOWN HEREIN.

I CERTIFY THAT I HAVE COMPLIED WITH THE REQUIREMENTS OF TEXAS LOCAL GOVERNMENT CODE 232.032 AND THAT:

(A) THE WATER QUALITY AND CONNECTIONS TO THE LOTS MEET, OR WILL MEET, THE MINIMUM STATE STANDARDS;

(B) SEWER CONNECTIONS TO THE LOTS OR SEPTIC TANKS MEET, OR WILL MEET, THE MINIMUM REQUIREMENTS OF THE STATE STANDARDS;

(C) ELECTRICAL CONNECTIONS PROVIDED TO THE LOTS MEET, OR WILL MEET, THE MINIMUM STATE STANDARDS; AND

(D) GAS CONNECTIONS, IF AVAILABLE, PROVIDED TO THE LOTS MEET, OR WILL MEET, THE MINIMUM STATE STANDARDS. I ATTEST THAT THE MATTERS ASSERTED IN THIS PLAT ARE TRUE AND COMPLETE.

EDGAR ADRIAN HINOJOSA
1312 EAST JACKSON AVE.
PHARR, TEXAS 78577

DATE

STATE OF TEXAS
COUNTY OF HIDALGO:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____ KNOWN TO ME BY THE PERSON (S) WHOSE NAME (S) IS (ARE) SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR PURPOSED AND CONSIDERATION THEREIN STATED, GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____ 2017.

NOTARY PUBLIC
MY COMMISSION EXPIRES ON _____

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEXAS WATER CODE 49.21(c). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF DEVELOPER OF THE SUBDIVISION AND ITS ENGINEER TO MAKE THESE DETERMINATIONS.

DISTRICT MANAGER

DATE

STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED, CHAIRPERSON OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF SAN JUAN HEREBY CERTIFY THAT THIS SUBDIVISION PLAT KNOWN AS HINOJOSA ACRES SUBDIVISION CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED AND HAS BEEN APPROVED FOR RECORDING ON THE _____ DAY OF _____ 2017.

PLANNING & ZONING COMMISSION CHAIRPERSON

DATE:

HIDALGO COUNTY
CERTIFICATE OF PLAT APPROVAL

I, THE UNDERSIGNED CERTIFY THAT THIS PLAT OF HINOJOSA ACRES SUBDIVISION WAS REVIEWED AND APPROVED BY THE HIDALGO COUNTY HEALTH DEPARTMENT ON _____ 2017.

ENVIRONMENTAL HEALTH DIVISION MANAGER

DATE

HIDALGO COUNTY
CERTIFICATE OF PLAT APPROVAL

I, THE UNDERSIGNED CERTIFY THAT THIS PLAT OF HINOJOSA ACRES SUBDIVISION WAS REVIEWED AND APPROVED BY THE HIDALGO COUNTY RIGHT OF WAY DEPARTMENT ON _____ 2017.

HIDALGO COUNTY RIGHT OF WAY DIRECTOR

DATE

HIDALGO COUNTY
CERTIFICATE OF PLAT APPROVAL
UNDER LOCAL GOVERNMENT CODE § 232.028(A)

WE, THE UNDERSIGNED CERTIFY THAT THIS PLAT OF HINOJOSA ACRES SUBDIVISION WAS REVIEWED AND APPROVED BY THE HIDALGO COUNTY COMMISSIONERS COURT ON _____ 2017.

HIDALGO COUNTY JUDGE

DATE

HIDALGO COUNTY CLERK

DATE

HIDALGO COUNTY
CERTIFICATE OF PLAT APPROVAL

HIDALGO COUNTY IRRIGATION

THIS PLAT IS HEREBY APPROVED BY THE _____ DAY OF _____

NO IMPROVEMENTS OF ANY KIND (IF BUILDINGS) SHALL BE PLACED UPON EASEMENTS.

SECRETARY

PRESIDENT - H.C.I.D. NO. 2

STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED MAYOR OF THE CITY OF SAN JUAN, HEREBY CERTIFY THAT THIS PLAT OF HINOJOSA ACRES SUBDIVISION CONFORMS TO ALL REQUIREMENTS OF THE CITY.

CITY OF SAN JUAN, CLERK

CITY OF SAN JUAN, MAYOR

THIS DOCUMENT IS RELEASED FOR PRELIMINARY REVIEW, AND THE AUTHORITY OF HOMERO LUIS GUTIERREZ, MAY 31, 2017, IT IS NOT TO CONSTRUCTION, BIDDING, AND

HLG PLAN REV
HOMERO L. GUTIERREZ
2600 SAN DIEGO, MISSION, TEXAS 78572
TBPE Firm License

HLG PLAN REVIEW SERVICES
HOMERO L. GUTIERREZ. P.E., OWNER
P.O. Box 548
Mission, Texas 78505
Tel: 956-369-0988
TBPE Firm Licensed No. F-10426

October 2, 2017

City of Commission
City of San Juan
709 S. Nebraska
San Juan, Texas 78589
(956) 223-2210

Dear Mayor,

Re: Hinojosa Acres Subdivision-Variance to the Sanitary Sewer Improvements & Additional Pavement Section along Nebraska Road

On behalf of the owner, Edgar Adrian Hinojosa, we would like to request a variance to the Sanitary Sewer Improvements as well as the escrow fees and for the additional pavement section along Nebraska Road. Please note that the closest sewer line is located approximately 2,000.0 feet north from the above described tract of land. In addition the owner requests a variance from the requirement that he has to submit a letter requesting annexation to the City of San Juan.

Your consideration is appreciated and should you have any questions, or require additional information, please do not hesitate to call me at (956) 369-0988 or (956) 854-5515.

Sincerely,


Homero L. Gutierrez, P.E.

- (iii) utilities consistent with the Comprehensive Plan, including specifically the Major Thoroughfare Plan, the Utilities Plan and the Master Drainage Plan.
- (B) The width-to-length ratio of any lots to be developed for single-family residential purposes shall not exceed 2 to 1.
- (C) If the property is within the City's extraterritorial jurisdiction; the developer shall request voluntary annexation as a condition to approval of the plat.

(c) Informal Conference

Prior to the filing of an application for conditional approval of the Preliminary Plat, the subdivider may, at the subdivider's discretion, confer with the Planning Director, or designated staff person on an informal basis to discuss:

- (1) the proposed plat;
- (2) its conformity with these regulations; and
- (3) its relationship to surrounding properties and public improvements.

(d) Procedure for Conditional Approval of Preliminary Plat:

- (1) All persons desiring to subdivide a tract of land may, at their discretion, first prepare and submit to the Planning and Zoning Commission a Preliminary Plat. Should the subdivider choose to submit a Preliminary Plat then the following supplementary material must be provided:
 - (A) Six copies of the Preliminary Plat, measuring 24" x 36" and one copy measuring 8-1/2" x 11", supplementary material shall be submitted to the Planning and Zoning Commission with a written and dated application for conditional approval at least fifteen (15) days prior to the meeting at which it is to be considered.
 - (B) The preliminary plat shall contain the requirements listed in Section 2.00.
- (2) The City Secretary shall notify the subdivider and adjacent property owners by registered or certified mail of the time and place of the meeting at which preliminary approval will be considered and not less than five days before the date fixed for the hearing.
- (3) The Planning Director or duly authorized staff person shall prepare, or cause to be prepared, comments regarding conformity or nonconformity of the Preliminary Plat with the requirements of this Chapter. At a minimum, the following persons shall be required to provide their written comments:
 - (A) Planning Director;
 - (B) City Engineer;

Preliminary and Final Plat Approval of the Hinojosa Acres Subdivision being a 2.0 acres out of Lot 7, Block 9, Lot 4, Block 13 and Lot 5, Block 13, John Closner Subdivision, located approximately 600 feet South of Moore Road along the East side of Nebraska Avenue, as Requested by Homero Gutierrez.



Proposed Site

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
NOVEMBER 14, 2017

Consider Approval of a Lease Agreement with the Pharr-San Juan-Alamo School District for the Future Sorensen Elementary School Neighborhood Park.

STAFF COMMENTS AND RECOMMENDATIONS:

In 2016, the City of San Juan was awarded a \$160,000 grant from Texas Parks and Wildlife that needs to be matched with \$160,000 in city funds towards the development of this future city-school park that will be located at the Southeast corner of Stewart and Sam Houston Roads. In 2016, civil engineering students from the University of Texas Rio Grande Valley (UTRGV) assisted the City with conceptual ideas for the park. The students gave a presentation to the City Commission on September 27, 2016 that included features such as a butterfly garden, community garden, playground and recycled tire playground, exercise stations, basketball court, gazebo, drinking fountain, barbecue pits, benches, a walking trail and sidewalks. This project is a partnership with the Pharr-San Juan-Alamo School District (PSJA ISD) since the land where the park will be built belongs to PSJA ISD.

Enclosed please find the proposed lease agreement with the PSJA school district for your consideration and approval. Once the City Commission and the PSJA School Board approve the lease agreement the engineering for the project will commence.

RECOMMENDATION:

Consider Approval of the Lease Agreement as Recommended by Staff.

PREPARED BY:

Xavier Cervantes,
Director of Planning
and Zoning

APPROVED BY:

Benjamin Arjona, City
Manager

STATE OF TEXAS

COUNTY OF HIDALGO

CITY OF SAN JUAN

L E A S E

This Lease is made up and entered into by and between Pharr San Juan Alamo Independent School District, referred to in this Lease as Lessor, and the City of San Juan, Texas, referred to in this lease as Lessee.

In consideration of the mutual covenants and agreements set forth in this Lease, and other good and valuable consideration, Lessor does hereby agree and does Lease to Lessee, and Lessee does hereby lease from Lessor, the premises, which is situated on **Sorensen Elementary** within the City of San Juan, Hidalgo County, Texas, and more particularly described in plat and by metes and bounds in **Exhibit A** attached hereto and made a part hereof by reference.

These premises are referred to within this Lease as “the Premises” or “the Leased Premises.”

ARTICLE 1. TERM OF LEASE AND RENTAL RATE

1.01 TERM OF LEASE: The term of this Lease shall be for twenty-five (25) years, commencing upon the first day of the month following completion of the improvements to be constructed by Lessee as herein described (section 2.01), and ending on the last day of the twenty-fifth year, unless sooner terminated as provided in this Lease.

1.02 LEASE YEAR DEFINED: The term lease year, as used in this Lease, shall mean a period of twelve (12) consecutive full calendar months beginning on the first day of the term as determined in Section 1.01 above.

1.03 MINIMUM RENT: For the term of this Lease, Lessee agrees to pay to Lessor \$1.00 (One Dollar) a year on the 31st of January of each year.

1.04 PLACE OF PAYMENT: Lessee agrees to pay rent to Lessor at

601 E. Kelly Pharr, Texas, or at such other location or a location as Lessor shall from time to time designate by written notice to Lessee.

ARTICLE 2. USE OF PREMISES

2.01 PERMITTED USE: The Lessor’s premises will not be used by it as part of its normal curriculum for educational purposes. Consequently, Lessor has the ability to lease the Premises to Lessee. The Lessee will use the Leased Premises as a public

recreational area for use by the general public. Specifically, the Lessee will develop and construct on the Leased Premises a short walking trail, a play-scape and exercise stations. The Lessor and Lessee guarantee the Leased Premises will remain dedicated to the public for their use throughout the life of this agreement.

2.02 MANNER OF OPERATION: During the term of this Lease, Lessee shall operate the Leased Premises in a diligent and efficient manner.

2.03 SCHEDULED TIME OF OPERATIONS: During the term of this Lease, Lessee shall operate the Leased Premises from Monday through Friday from 5:00 p.m. to 10 p.m. and Saturday through Sunday from 7:00 a.m. to 11 p.m. each day of the year.

2.04 WASTE, NUISANCE, OR ILLEGAL USES: Lessee shall not use, or permit the use of the Leased Premises in any manner that results in waste of the leased Premises or constitutes a nuisance. Nor shall Lessee use, or permit the use of the Leased Premises for any illegal purpose. Lessee, at its expense, will comply, and will cause its officers, employees, agents, and invitees to comply, with all applicable laws and ordinances and with all applicable rules and regulations of governmental agencies, concerning the use of the Leased Premises.

2.05 Lessee agrees to have San Juan Police Department Police Officers patrol the premises from time to time during non-school hours or as they would any other area with the Police Department's jurisdiction.

ARTICLE 3. MAINTENANCE AND SURRENDER

3.01 MAINTENANCE AND SURRENDER BY LESSEE: Lessee shall be responsible to maintain the Leased Premises, and keep it free from waste or nuisance during non-school use. Lessee shall maintain and repair all parts of the Leased Premises including but not limited to the short walking trail, a play-scape and the exercise stations. At the termination of this Lease, Lessee shall surrender and deliver the Leased Premises to Lessor including the improvements made by Lessee with reasonable wear and tear.

ARTICLE 4. UTILITIES AND GARBAGE REMOVAL

4.01 UTILITY CHARGES: Lessee shall be responsible for all utility charges for water, sewer and electricity service used in and about the Leased Premises during the term of the Lease.

4.02 GARBAGE REMOVAL: Lessee shall be responsible for the removal of all

garbage and rubbish from the Leased Premises during non-school use.

ARTICLE 5. SIGNS

5.01 Lessee shall have the right to erect a sign or signs on any portion of the Leased Premises and will be maintained by the Lessee throughout the life of the lease. The erected sign or signs will indicate the Leased Premises is available to the public and the schedule of times the Leased Premises will be available to the Public. Lessee shall remove all signs at the termination of this Lease and shall repair any damage including, but not limited to, closing any holes caused by such removal.

ARTICLE 6. MECHANIC'S LIEN

6.01 Lessee will not permit any mechanic's lien or liens to be placed upon the Leased Premises or upon improvements on the Leased Premises without Lessor's consent. If a mechanic's lien is filed on the Leased Premises or on improvements on the Leased Premises, Lessee will promptly pay the lien or provide adequate security for payment of the lien within thirty (30) days after written notice from Lessor to Lessee, such failure shall be a default under this Lease; or Lessor may, at its option, pay the lien or any portion of it without inquiry as to its validity.

ARTICLE 7. INSURANCE AND INDEMNITY

7.01 **PROPERTY INSURANCE:** Lessee shall, at its own expense, during the term of this lease keep all improvements on the Leased Premises (as defined within Exhibit A) insured against loss or damage by fire or theft with extended coverage to include loss by hail, explosion, riot, or riot attending a strike, civil commotion, vandalism, or malicious mischief, aircraft, vehicles, in aggregate amounts of not less than the estimated replacement cost value. The insurance is to be carried by one or more insurance companies licensed to do business in Texas or a **Risk Pool** approved by the Lessor. Such policy or policies of insurance shall be paid-up annual policies and shall name both Lessor and Lessee as named insured. The policies shall provide that any proceeds for loss or damage to buildings, structures, or improvements shall be payable solely to Lessee, which sum Lessee shall use for repair and restoration purposes pursuant to this agreement, and that any proceeds for loss or damage to fixtures, equipment, merchandise, or inventory shall be payable solely to Lessee, which sum Lessee shall use to repair or replace the lost or damaged fixtures, equipment, or material.

7.02 GENERAL LIABILITY INSURANCE: Lessee, at its own expense, shall provide and maintain in force during the term of this Lease General liability insurance in the amount of \$1,000,000.00 for each occurrence or in such amount as will cover Texas Tort Claim limitations, , covering Lessor as well as Lessee, with one or more insurance companies authorized to transact business in Texas, and a Risk Pool, providing public liability insurance.

7.03 NOTICE OF CANCELLATION OR NONRENEWAL: Such policies shall provide that they may not be canceled until thirty (30) days after notice to Lessor and Lessee and that such policies shall be renewed unless Lessor and Lessee receive notice of intent not to renew at least sixty (60) days before the end of the applicable policy period.

ARTICLE 8. DAMAGE OR DESTRUCTION OF PREMISES

8.01 NOTICE TO LESSOR: If the Leased Premises or any structures or improvements on the Leased Premises should be damaged or destroyed by fire, tornado, hurricane, or other casualty, Lessee shall give immediate written notice of the damage or destruction to Lessor, including a description of the damage and, as far as known to Lessee, the cause of the damage.

8.02 TOTAL DESTRUCTION: If the Leased Premises should be totally destroyed by fire, tornado, hurricane, or other casualty or if it should be so damaged by such a cause that in the reasonable judgment of Lessee rebuilding or repairs cannot reasonably be completed within 120 days and at a cost not to exceed \$200,000.00 or one-half (½) of the appraised value of the improvement, whichever is greater, this Lease shall at the sole option of Lessee terminate, and rent shall be abated for the unexpired portion of this Lease, effective as of the date of written notification as provided in 8.01; provided in such event, insurance for damages to the Leased Premises shall be payable to Lessor. In the event Lessee does not exercise its option to terminate within thirty (30) days of the date of loss, then Lessee shall immediately commence reconstruction and restoration of the Leased Premises to their original condition, at its sole cost, expense and risk with insurance proceeds to be devoted to this purpose.

8.03 PARTIAL DESTRUCTION: If the Leased Premises should be damaged by fire, tornado, hurricane, or other casualty, but not to such and extent that in the reasonable judgment of Lessee rebuilding or repairs cannot reasonably be completed within 120 days

and at a cost not to exceed \$200,000.00 or one-half (½) of the damaged improvements, whichever is greater, this lease shall not terminate except as provided in subsection (a).

- (a) If the partial destruction of the Leased Premises occurs during the final twelve (12) months prior to expiration of the Lease term, Lessee shall proceed immediately to rebuild or repair the Leased Premises to substantially the condition in which they existed prior to such damage using insurance proceeds to defray any additional amount necessary. In the event that Lessee should fail to complete such rebuilding or repairs within one hundred sixty (160) days from the date of the occurrence of the damage, Lessor may elect to terminate this Lease by written notification to Lessee and retain the insurance proceeds. Upon such notification, all rights and obligations under this lease shall cease other than Lessee's obligation for the cost of repairs in the event Lessor does not elect to retain the insurance proceeds.

8.04 Rentals under this Lease shall be abated for any period of time during which the Leased Premises cannot be utilized for the stated purposes of the Lease due to repair or restoration procedures required as above stated in 8.02 and 8.03.

ARTICLE 9. CONDEMNATION

9.01 TOTAL CONDEMNATION: If during the term of this Lease, all of The Leased Premises should be taken for any public or quasi-public use under any governmental law, ordinance, or regulation, or by right of eminent domain, or be sold to any condemning authority under threat of condemnation, this Lease shall terminate, and the rent shall be abated during the unexpired portion of this Lease, effective as of the date of the taking of the Leased Premises by the condemning authority.

9.02 PARTIAL CONDEMNATION: If less than all of the leased Premises is taken for any public or quasi-public use under any governmental law, ordinance, or regulation, or by right of eminent domain, or be sold to any condemning authority under threat of condemnation, Lessee may terminate this Lease by giving written notice to Lessor within fifteen (15) days after possession of the condemned portion is taken by the entity exercising the power of condemnation if such taking impairs the continued use of the remaining property for the stated Lease purposes.

If the Leased Premises is partially condemned and Lessee fails to exercise the

option provided in the preceding paragraph to terminate the lease, this Lease shall not terminate but Lessee shall restore and reconstruct the building and other improvements situated on the Leased Premises to make them reasonably tenantable and suitable for the lease purpose based on the size of the Leased Premises remaining after such taking. The rent payable under the terms of the lease shall remain the same during the unexpired portion of this Lease, but shall be abated during repair and reconstruction.

9.03 CONDEMNATION AWARD: For the purpose of this Paragraph and this Article, the term “taking” or “date of taking” shall mean the date on which the first of the following events shall occur: (1) Delivery of a conveyance document to any condemning authority conveying and interest in the Leased Premises in lieu of condemnation; (2) The deposit or delivery of the award of special commissioners in a condemnation proceeding giving the right of possession to the condemning authority; or, (3) The entry of a judgment in a condemnation proceeding conveying title and any portion of the Leased Premises to the condemning authority. Subject to the forgoing provisions relative to repair and restoration, in the event that all or any part of the buildings or improvements to be constructed by Lessee (and then to become the property of the landlord upon termination of the Lease) is taken by a condemning authority during the lease, Lessee shall be entitled to compensation for the value which said such improvements contribute to the fair market value of the real property taken in eminent domain, multiplied by a fraction, the numerator of which shall be the number of months remaining in the initial or possible extended terms of the Lease (up to a total of 180 months) and the denominator of which shall be 180 months. The termination of this Lease shall not affect the rights of either party to such award.

ARTICLE 10. DEFAULT

10.01 DEFAULT BY LESSEE: If Lessee fails to preform any duty, or obligation, and such failure to preform any duty or obligation or failure to pay any amount due to Lessor is not cured by Lessee within ten (10) days after receipt of notice from Lessor of such failure to pay or failure to preform a duty or obligation, and after any other notice and opportunity to cure required within the Articles of this agreement, Lessor may, without notice to Lessee, terminate this Lease; or in the alternative, Lessor may re-enter and take possession of the Lease Premises and remove all persons and property without

being deemed guilty of any manner of trespass and re-let the Leased Premises, or any part of the Leased Premises, for all of any part of the remainder of the lease term to a party satisfactory to Lessor, and at such monthly rental as Lessor may with reasonable diligence be able to secure. Should Lessor be unable to re-let after reasonable efforts to do so, or should such monthly rental be less than the rental Lessee was obligated to pay under this Lease, Lessee shall pay the expense of re-letting plus the amount of any deficiency in the rent to Lessor. These remedies are not exclusive; and nothing herein shall be construed as on any way denying Lessor the right, in case of abandonment, vacation of leased premises, or other breach of this contract by Lessee, to treat the same as an entire breach and of Lessor's option immediately to sue for the entire breach of this contract and any all damages occasioned Lessor thereby. Further, and notwithstanding anything contained in this Lease to the contrary, no act or omission of Lessor shall be construed as a termination of this lease. Lessor shall terminate this lease only in writing or by mailing or delivering to Lessee notice of such termination.

10.02 LESSOR'S LIEN: It is expressly agreed that, in the event of default by Lessee under this Lease, Lessor shall have a lien upon all goods, chattels, or personal property of any description belonging to Lessee that are placed in, or become a part of the Leased Premises as security for rent and all other amounts due and to become due for the remainder of the current Lease term. This lien shall not be in lieu of, or in any way affect, the statutory lessor's lien given by law but shall be in addition to that lien; and Lessee grants to Lessor a security interest in all personal property placed in or on the Leased Premises for purposes of this contractual lien. Upon Lessee's default, Lessor may take possession of all such property. After giving Lessee fifteen-day notice of the time and place of any public sale or of the time after which any private sale is to be made, Lessor may then sell the property at public or private sale, for cash or on credit, for such price and terms as Lessor deems best, with or without having the property present at the sale. The proceeds of the sale shall be applied first to the necessary and proper expense of removing, storing, and selling such property, then to the payment of any rent due or to become due under this Lease, with the balance, if any, to be paid to Lessee.

10.03 CUMULATIVE REMEDIES: All rights and remedies of Lessor under this Article shall be cumulative, and none shall exclude any other right or remedy provided by law, or

by any other provision of this lease. All such rights and remedies may be exercised and enforced concurrently and whenever, and as often as occasion for their exercise arises.

10.04 WAIVER OF BREACH: A waiver by either Lessor or Lessee of a breach of this Lease by the other party does not constitute a continuing waiver or a waiver of any subsequent breach of the Lease.

ARTICLE 11. INSPECTION BY LESSOR

11.01 Lessee shall permit Lessor and Lessor's agents, representatives, and employees to enter into and on the Leased Premises at all reasonable times and after reasonable notification for the purpose of inspection, maintenance, making repairs or alterations to the Leased Premises, or any other purpose necessary to protect Lessor's interest in the Leased Premises or to preform Lessor's duties under this Lease.

ARTICLE 12. ASSIGNMENT AND SUBLEASE

12.01 ASSIGNMENT AND SUBLETTING BY LESSEE: Without the written consent of Lessor, Lessee shall not have the right to assign, sublet or otherwise transfer its interest in this Lease. If Lessee sublets, assigns, encumbers, or otherwise transfers its rights or interests in this Lease without the written consent of Lessor, Lessor may, at its option, declare this lease terminated. In the event Lessor consents in writing to an assignment, sublease, or other type of transfer of all or any of Lessee's rights under this Lease, the assignee or sub-lessee must assume all of Lessee's obligations under this Lease, and Lessee shall remain liable for every obligation under this Lease.

ARTICLE 13. WAVIER OF IMPLIED WARRANTY OF SUITABILITY

13.01 Lessee has familiarized itself with the Leased Premises; accordingly, Lessor expressly disclaims any warranty of suitability that might have arisen by operation of law. Lessor does not warrant that there are no latent defects in the facilities that are vital to the Lessee's use of the Leased Premises for its intended purpose or that these essential facilities will remain in a suitable condition. Subject to Lessor's obligations and undertakings hereunder, Lessee expressly agrees to Lease the property "as is," whether suitable or not, and expressly waives the implied warranty of suitability.

ARTICLE 14. MISCELLANEOUS

14.01 NOTICES, DEMANDS AND ADDRESSES: All notices and demands required under this Lease must be given by certified mail or registered mail, addressed to the

proper party, at the following addresses:

Lessor:
Pharr-San Juan-Alamo ISD
601 E. Kelly
Pharr, Texas 78577

Lessee:
City of San Juan
709 S. Nebraska
San Juan, Texas 78589

Such notices and demands shall be deemed given when deposited in the mail with proper postage affixed. Either party may change the address to which notices are to be sent by giving the other party notice of the new address in the manner provided in this section.

14.02 PARTIES BOUND: This agreement shall be binding upon, and inure to the benefit of the parties to this lease and their respective heirs, administrators, legal representatives, successors, and assigns when permitted by this agreement.

14.03 TEXAS LAW TO APPLY: This agreement shall be construed under and in accordance with the laws of the State of Texas. Venue for any suit brought under this agreement shall be in Hidalgo County, Texas.

14.04 LEGAL CONSTRUCTION: In case any one or more of the provisions contained in this agreement shall for any reason be held by a court of competent jurisdiction to be invalid, illegal, or unenforceable, it shall not affect any other provision of the agreement; and this agreement shall be construed as if the invalid, illegal, or unenforceable provisions had never been included in the agreement.

14.05 PRIOR AGREEMENTS SUPERSEDED: This agreement constitutes the sole and only agreement and supersedes any prior understandings or written or oral agreements between the parties respecting the subject matter of this agreement.

14.06 AMENDMENT: No amendment, modification, or alteration of terms of this agreement shall be binding unless it is in writing, dates subsequent to the date of this agreement, and duly executed by the parties to this agreement.

14.07 RIGHTS AND REMEDIES CUMULATIVE: The rights and remedies provided in this Lease agreement are cumulative, and the use of any one right or remedy by either party shall not preclude or waive its right to use any or all other remedies. These rights and remedies are given in addition to any other rights the parties may have by law, statute, ordinance, or otherwise.

**ARTICLE 15. COVENANT OF TITLE AND QUIET ENJOYMENT AND
IRREVOCABILITY OF THIS AGREEMENT**

15.01 Lessor covenants that it has full right, power and authority to make this Lease and that Lessee, upon the payment of rent and the performance of the covenants hereunder, shall and may peaceably and quietly have, hold and enjoy the Leased Premises and all improvements thereon during the term of this Lease. This Lease agreement is irrevocable and may only be terminated prior to the end of the term of the Lease as expressed within this agreement.

ARTICLE 16. FORCE MAJEURE

16.01 In the event that either party hereto shall be delayed or hindered or prevented from the performance of any obligations required hereunder by reason of strikes, lockouts, labor troubles, failure of power, riots, insurrections, war, acts of God, or other reason of like nature, not the fault of the party delayed in performing the obligations, such party shall be excused for the period of time equivalent to the delay caused by any such reasons.

**ARTICLE 17. TEXAS PARKS AND WILDLIFE GRANT PROGRAM
GUIDELINES**

Lessor understands that both itself and the Lessee must abide by the Texas And Wildlife Grant program guidelines throughout the life of the Twenty-five (25) year lease. In signing this agreement, the Lessor and Lessee acknowledge and express they will comply with all program guidelines for the entire term of this Lease.

The undersigned Lessor and Lessee execute this agreement in duplicate originals on this ____ day of _____, 2017, at San Juan, Hidalgo County, Texas.

LESSOR:

Pharr-San Juan-Alamo Independent School District

Dr. Daniel P. King, Superintendent

ATTEST:

Diana Cavazos
City Secretary

LESSEE:

CITY OF SAN JUAN, TEXAS:

Mario Garza
Mayor

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
NOVEMBER 14, 2017

Consider Selection and Authorizing the City Manager to Enter into a Contract Agreement for the Lease of Tabulation Equipment for the Special Election in January 2018.

STAFF COMMENTS AND RECOMMENDATIONS:

In October 17, 2017 a Resolution was approved to Issue Order and Notice of Special Election on January 20, 2018. Hidalgo County Elections Department notified the City of San Juan that they would not be able to run the January Special Election because of primaries. The City Secretary's Department was able to get two quotes: Election Systems and Software and Hart Intercivic.

Enclosed please find the proposed lease agreements from ESS and Hart Intercivic for your consideration and approval.

RECOMMENDATION:

Consider Selection and Approval for the Lease of Tabulation Equipment as Recommended by Staff.

PREPARED BY:

Diana Cavazos, City
Secretary

APPROVED BY:

Benjamin Arjona, City
Manager



City of San Juan, Texas
Rental Proposal Quote
 Submitted by Election Systems & Software

Rental Solution Includes:

<u>Quantity</u>	<u>Item Description</u>	<u>Price</u>
Tabulation Hardware:		
Model DS200 Precinct Scanner:		
3	Model DS200 (Includes Scanner, Plastic Ballot Box with Steel Door and e-Bin, Reverse Wound Paper Roll and 4GB Jump Drive)	\$2,595.00
3	Tote Bin	\$75.00
3	4GB Jump Drive (Additional)	\$30.00
ExpressVote:		
6	ExpressVote Unit Including Soft-Sided Case, Detachable ADA Keypad, 4GB Flash Drive, and Headphones	\$3,690.00
Services:		
Implementation Services:		
1	Equipment Operations Training	\$2,075.00
3	Project Management	\$4,950.00
1	First Election On-Site Support (One Event includes a person on-site the day before, day of, and day after election)	\$4,525.00
1	Ballot Layout	\$500.00
1	Coding	\$2,500.00
1	Voice Files	\$2,500.00
1	Ballot Printing	\$1,500.00
3	Installation/Acceptance Testing - DS200	\$345.00
6	Installation/Acceptance Testing ExpressVote	\$630.00
Shipping & Other:		
3	Shipping - (M100/DS200 Based on Non-Truckload Quantities)	\$660.00
6	Shipping - iVotronic/ExpressVote (Based on Non-Truckload Quantities)	\$360.00
Total Rental Solution		\$26,935.00

Footnotes:

- Pricing reflects Per Election rental rates utilizing rental pool equipment. Rental equipment is subject to availability at time of requested delivery.
- This quote is an estimate and is subject to final review and approval by both ES&S and the Customer.
- Rates valid for 30 days and thereafter may change.
- Any applicable (City & State) sales taxes have not been included in pricing and are the responsibility of the customer.
- The quantity of service days reflects a reasonable estimate for implementation and selected ongoing election services. Quantities may change depending on specific Customer needs.
- A Rental Cancellation Fee of 10% of the Total Rental Solution Fee shall apply in the event the Customer does not provide written notification to ES&S of its intent to cancel an Election at least forty-five (45) days prior to a scheduled Election covered under an Agreement between ES&S and the Customer.

Electronic Voting - Price Quote

Date	November 8, 2017
Customer	City of San Juan, Texas
Additional Notes	Rental of the Hart Voting System (HVS) for January 2018 Election
Version	HVS 6.2.1

[illegible]

Billing Address and Phone
City of San Juan, Texas Diana Cavazos, City Secretary 709 South Nebraska San Juan, TX 78589 Phone: (956) 223-2207 dcavazos@cityofsanjuantexas.com

Shipping Address and Phone
City of San Juan, Texas Diana Cavazos, City Secretary 709 South Nebraska San Juan, TX 78589 Phone: (956) 223-2207 dcavazos@cityofsanjuan.texas.com

Billing Instructions	

Shipping Instructions

Terms and Conditions:

Price offer valid until 12/8/17. Quantity dependent upon inventory availability at time of receipt of customer signed quote. Customer is responsible for shipping the equipment back to Hart within 30 days of the January 2018 election or the City of San Juan will be billed for the then current retail price of the equipment.

Hart Contact (Name): Felice Liston	Title: Director of Sales
Hart Approval (signature): 	Date: 11/8/2017
Phone : (512) 252-6406; e-mail : fliston@hartic.com	
Customer Contact (Name):	Title:
Customer Approval (signature):	Date:

To activate your agreement, please sign and email to fliston@hartic.com or fax to 512.252.6921

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
NOVEMBER 14, 2017

Consider Resolution to Cast Votes for One or More Candidates for the Hidalgo County Appraisal District Board of Directors for 2018-2019.

STAFF COMMENTS AND RECOMMENDATIONS:

The City is in receipt of correspondence requesting that the City of San Juan cast all its votes for one candidate or distribute them among any number of candidates. The City shall determine its vote by a written resolution and submit it to the Chief Appraiser before December 15, 2017.

The City can only cast its vote for candidate's name on the ballot. There is no provision for write in candidates. The Chief Appraiser will not count votes cast for someone not listed on the official ballot.

The Chief Appraiser will count all votes timely submitted and declare the five candidates who received the largest cumulative vote totals elected and submit the results before December 29, 2017 to the governing body of each taxing unit in the district and to the candidates.

RECOMMENDATION:

Adopting Resolution to Cast Votes for One or More Candidates for the Hidalgo County Appraisal District Board of Directors for 2018-2019.

PREPARED BY:

Benjamin Arjona,
City Manager

APPROVED BY:

Benjamin Arjona, City
Manager

HIDALGO COUNTY APPRAISAL DISTRICT

ADMINISTRATION

Rolando Garza, Chief Appraiser
Jorge Gonzalez, Asst. Chief Appraiser
PO Box 208
Edinburg, TX 78540-0208
(956) 381-8466 (956) 565-2461
Administration Fax: (956) 289-2120



www.hidalgoad.org

BOARD OF DIRECTORS

Richard A. Garza	Chairman
David Hernandez	Vice-Chairman
Amador Requenez	Secretary
Albert D. Cardenas	Member
Aquiles "Jimmy" Garza	Member
Pablo "Paul" Villarreal, Jr.	Member

September 11, 2017

City Manager
City of San Juan
709 S. Nebraska
San Juan, TX 78589

Re: Selection of Board of Directors 2018-2019

Dear City Manager:

The deadline to submit a resolution nominating a candidate or candidate(s) for the Board of Directors of the Hidalgo County Appraisal District for 2018-2019 is **October 16, 2017**. Once you have nominated someone please forward the resolution(s) to our office as soon as possible. Please note that your jurisdiction may nominate one or as many as five (5) candidates. An example of a resolution is attached or you may submit one prepared by your office.

The ballots will be prepared and forwarded to all voting entities as soon as practical after October 16, 2017 but before October 30, 2017. Voting entities will have until December 15, 2017 to submit their votes by written resolution to our office. The winners will then be declared and all entities will be notified by December 29, 2017.

Should you have any questions or need any guidance in this process please do not hesitate to contact me at (956) 381-8466.

Sincerely,

Rolando Garza, RPA
Chief Appraiser

RG:pma

**2018-2019
VOTING ENTITLEMENT
HCAD BOARD OF DIRECTORS**

	2016 Tax Levied	2016 Total Levy	2016 Percent	Votes	2018-2019 Directorships	2018-2019 Official Votes
Entity						
Hidalgo County	\$ 189,038,466	\$ 783,274,067	24.134%	241	5	1205
Cities						
Alamo	\$ 3,253,269	\$ 783,274,067	0.415%	4	5	20
Alton	\$ 1,714,003	\$ 783,274,067	0.219%	2	5	10
Donna	\$ 4,815,163	\$ 783,274,067	0.615%	6	5	30
Edcouch	\$ 474,075	\$ 783,274,067	0.061%	1	5	5
Edinburg	\$ 25,928,488	\$ 783,274,067	3.310%	33	5	165
Elsa	\$ 1,474,408	\$ 783,274,067	0.188%	2	5	10
Granjeno	\$ 18,758	\$ 783,274,067	0.002%	1	5	5
Hidalgo	\$ 2,063,115	\$ 783,274,067	0.263%	3	5	15
La Joya	\$ 720,201	\$ 783,274,067	0.092%	1	5	5
La Villa	\$ 444,776	\$ 783,274,067	0.057%	2	5	10
McAllen	\$ 42,519,989	\$ 783,274,067	5.428%	54	5	270
Mercedes	\$ 4,066,335	\$ 783,274,067	0.519%	5	5	25
Mission	\$ 20,104,913	\$ 783,274,067	2.567%	26	5	130
Palmview	\$ 2,021,047	\$ 783,274,067	0.258%	3	5	15
Penitas	\$ 1,054,274	\$ 783,274,067	0.135%	1	5	5
Progreso	\$ 603,160	\$ 783,274,067	0.077%	1	5	5
Pharr	\$ 17,456,074	\$ 783,274,067	2.229%	22	5	110
San Juan	\$ 6,638,278	\$ 783,274,067	0.848%	8	5	40
Sullivan City	\$ 410,132	\$ 783,274,067	0.052%	2	5	10
Weslaco	\$ 11,478,848	\$ 783,274,067	1.465%	15	5	75
Schools						
Donna	\$ 15,236,606	\$ 783,274,067	1.945%	19	5	95
Edcouch-Elsa	\$ 3,853,840	\$ 783,274,067	0.492%	5	5	25
Edinburg	\$ 69,661,093	\$ 783,274,067	8.894%	89	5	445
Hidalgo	\$ 7,144,768	\$ 783,274,067	0.912%	9	5	45
La Joya	\$ 29,094,600	\$ 783,274,067	3.714%	37	5	185
La Villa	\$ 1,313,459	\$ 783,274,067	0.168%	2	5	10
Lyford	\$ 123,381	\$ 783,274,067	0.016%	1	5	5
McAllen	\$ 78,984,670	\$ 783,274,067	10.084%	101	5	505
Mercedes	\$ 6,608,633	\$ 783,274,067	0.844%	8	5	40
Mission	\$ 25,801,875	\$ 783,274,067	3.294%	33	5	165
Monte Alto	\$ 1,223,325	\$ 783,274,067	0.156%	2	5	10
PSJA	\$ 56,528,231	\$ 783,274,067	7.217%	72	5	360
Progreso	\$ 2,072,937	\$ 783,274,067	0.265%	3	5	15
Sharyland	\$ 41,769,062	\$ 783,274,067	5.333%	53	5	265
So Tx College	\$ 59,701,218	\$ 783,274,067	7.622%	76	5	380
South Texas ISD	\$ 16,452,859	\$ 783,274,067	2.101%	21	5	105
Valley View	\$ 7,042,210	\$ 783,274,067	0.899%	9	5	45
Weslaco	\$ 24,363,529	\$ 783,274,067	3.110%	31	5	155
Grand Total	\$ 783,274,067		100.000%	1004		5020

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL FOR
THE CITY OF _____
EXPRESSING ITS NOMINATION FOR APPRAISAL DISTRICT DIRECTORS
FOR 2018-2019 OF THE HIDALGO COUNTY APPRAISAL DISTRICT
BOARD OF DIRECTORS:**

WHEREAS, the City Council for the City of _____ is authorized to make nominations for each position to be filled in the Hidalgo County Appraisal District Board of Directors; and

WHEREAS, these directors shall serve a two (2) year term beginning January 1, 2018 and that all taxing entities associated with the Hidalgo County Appraisal District are authorized to nominate one person for said Board; and

WHEREAS, the City Council for the City of _____ must submit the names of the nominees by written resolution to the Chief Appraiser by **October 15, 2017**.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF _____ TEXAS, that the name(s) of:

(Name of Nominee)

is/are hereby nominated by the City Council for the City of _____ to the Hidalgo County Appraisal District Board of Directors.

FURTHERMORE, the City Council for the City of _____ directs the Chief Appraiser to submit said nomination for consideration by all taxing entities within the Hidalgo County Appraisal District in the upcoming district election.

PASSED AND APPROVED this _____ day of _____, 2017.

Mayor City of _____

ATTEST:

City Clerk

Mike Alaniz
La Joya



1981 Graduate of La Joya High School

1989 University of Texas Pan American Social Bachelor's Degree in 1989-UT Pan American

Worked with LA Joya Independent School District from 1994 to 1999 at Chavez Middle School as a Math Teacher

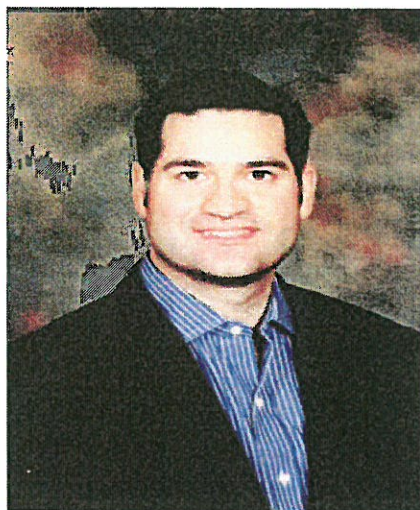
Currently working with the City of LA Joya as City Administrator My responsibilities are overseeing the Finances, Personnel, Short and Long Range Planning of all Departments and Possess Good Public Relations and Communications

Currently an Alternate from 2010 to present for the City of LA Joy

Married to Norma Linda Alaniz

Proud father to three (3) sons: Joshua Christopher Alaniz, Michael Daven Alaniz and Stepson Dagoberto Rodriguez, Jr. Three (3) Daughters, Katrina Michelle Alaniz, Cristina Daniel Alaniz and Stepdaughter Dayna Trevino. Five (5) Grandsons and Two (2) Granddaughters

Alejandro Ballesteros McAllen



*Attorney at Law
Hidalgo County, Texas*

Over the past eleven years, Alejandro has been successfully practicing as an attorney and has established important relationships with Hidalgo County residents. His current business activities include being the President of Ballesteros Gonzalez Law Firm PLLC and Legal Counsel for several local corporations. He is a board member for the nonprofit organization supporting Autism named Bebo's Angels.

As a Finance/Risk Management major from St. Mary's University - Bill Greenhey School of Business, Alejandro has managed wholesale auto sales, nonprofit organizations and taken on assistant role at Merrill Lynch.

Alejandro is a proud resident of Hidalgo County, Texas. He has kept the community's interest in mind by making himself readily available to residents who are in need of legal representation. He is married to Susanna Alexander from Laredo and they have four children. Alejandro and his family are members of the Our Lady of Sorrows Catholic Church. He is a firm believer in justice, communal values, and respect for one another.

Education:

Bachelor's Degree in Business and Corporate Finance/Risk Management from St. Mary's University- Bill Greenhey School of Business, December 2001.

Juris Doctor from St. Mary's University School of Law, May 2005.

Awards and recognitions:

Pro Bono Achievement Award, St. Mary's University School of Law

**Albert Cardenas
McAllen**



Current Board member of McAllen Public Utility Board

Current member Boys & Girls Blub

Vice-President Easton Construction, dealing mainly with commercial projects with offices in McAllen and San Antonio

Served 6 years on the McAllen Planning & Zoning Board

Board Member Hidalgo County Appraisal District Board of Directors 2014-Current

Carlos Garcia

No Bio or Photo Provided

Pete Garcia
San Juan



San Juan EDC Boar, 2015 Member

Region ESL Member

Head Start Advisory Member 2013-2015

San Juan Housing Authority Member 2015

PSJA School Board Member 2004-2013

Hidalgo County Appraisal District Board of Directors Board Member 2009-2013

David Garza

No Bio or Photo Provided

Jaime Garza

No Bio or Photo Provided

**Richard A. Garza
Edinburg**



Hidalgo County Appraisal District is responsible for appraisal all real and business personal property within Hidalgo County. The district appraises property according to the Texas Property Tax Code and the Uniform Standards of Professional Appraisal practices (USPAP).

Lifelong Resident of Rio Grande Valley

Received Real Estate License at age 18

BBA in Finance, Pan American University

Real Estate Broker, BIC Realty for over 35 years

President of BIC Investment, GR Land Co., GarCo Ltd., BIC Development Co., Gold Star Holdings, Ice House Ranches, GR Inverciones & Anacahuillas Investment Co.

Chairman of Cuartitos.com, a cargo shipping container leasing co.

Longtime member of McAllen Board of Realtors & Edinburg Board of Realtors

Texas Association of Realtors since 1977

Past Zoning Commissioner McAllen Planning & Zoning Board

Past Vice-President of Finance Discovery Montessori School Board

Plazas Del Lago HOA Finance Director

Chairman, Hidalgo County Appraisal District Board of Directors 1991 to Present

Richard A. Garza

Page 2

Boy Scouts of America – Troup Leader

Current Director, Texas Land Developers Association

Member of Santa Gertrudis Breeders International

Previous Member Edinburg Hospital Authority Board of Directors

Member of The Las Villas at South Padre Island Board of Directors

Member of Holy Spirit Catholic Church

Previous Director of Edinburg Chamber of Commerce Board of Directors

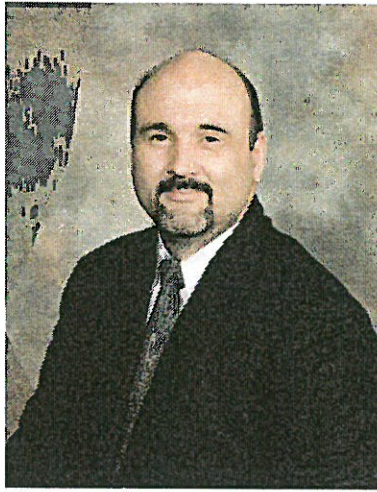
Current Member of Edinburg Chamber of Commerce

Current Member of McAllen Chamber of Commerce

Current Member of McAllen Hispanic Chamber of Commerce

Married to Sylvia Sanchez Garza for 17 years with four sons

**David Hernandez
Weslaco**



President/Owner & Operator of Holiday Wine & Liquors

Partner/Owner Pop-A-Top, Harlingen

Owner of Hernandez Farms, OCT Distributing

Vice-Chairman, Hidalgo County Appraisal Board of Directors 2006 to Present

Served 6 years as Director Weslaco Economic Corporation

Served 7 years as Director Weslaco Economic Corporation

Served 25 years and continue to serve on Weslaco Planning & Zoning Commission

Current Chairman on Weslaco Planning Weslaco Planning & Zoning Commission

Former Weslaco ISD Board Member

Former McAllen Boys & Girls Club Member

Former Palm Valley Animal Shelter Board Member

Member McAllen Chamber of Commerce

Member Hispanic Chamber of Commerce

Member Weslaco Chamber of Commerce

Member Rio Grande Valley Partnership

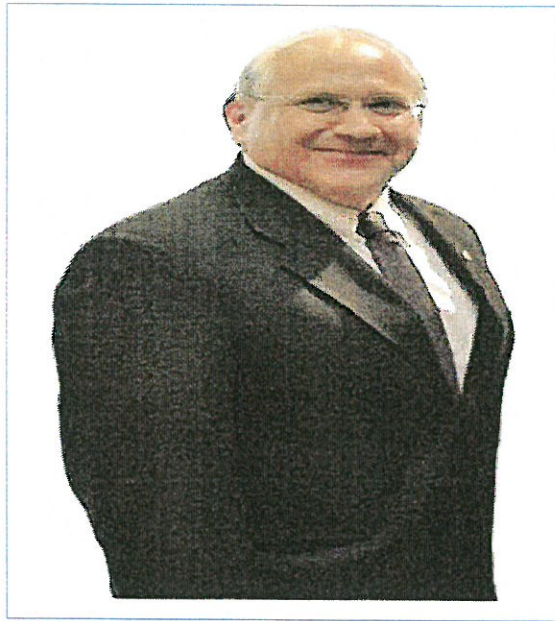
Mary A. Palacios

No Bio or Photo Provided

Jason Pena

No Bio or Photo Provided

**Rudy Ramirez
Edinburg**



Mr. Rodolfo “Rudy” Ramirez is the Executive Director for the Edinburg Housing Authority (EHA), the public housing agency for the city of Edinburg, mandated and funded by the United States Department of Housing and Urban Development (HUD). As the EHA Executive Director since 2011, he is responsible for the administration of more than 1,336 low income housing units (423 public housing units and 913 Housing Choice Voucher units, as of December 01, 2016,) in Edinburg. EHA has maintained their High-Performance Status by HUD since Mr. Ramirez took office. Ramirez has been involved in the community all his life, serving as a Commissioner with EHA from 1991 to 2011 and as a School Board trustee for ECISD from 1999 to 2005.

Mr. Ramirez believes in living a self-sufficient life and the way to do that is by pursuing a higher education. His understanding has led him to build partnerships with the Edinburg Consolidated Independent School District and The University of Texas Rio Grande Valley. Establishing relationships with different academic leaders and colleges have exposed and expanded the doors of opportunity for EHA residents. His dedication has allowed EHA for the first time ever to partner and work with the College of Liberal Arts, Fine Arts, Engineering and Computer Science, Health Affairs, Education and P-16 Integration, Robert C. Vackar College of Business & Entrepreneurship and Graduate College.

Rudy Ramirez

Page 2

His experience details a dynamic leader with a proven track record in organizational change, program integrity, operational effectiveness, transparency and amalgamating federal, state and local resources. As an Executive Director, he acts as liaison between the governing bodies, the client population and general public besides supervising daily operations. He also works closely with and provides professional advice to governing bodies and staff to effectively implement a variety of housing programs and ensure their compliance with mandated standards.

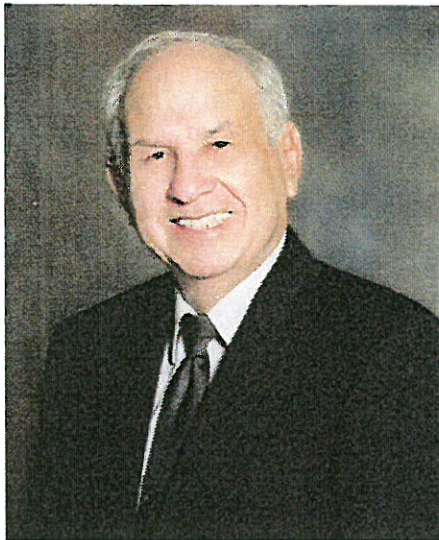
He comes from a strong real estate and education background. He served in a number of roles prior to his work as an Executive Director. He owned and ran a successful real estate business in the past. He is also a licensed Real Estate Broker and has taught continuing education real estate classes at South Texas College. Besides being a realtor, he also taught for the Edinburg school district at Sam Houston Elementary and San Carlos elementary between 1987 and 1993.

Mr. Ramirez is also now serving as the President for Housing Alliance of Valley Employees South Texas Region (H.A.V.E. S.T.R.) his term began January 2017. H.A.V.E. S.T.R. is a professional membership organization consisting of agencies and individuals who administer housing and community development in the South Texas Region. Mr. Rodolfo 'Rudy' Ramirez has been awarded the 'Texas NAHRO Executive Director of the Year award by National Association of Housing and Redevelopment Officials for the last three consecutive years.

Ramirez is currently pursuing his Master of Public Administration from the University of Texas - Rio Grande Valley and is expected to graduate in 2018. He holds a Bachelor of Science degree in Education from the University Texas- Pan American since 1987.

Mr. Ramirez was born and raised in Edinburg, TX, is married to Pamela Ramirez, and they have four children - Rudy Jr., Pete, Ida Marie, and Ivy May Ramirez. Mr. Ramirez is a firm believer of the motto: "Change starts with us."

**Amador Requenez
Mission**



Owner & operator of Valley Welding Steel & Steel Fabrication in Mission since 1970
Owner & Operator of Valley Crane Service since 1970
Member of the (AGC) Associated General Contractors of America for 43 years
Member of Mission Chamber of Commerce for 20 and Director for 4 years
Member of Mission Rotary for 20 years
Served on Board of Hidalgo County Water District #6
Served on the Hidalgo PIC (Private Industry Council)
Served on Hidalgo County Appraisal District Board of Directors from 1992 to 2009
Current Secretary Hidalgo County Appraisal District Board of Directors 2012 to Present

David Simmons
Donna



Has married to Dolores Solis Simmons for the past 37 years. We have two sons, Justin David Simmons and Brandon Stuart Simmons. My wife and I currently reside at 1503 Hunt Avenue, Donna, Texas.

I was born in Edinburg, Texas to Charles William Simmons and Lydia Tagle Simmons. I am the youngest of eight children. I graduated from Shaw High School in Cleveland, Ohio and attended Ohio University in Athens Ohio. I returned to the Rio Grande Valley in 1976. I Attended Texas A&M Firemen Training School and received certification as a firefighter in various areas. I also was invited to attend the U.S. Border Patrol Citizen's Academy.

I worked for the Edinburg Consolidated Independent School District and Brownsville Independent School District in the tax department as a tax appraiser. I also worked for Hidalgo County Tax Office and Trans America Title Company. I also served in the capacity as Tax Assessor Collector for the Donna Independent School District for many years until the tax office was closed in 2009.

I held a Registered Texas Assessor / Collector and Registered by the State of Texas Department of Licensing and Regulation till the school district tax office close in 2009. I am still employed and have 30 years of service with Donna Independent School District as a Director with Custodial Support Services.

Also, I served as Mayor for the City of Donna. I held that position since June, 2008 till October 2014. I have served as the Fire Chief for the Donna Volunteer Fire Department since 1991 and still hold that position as of today.

David Simmons
Page 2

I have received various awards from my community for Bravery Beyond the Call of Duty, Heroism, Leadership, Professionalism, Outstanding Service, and the Rio Grande Valley Walk of Fame.

I also serve on various committees:

Lower Rio Grande Valley Development Council, Board of Directors
Texas Association of Assessing Officers
South Texas Association of School Maintenance Officials
Region One Education Service Center Officials for Safe Schools/School Health and Security Audits
Texas Fire Chiefs Association
Rio Grande Valley Firefighters & Fire Marshals Association
State of Texas Emergency Management
Texas Safe Schools Alliance
NIMS Certification through Emergency Management Institute, Emmetsburg, MD

**Tom Wingate
McAllen**



PERSONAL INFORMATION

Birthplace: Pleasanton, Texas (Seventh Generation Texan)

Residence: McAllen and Mission since 1978.

Marital Status: Married in August, 1970, Pamela J. Wingate, retired McAllen ISD public school teacher/librarian; two sons, T.J. and James, both McAllen attorneys; one daughter Marissa.

Business Address: 7000 North 10th Street, 2nd Floor, Suite C5, McAllen, Texas 78504

EDUCATION

Attended elementary schools in San Antonio and graduated from South San Antonio High School in 1967

St. Mary's University, B.B.A., 1971

University of Texas School of Law, Juris Doctor, 1974

National College of District Attorneys, Career Prosecutor Graduate, 1976

BAR/LEGAL MEMBERSHIPS

Supreme Court of Texas
Supreme Court of the United States
U.S. Court of Military Appeals
Life Fellow – Texas Bar Foundation
Texas College of Real Estate Attorneys

LEGAL SPECIALIZATION

Board Certified Specialist in Commercial and Residential Real Estate Law by the State Bar of Texas Board of Legal Specialization in 1983, and renewed in 1988, 1993, 1998, 2003, 2008 and 2013.

LEGAL EMPLOYMENT

1974-Present Practicing attorney.

2007-2008 Judge, 430th District Court, Hidalgo County, Texas (appointed by Governor Perry to new court)

Nov. 1991- President and legal counsel of Security Land Title Co., real estate title company,
2002 practicing attorney.

TEXAS REAL ESTATE COMMISSION:

Present Licensed Texas Real Estate Broker

BUSINESS EXPERIENCE

2012-Present Principal in Adelante Group LTD, Tex Title I, LLC, PW Properties, LLC, and various business ventures.

1992-2005 Originated Security Land Title Company in Hidalgo County, Texas. Served as President and Chairman.

MILITARY EXPERIENCE

1978-1999 Lieutenant Colonel, U.S. Army Reserves (Retired)
1987 Graduate, U.S. Army Command & General Staff College
1971-1978 Captain, U.S. Army Judge Advocate General Corps. active duty.

CIVIC AND RELIGIOUS ORGANIZATIONS

2014-Present Member, Texas Board of Criminal Justice (oversees all Texas prisons)
2003-2004 President, Sharyland ISD Education Foundation
2002-2003 Chairman of the Board, McAllen Chamber of Commerce
1999-2001 Chairman, Lower Rio Grande Valley Workforce Development Board (Workforce Solutions)
1998-2007 Member, Lower Rio Grande Valley Workforce Development Board (Workforce Solutions)
1992-1994 Chairman of Deacons, Calvary Baptist Church, McAllen, Texas
1978-Present Member, Calvary Baptist Church, McAllen, Texas
1986-1999 Ten year Member, Sharyland ISD Board of Trustees (served two terms as President)
1985 Initial incorporator and first president of McAllen United, a non-partisan good government organization
1984 President of McAllen South Rotary Club
1983 Chairman, McAllen United Way Fund Drive
1982 Graduate of first Leadership McAllen class
1982 Past Recipient of the Outstanding Young Man of McAllen Award – McAllen Chamber of Commerce

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
NOVEMBER 14, 2017

Consider Adoption of an Ordinance in Second Reading for an Amendment to Appendix A, Unified Development Code, Chapter 2, Article IV, Section 11 of the San Juan Code of Ordinances to Allow Car Wash Facilities in the Expressway Corridor District.

STAFF COMMENTS AND RECOMMENDATIONS:

At the City Commission Meeting of October 10, the City Commission approved the First Reading of the Ordinance as presented by staff.

Previously, staff provided the following background:

The San Juan Economic Development Corporation has requested an amendment to the Expressway Corridor Zoning District that was approved on June 2017 to allow car wash facilities. The adoption of this ordinance amendment would allow car wash facilities to be constructed within the Expressway Corridor Zoning District with a conditional use permit.

During a regular scheduled meeting on September 7th, the Planning and Zoning Commission unanimously recommended the adoption of the ordinance amendment.

RECOMMENDATION:

Approval of the proposed ordinance amendment as recommended by the Planning and Zoning Commission.

PREPARED BY:

Xavier Cervantes,
Director of Planning
and Zoning

APPROVED BY:

Benjamin Arjona, City
Manager

August 14, 2017

Mr. Xavier Cervantes
Planning and Zoning Director
City of San Juan
709 South Nebraska
San Juan, Texas 78589

Dear Mr. Cervantes

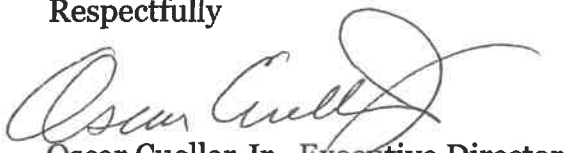
We are currently working with two different developers interested in developing property along Interstate 2 and both have a project component that is apparently in conflict with our new Zoning Overlay Zone for the Expressway. They are both working on a fully automated and enclosed car wash. I know that during the meetings prior to the Ordinance being finalized this is one of the items that generated a lot of questions and extensive discussion.

In light of the fact that this type of businesses add approximately 1.4 million in taxable ad-valorem taxes to the city in addition to generating sales tax and creating jobs, I believe it would be in our best interest to allow them with certain restrictions. Proper terms and restrictions that would allow us to stay true to the initial intent of the ordinance to generate aesthetically pleasing quality businesses on our expressway frontage. Proper setbacks, landscaping and building orientation as well as sign regulation would allow these types of businesses to blend in with our existing businesses.

I recommend that you and the Planning and Zoning Committee revisit this issue and see if a compromise can be worked out to allow a change to the Ordinance so that you can recommend that the City Commission amend the ordinance.

If you have any questions or wish to discuss this matter further please let me know.

Respectfully


Oscar Cuellar Jr., Executive Director
San Juan E D C

FINAL RESOLUTION OF REQUEST & COMMENTS:

P&Z – 09/07/17 Commissioner Alvarado made a motion to approve the amendment to the ordinance to allow car wash facilities along the Expressway Corridor District. Commissioner Zambrano seconded the motion. The motion passed with a (5-0) vote.

Mr. Cervantes reminded the Commission about the workshop with the EDC board during which it was decided not to allow car wash facilities along the new Expressway Corridor District. The ordinance was adopted that way but now a Blue Wave Car Wash facility is proposed for construction along the Expressway.

Mr. Cervantes introduced Mr. Oscar Cuellar, EDC Director, who explained the economic benefits of allowing the Blue Wave Car Wash and to consider amending the ordinance to allow car washes facilities. If the City Commission approves the change, all the new car wash facility along the Expressway would require a conditional use permit so Commission can review the site plan and make sure everything is in order before it is approved that the Planning Commission and the City.

Mr. Cuellar said that they had the opportunity for a value type development. He explained that the proposed car wash facility is a modern or ultra-modern facility that is fully-automated with a value of 1.4 to 1.6 million dollars. He said that he sent a letter to Mr. Cervantes requesting the amendment of the ordinance. He mentioned the Blue Wave car washes in other cities where the entrances are parallel to the road and you cannot see the equipment. With the conditional use permit the board can decide the orientation of the building, the landscaping and other things that can blend into the area.

Mr. Cuellar said that Mr. Cervantes mentioned the Blue Wave Car Wash but there are two similar projects coming to the City. He said that he is not authorized to release which business is coming because both developments are part of the multi-lot development. He said that the person is doing a joint venture, bringing a car wash with adjacent well-known restaurants in both cases. He stated that there are two different developers that like the location, two different car washes and two different types of restaurants.

Mr. Cuellar said the amendment of the ordinance is crucial for both projects. He added that if the amendment is not approved the City will lose those businesses. Chairwoman Castillo asked for the location of those new developments. Mr. Cuellar responded one development will be located to the West of the Lexus Dealership and the other one is proposed at the old Homes of America property.

Mario Reyna, from Melden & Hunt, Inc., said that he is working on the Texas National Bank Subdivision that was presented in the previous meeting, where the Texas National Bank and the Blue Wave is going to be located. He stated that his client plans to purchase 3.5-acres and he is planning to bring the Blue Wave and a Chick-fil-A restaurant. The car wash is going to be the first one to come in and it is going to be perpendicular to the street because of the way the property is laid out. The Texas National Bank will be located at the corner of Veteran's and Frontage and they are also negotiating with the McDonald's restaurant corporation.

Mr. Reyna said that it is the same broker for the Blue Wave and Chick-fil-a. The Blue Wave is a catalyst for this development. He said that all the Blue Wave carwashes that he has worked on are perpendicular to the street; just the one on Trenton Avenue was different because the property is very narrow. He said those Blue Wave car washes are nice, that they cost 2.5 million dollars that they use tanks that recycle the water that it is environmental friendly and it is a good business model that they have and have been very successful in other cities. He stated that he is pushing for this development because the bank is negotiating with McDonald's but they put that project on hold because they need to see if Blue Wave is coming in and if they are paying for the sewer and the road as it affects the

price of the properties.

Commissioner Alaniz said that he does not have a problem with the car washes, but he asked if they are going to enforce the same rules to everybody. Mr. Cervantes responded that if the ordinance amendment is adopted by the City Commission any new car wash along the Expressway Corridor would need to obtain a conditional use permit. Commissioner Zambrano asked if this only applied to the Expressway Corridor. Mr. Cervantes said yes.

AN ORDINANCE OF THE CITY OF SAN JUAN, TEXAS AMENDING THE CODE OF ORDINANCES AT APPENDIX “A”, UNIFIED DEVELOPMENT CODE, CHAPTER 2 – ZONING REGULATIONS, ARTICLE IV DISTRICT USE AND AREA REGULATIONS, SECTION 11.00, ET. SEQ., EXPRESSWAY CORRIDOR DISTRICT INCLUDING USE AND AREA REGULATIONS, AREA AND HEIGHT REQUIREMENTS, DEFINITIONS, USES, ADDITIONAL REQUIREMENTS FOR PARKING, DRIVEWAYS, LANDSCAPING AND ARCHITECTURAL STANDARDS TO INCLUDE CAR WASH FACILITIES, INCLUSION IN THE SAN JUAN CODE OF ORDINANCES; INCORPORATION OF OTHER ORDINANCES; REPEALING CONFLICTING ORDINANCES AND EFFECTIVE DATE.

WHEREAS, an Expressway Corridor Study was performed and recommendations were made to create a new special purpose district to encourage new development and the redevelopment of the properties along the US 83/IH2 frontages; and

WHEREAS, The City of San Juan desires to create more economic development opportunities along the freeway corridor; and

WHEREAS, the Planning and Zoning Commission held a public hearing to consider amendments to the zoning ordinance after proper notice in a newspaper of general circulation in the City of San Juan; and

WHEREAS, after a public hearing and after discussion, the Planning and Zoning Commission recommends amending the Expressway Corridor Zoning District to allow car wash facilities as a conditional use.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SAN JUAN, TEXAS, THAT:

SECTION 1. The Code of Ordinance of the City of San Juan, Texas, be amended at Appendix “A”, Unified Development Code, Chapter 2 – Zoning Regulations, Article IV- District Use and Area Regulations, Section 11.00, et. Seq., as follows:

CHAPTER 2 – ZONING REGULATIONS

ARTICLE IV - DISTRICT USE AND AREA REGULATIONS

SECTION 11.00: EXPRESSWAY CORRIDOR DISTRICT

SECTION 11.01: PURPOSE

The Expressway Corridor District (ECD) is a *special purpose* district created to identify uses and regulations for properties adjacent to and in the proximity of the US 83/IH2. These regulations are intended to encourage new and appropriate uses and design, and to protect existing uses that will benefit the City of San Juan. This district is intended to support businesses that complement

each other and to be a destination in the Rio Grande Valley for shopping, entertainment, and employment.

Except as hereinafter provided no building or structure shall be erected, reconstructed, or structurally altered and no premises shall be used except in conformity with the regulations prescribed for the district.

The following district regulations replace the current uses as a distinct new district. Where there is any ambiguity, the Planning and Zoning Commission, upon the recommendation of Staff, will be the deciding body, and if appropriate, a recommendation will be forwarded to the City Commission.

SECTION 11.02 DISTRICT USES

- a. **Uses Permitted By Right** - The uses as shown in the following Zoning Use Chart are permitted by right and are subject to the restrictions of this district. In general, definitions are defined by terms in general use or in Appendix A, Unified Development Chapter 1, Article III. Definitions of uses specific to this District are found in Section 11.03 of Appendix A, Unified Development Code.
- b. **Conditional Uses** - As identified in the Zoning Use Chart, some uses may be considered when it is shown that such a use in a specified location will comply with all the conditions and standards for the location or operation for the use. The conditions shall be specified and recommended by the Planning and Zoning Commission and approved by the City Commission. Appendix A, Chapter 2, Article VIII, Conditional Use defines the process in for conditional uses that are listed in the following Zoning Use Chart.
- c. **Nonconforming Uses** - With the creation of the new Expressway Corridor District (ECD) some current land and building uses may become existing nonconforming uses. They will not be required to close or relocate, however they become subject to the requirements and regulations in Appendix A, Chapter 2, Article VII, Nonconforming Uses.

SECTION 11.03: DEFINITIONS

In addition to the definitions in Appendix A, Unified Development Code, Chapter I, Article III, Definitions, the following definitions apply specifically to this district.

The following definitions are to be used in the application of this district. They are terms that are accepted in standard planning and zoning usage. If a word or term is not defined herein, a definition from a dictionary in general usage shall be applied.

Automobile Sales: The use of land and buildings primarily for the display, sale, lease, and rental of new or pre-owned automobiles (may include utility vehicles, light trucks and vans) and including vehicle preparation, warranty and repair work as an accessory use. Vehicles that are wrecked or require additional repair work shall be screened from view.

Antique shop: An establishment offering for sale articles such as glass, china, furniture or similar furnishing or decorations which have value and significance as a result of age, design or sentiment.

Bakery or confectionery shop (retail): A place for baking or selling baked goods, or a place for preparing, cooking, making or selling candy or other sweets.

Bank or Credit Union: A facility which has as its primary purpose the custody, loan, exchange or issue of money, the extension of credit and the transmission of funds, including drive-in facilities and automatic teller machines.

Bar, lounge or tavern: An establishment, the primary activity of which is the sale and consumption on the premises of beer, wine or other alcoholic beverages, and where any food service is secondary alcoholic beverages and where the sale of said beverages constitute more than fifty (50%) of the business income of that establishment.

Barber or beauty shop: A facility licensed by the state where hair cutting, hair dressing, shaving, trimming beards, facials, manicures, tanning or related services are performed.

Buffer: A permanent natural or landscaped area serving to separate two (2) different land uses or developments. It may be in the form of a strip of land lying parallel and adjacent to a property line common to a dissimilar use of a more restrictive nature. The purpose of this buffer is to provide for minimum livability and maximum required visual screening and physical separation of uses of a dissimilar nature.

Car Wash Facility: A semi-enclosed structure for washing automobiles with automatic application of cleaners, brushes, rinse water, and heat for drying. May include manually operated exterior located vacuuming equipment and detailing operations.

Day Spa: a facility for personal services including hair care, manicure, pedicure, waxing, and tanning. If the spa services include massages, the use must comply with the following definition.

Massage establishment: Any place of business in which massage therapy is practiced by a massage therapist, as defined by Texas Law. "Massage therapy", as a health care service, means the manipulation of soft tissue for therapeutic purposes. The term includes, but is not limited to, effleurage (stroking), petrissage (kneading), tapotement (percussion), compression, vibration, friction, nerve strokes, and Swedish gymnastics, either by hand or with mechanical or electrical apparatus for the purpose of body massage. Massage therapy may include the use of oil, salt glows, heat lamps, hot and cold packs, tub shower, or cabinet baths. Equivalent terms for massage therapy are massage, therapeutic massage, massage technology, myotherapy, or any derivation of those terms. The terms "therapy" and "therapeutic" do not include diagnosis, the treatment of illness or disease, or any service or procedure for which a license to practice medicine, chiropractic, physical therapy, or podiatry is required by law. Also see definition of Health Studio.

Florist flower or plant shop: A facility for the retail sale of cut or uncut flowers and ornamental plants and accessory items. Enclosure of use required.

Furniture store: A retail facility displaying and selling new furniture, and may include appliances such as radios, televisions, stereos, refrigerators, and stoves.

Hardware store: A retail facility for selling cutlery, tools, utensils, screws, nails and similar items.

Health studio or Fitness center: An indoor facility operating for a profit to promote physical fitness or weight control.

Hobby shop: An establishment for the retail sale of hobby supplies such as model kits, art equipment and materials.

Home center: A facility which retails appliances, fixtures, building materials and other similar items for the maintenance and improvement of residential structures.

Hospital: An institution licensed by the state that provides health services primarily for human inpatient, medical or surgical care for the sick or injured and including related facilities such as laboratories, outpatient departments, training facilities, central service facilities, and staff offices which are an integral part of the facilities.

Hotel: A building or a group of buildings under one ownership containing six (6) or more sleeping rooms occupied, intended or designed to be occupied as the temporary abiding place for persons who are lodged with or without meals for compensation, but not including a hospital or recreational vehicle camping area.

Jewelry store: A facility which retails watches, rings, bracelets, necklaces and similar items.

Landscape service: A facility for the design and implementation of design of residential and business landscaping. This facility does not include the storage of landscape materials in bulk form as well as the required machinery or equipment for installation.

Library, art gallery or studio, museum: An establishment for the loan or display of books, or objects of art or science which is sponsored by a public or quasi-public agency and which institution is open and available to the general public.

Live-Work: A dwelling unit that is a combination of the residence and place of commercial business or studio and may be found in mixed-use developments.

Microbrewery: a limited-production brewery, typically producing specialty beers and often selling its products only locally.

Mixed-use development: Development projects that combine residential with nonresidential uses in the same building or building site area as a means to create an active street life, enhance

the vitality of businesses, and reduce the need for automobile travel; provide a meaningful blend of residential and non-residential uses that enhances and builds upon the city's commercial base; provide additional housing options for people, including but not limited to, young professionals and older people, who want to live near their workplace and/or near retail and other non-residential uses; and encourages consolidation of small parcels into viable, block-size mixed use development in designated areas; while ensuring on-site compatibility of residential and non-residential uses. There are two generally recognized types of mixed use:

Vertical Mixed-Use Building: Combines different uses in the same building. Lower floors should have more public uses with more private uses on the upper floors. For example, the ground floor could have retail, second floor and up having professional offices, and uppermost floors being some form of residential, such as flats or a hotel. In more urban areas, an entire block or neighborhood may be composed of vertical mixed-use buildings.

Horizontal Mixed-Use Blocks: Combines single-use buildings on distinct parcels in a range of land uses within one block. In more urban areas, this approach avoids the financing and coding complexities of vertical layered uses while achieving the goal of placemaking that is made possible by bringing together complementary uses in one place. In less urban areas, horizontal mixed-use offers the advantage of sharing utilities and amenities while providing an easier to build and entitle mix of uses within a walkable block circumscribed by thoroughfares.

Mortuary or funeral service: A facility where deceased bodies are prepared for burial and kept until burial, and where funeral services may be conducted. A crematorium may be part of the services provided by a full service funeral home operation with a conditional use permit.

Newspaper, magazine, book or stationery store: A facility for the sale of books, pamphlets, paper, pens, ink and associated items; not involving wholesale distribution.

Nonconformance: A lawful condition of a structure or land which does not conform to the regulations of the zoning district in which it is situated. This may include but is not limited to a failure to conform to use, height, area, coverage, or off-street parking requirements established prior to the adoption of the Zoning ordinance or annexation into the city.

Nonconforming Use: A use, activity, structure or a parcel of land occupied by a land use activity that was lawful prior to the adoption, revision or amendment of the Zoning Ordinance, but fails to conform to the regulations of this Zoning Ordinance and the district in which it is situated and which has been identified as a nonconforming use.

Office equipment sales and service: A facility for the display, sales, service or repair of equipment, machines or computers typically utilized in daily activities of offices.

Office, general or professional: A place for the regular transaction of business, but not to include the occupation by retail sales, transfer of manufactured goods or storage of commodities.

Office, showroom and warehouse: A facility for mixed use with the following characteristics:

- i. A showroom for display of product lines including items for user purchase,
- ii. Storage or warehouse facilities and occupies not more than sixty (60) percent of the gross floor area of the structure(s).
- iii. A principal office of the business;
- iv. Sales to contractors or other businesses installing or delivering to consumer and user.
- v. A facility, combining office and warehouse functions in a single structure.

Offsite: Any premises not located within the area of the property to be subdivided, whether or not in the same ownership of the applicant.

On premises: Inside a building or on the area of land that it is on,

Open Space: Any parcel or area of land or water essentially unimproved and set aside, dedicated or reserved for resource protection, public or private use and enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space. Open space shall not include land occupied by non-recreational structures, roads, street rights-of-way, parking lots, land reserved for future parking, or any portion of required minimum lot areas as required by this Ordinance.

Open storage: The storage of any equipment, machinery, commodities, raw semi-finished or finished materials, and building materials, which is visible from any public street.

Optical shop: A facility for a dealer in optical items or for correcting vision.

Paint and wallpaper store: A facility for selling paints, painting equipment and wallpaper.

Parking, commercial lot or garage: A facility for temporary storage of motorized or wheeled vehicles.

Parking space: A paved area, enclosed or unenclosed, sufficient in size to store one automobile together with a paved driveway connecting the parking space with a street or alley and permitting ingress or egress of an automobile.

Personal services: Establishments primarily engaged in providing services the care of a person's personal needs and include laundry, dry cleaning, beauty shops, barbershops, shoe repair, reducing salon, health clubs, and clothing rental services.

Pet shop: A facility for the display and sale of small animals, fish and birds and pets, such as dogs, cats, parakeets, goldfish, tropical fish or canaries, without involving commercial boarding or treating of any animal, fish or bird.

Pet supply and pet grooming: an indoor facility that sells pet food and supplies and may include grooming area.

Pharmacy or drugstore: A facility for preparing, preserving, compounding and dispensing drugs and medicines; and may include the display and sale of other merchandise such as cosmetics, notions, fountain services and similar items.

Photography studio: A facility for taking and processing pictures, not a bulk processing plant.

Plant nursery: A facility for the sale or rental of plants and other landscaping or gardening supplies and the equipment used in the installation of maintenance thereof.

Pharmacy or drugstore: A facility for preparing, preserving, compounding and dispensing drugs and medicines; and may include the display and sale of other merchandise such as cosmetics, notions, fountain services and similar items.

Photography studio: A facility for taking and processing pictures, not a bulk processing plant.

Restaurant or cafe with drive-in/thru service: An establishment which by design of physical facilities or by the type of service and packaging permits or encourages the purchase of prepared, ready-to-eat foods for consumption on or off the premises and which does permit consumption on the premises in motor vehicles. A conditional use may be required for the drive thru to ensure adequate stacking and speaker location.

Restaurant or cafe without drive-in/thru service: An establishment where food is available to the general public primarily for consumption within a structure on the premises or which by design of physical facilities or by type of service and packaging permits or encourages the purchase of prepared, ready-to-eat foods intended for consumption off the premises, and where the consumption of food in motor vehicles on the premises is neither permitted nor encouraged. May include covered or uncovered patio seating.

Retail: An establishment engaged in the selling or rental of goods or merchandise to the general public for personal use or household consumption.

Seasonal and temporary sales, outside: An activity conducted involving sales of merchandise customarily sold within the principal structure and those sales by transient users permitted in the district. This activity shall be deemed to be an extension of the principal use of the land and subject to bulk, area and parking regulations. Displays may be located within approved temporary structures or as open display.

Shopping center: A group of unified commercial establishments built on a site which is planned, developed, owned, and managed as an operating unit related in its location, size, and type of shops to the trade area that the unit serves with customer and employee parking provided on-site.

Sporting goods store: A retail establishment selling athletic uniforms, sport clothing and sporting equipment.

Studio (art, music, speech, drama, dance or other artistic endeavors): A facility for instruction, counseling or coaching in the arts, and for the development of person skills or talents. This includes but is not limited to graphic, performing and literary arts limited to instruction, counseling or coaching.

Tailor: A shop to alter, repair, fabricate or fashion garments.

Technology sales and service: A retail shop which sells and services digital devices including computers, cell phones, video equipment,

Theater, not drive-in type: A facility for presenting movies and live performances to an audience inside an enclosed structure.

Travel agency: A business engaged in selling or arranging transportation, trips or tours for individuals or groups.

Veterinary clinic: a medical facility where animals are given medical care. Long term boarding is not allowed in this district, but short term or overnight stays related to medical procedures is permitted. No breeding or laboratory uses are permitted.

Wine Bar: is a tavern-like business focusing on only selling *wine*, rather than liquor or beer. A typical feature of many *wine bars* is a wide selection of *wines* available by the glass and small portion food service.

SECTION 11.04 ZONING USE CHART		
Uses	Permitted by Right P	Conditional Use C
Automotive		
Automobile, new and preowned sales		C
Automobile, preowned sales		C
Automotive supply		C
Automobile service center		C
New Tire sales and service		C
Vehicle rental		C
Car wash facilities		C
Retail (free standing or in center)		
Antique shop	P	
Bakery, ice cream, or confectionery shop	P	
Cellphone/computer/technology sales and service	P	
Clothing store (men's, ladies', and children's including shoes and other apparel)	P	
Convenience store	P	
Convenience store fuel islands		C
Florist shop	P	
Home furnishings/Furniture store	P	
Hardware store	P	
Hobby shop	P	
Jewelry store	P	
Office equipment sales/service	P	
Paint and wallpaper store	P	
Pharmacy or drugstore	P	
Sporting goods store	P	
Shopping center up to and including 30,000 square feet	P	
Shopping center 30,000 to 75,000 square feet	P	
Shopping center greater than 75,000 square feet		C
Grocery store		C
Big box including grocery and home improvement (over 100,000 square feet)		C
Eating and Drinking Establishments		
Restaurant or cafe without drive-in service, with covered patio	P	
Restaurant or cafe drive-in/thru service		C
Bar, Lounge, Tavern or Cantina		C
Coffee shop	P	
Delicatessen/ Specialty foods	P	
Microbrewery		C
Wine bar		C
Personal Services		
Day Spa	P	
Fitness Center/Health Club	P	

SECTION 11.04 ZONING USE CHART		
Uses	Permitted by Right P	Conditional Use C
Dry cleaning/Laundry (drop off and pick-up only)	P	
Barber or beauty shop	P	
Nail salon	P	
Shoe repair	P	
Alterations and Tailor	P	
Medical and Care facilities		
Clinic: medical, dental, optical, chiropractor, health care services	P	
Emergency/medical ambulatory care facility (limited overnight stays)	P	
Hospital	P	
Optician, Optical shop	P	
Pharmacy or drugstore	P	
Lodging*		
Hotel	P	
Live/work		C
Multifamily - apartments and condominiums		C
Assisted Living		C
Nursing Home (licensed)		C
Mixed Use Development*		
Retail/Residential		C
Retail/ Live-Work/Residential		C
Residential/Retail/Office		C
*Planned Unit Development encouraged		
Office, Professional		
Office building	P	
Attorney, Engineer, Architect, Landscape architect, Insurance, Financial advisor, Travel agent	P	
Bank or credit union	P	
Pet		
Veterinary office without boarding except for medical need, no outside runs	P	
Veterinary Clinic with boarding and outside runs		C
Pet Supplies	P	
Pet Grooming (no boarding)	P	
Outdoor Equipment and Supplies		
Plant nursery		C
Landscape and garden supplies		C
Seasonal/temporary sales		C
Lawn, garden, and play structures		C
Miscellaneous		
Office/showroom/warehouse	P	
Light Manufacturing in conjunction with		C

SECTION 11.04 ZONING USE CHART		
Uses	Permitted by Right P	Conditional Use C
Office/showroom/warehouse		
Mortuary		C
Open space/Plaza	P	
Library, art gallery, studio, museum	P	
Theater	P	
Bike Racks	P	
Automobile charging station		C
ATM (free standing)		C
Public and Private Utilities		
City infrastructure (water, waste water, drainage, fire, police)	P	
Government offices	P	
Private Utilities (telephone, cable)	P	
Cell and telecommunications towers		C

SECTION 11.05: AREA AND HEIGHT REQUIREMENTS

a. Building height

- (1) 12 stories or 160 feet (may exceed if recommended by Planning Director to Board of Adjustment with input from the Fire Marshal). See note below
- (2) 1 story if building setback is less than 60 feet

b. Building Front setback

- (1) 60 feet from the right of way of the frontage road
- (2) 25 feet if parking is on the side are in the rear of one story building
- (3) 100 feet for hotel, multifamily (apartments and condominiums), assisted living, and nursing homes

c. Side and Rear setback

- (1) Side Interior: 0 unless adjacent to residential, then 15 with landscaping buffer
- (2) Side Exterior: 15 feet
- (3) Rear: 10 feet unless adjacent to residential then a setback of a minimum of 20 ft. with landscaping buffer

d. Lot width: 100 feet minimum

e. Lot depth: 200 feet minimum

f. Lot coverage: 75 percent of total area and incorporates low impact development criteria

A building may exceed ten stories or 160 feet if set back one (1) foot for every two (2) feet of height above 125 feet but in no case shall the height of a building exceed the total of the street

width on which it faces plus the depth of the front yard and when it is adjacent to a residential use.

SECTION 11.06: PARKING AND LOADING REGULATIONS

Parking requirements shall be in accordance with Appendix A, Unified Development Code, Chapter 6 - Off-Street Parking Regulations with the following additions or exceptions.

- a. Parking lot location is encouraged to be on the side and rear except for automobile sales, grocery and large scale retail development. For properties with 25-foot to 60-foot front setbacks, the parking shall be on the side or rear of the building.
- b. Angle parking is allowed.
- c. Landscaping shall be provided where large expanses of concrete or asphalt occur. Parking Lots with 150 or more spaces shall be divided by landscaped areas including walkways and/or landscaped areas.
- d. The areas between rows of parking can be design in either raised medians or bio-swales. Raised medians shall have a concrete curb edging. See Appendix A, Unified Development Code, Chapter 6 - Off-Street Parking Regulations Section 8 – Interior Parking Lot Landscaping
- e. Plants shall be low-maintenance, water-wise selected from the list provided in Appendix A, Unified Development Code, Chapter 5 – Landscaping Regulation, Section 11, Table A.
- f. Shade trees may be planted in the median or landscape areas when there is adequate room for the root ball and irrigation is provided. Otherwise, trees should be planted on the perimeter of the development or in groups in open space or around detention facilities.
- g. Bio-swales shall be designed to support vegetation and handle sheet flow drainage in the parking lot. Plants in the bio-swales should be appropriate to handle temporary excess water as well as drought conditions.
- h. No loading docks shall back onto the frontage or arterial roads.
- i. Loading docks shall be to the side or rear of the building, except loading docks shall not back to residential areas unless there is landscaping or buffering.

SECTION 11.07: DRIVEWAYS

- a. All driveways connecting with the US83/IH2 frontage road are subject to Texas Department of Transportation requirements and regulations for location and spacing.
- b. Shared driveways are encouraged for coordinated access to and from the frontage roads.

- c. All driveways shall be paved.

No separate direct access from a frontage road shall be permitted to any property whose frontage on the frontage road is less than three hundred feet (200'). Unless it would be unreasonable to impose this requirement, a public street more or less perpendicular to the frontage road and Access Lanes shall be required in all cases to provide access to properties along the frontage road.

- d. If required for development access, a paved access drive shall be provided more or less reasonably parallel to the frontage road. Said access lane shall conform to the following requirements:

- (1) may be located in the front building setback if approved by the Planning Director;
- (2) shall be designed and constructed to permit two-way traffic and to allow access to tracts along the frontage road;
- (3) shall be paved;
- (4) shall be set aside by curbs, landscaping or otherwise marked as approved by the Planning and Zoning Commission;
- (5) shall be designed and constructed to intersect (at 90 degrees) with a public street; and
- (6) shall be provided with directional signs and traffic-control signs or devices.

SECTION 11.08: LANDSCAPING

Landscaping for new construction and site redevelopment shall follow Appendix A, Unified Development Code, Chapter 5 - Landscaping Regulations with the following additions.

- a. Underground automatic sprinkler systems shall be required for all multifamily, commercial and office projects. When 100 percent native drought-tolerant landscaping is proposed, temporary irrigation for plant establishment, of not less than two years, may be installed in place of a permanent sprinkler system as approved by the city.
- b. Landscape plans for multifamily, lodging, commercial, and office development shall incorporate common open space or park areas as required with trails, interior courtyards and recreation facilities suitable for the benefit of the project's anticipated residents.
- c. Foundation Planting
 - (1) For all commercial buildings, foundation plantings shall be provided around all areas of the base of the building not directly abutting a sidewalk, plaza, service, or loading area. Foundation plantings shall be scaled according to the nature of the wall area, limited at primary building facades and around features such as windows, entries, and

architectural elements, and increased for areas of blank walls and utilities.

- (2) For all office buildings, an average depth of 15 feet from the face of the building shall be provided around the building; provided, that pedestrian facilities, such as sidewalks, may be located within this 15 feet area and shall count as landscaping; and provided further, that building loading areas shall not be subject to this requirement.
- (3) For all mixed-use, lodging and multifamily buildings, foundation plantings shall be provided to soften the overall impact and scale of the buildings. Foundation plantings shall be provided around each individual building, at the base of the building.
- (4) Trees and plant materials shall be in accordance with Chapter 5, Table A.
- (5) Required trees may be planted on the perimeter of the development, in groupings in open space areas, and on the perimeter of stormwater detention areas in lieu of planting in parking lot medians.

SECTION 11.09: ARCHITECTURAL DESIGN STANDARDS

The purpose of the following architectural standards is to ensure that new construction and additions to existing buildings are well designed, detailed, and crafted to embody high standards of architectural design that will promote the long-term viability on both side of US 83/IH 2. By encouraging new buildings to be designed with plazas and situated perpendicular to the roadway, future development will not only take advantage of the tract depths, but provide the opportunity for more visual interest. The designs, including colors, shall be of such as to express the vitality of the area and take advantage of the City's heritage, growing international culture, and climate, thereby making San Juan's highway frontage a unique destination in the Rio Grande Valley.

The following standards shall apply to all development. For the purposes of this section, the Planning Director, in coordination with other applicable city departments, shall be authorized to review and make decisions on the following architectural standards.

b. Building Materials

- (1) Exteriors shall be constructed of stone, brick, stucco, fiber cement or a combination of these materials, EFIS (synthetic stucco) is not allowed.
- (2) No metal siding is allowed except for architectural details less than 20% of the building façade, however a standing seam metal roof is allowed if it is in keeping with the design of the building.

c. Ornamentation

- (1) Building recesses and protrusions are strongly encouraged on larger buildings to break long uninterrupted building walls.
- (2) All visible elevations should include decorative features such as cornices, pilasters, and friezes.

d. **Façade Massing**

- (1) Front façades 60 feet wide or wider shall incorporate wall offsets of at least two feet in depth (projections or recesses) a minimum of every 40 feet. Each required offset shall have a minimum width of 20 feet.
- (2) The following alternatives can be used in place of the required front façade offsets:
 - a) Façade color changes following the same dimensional standards as the offset requirements;
 - b) Pilasters having a minimum depth of one foot, a minimum width of one foot, and a minimum height of 80 percent of the façade's height; and/or changes;
 - c) Roofline changes when coupled with correspondingly aligned façade changes.

e. **Roof Line Changes**

- (1) Roofline changes may include changes in roof planes or changes in the top of a parapet wall, such as extending the top of pilasters above the parapet wall.
- (2) When roofline changes are included on a façade that incorporates wall offsets or material or color changes, roof line changes shall be vertically aligned with the corresponding wall offset or material or color changes.

f. **Roofs**

- (1) There are a variety of types of roofs: gable, gambrel, hip, mansard, shed, flat etc. or a combination of types. The roof design and construction should be appropriate for the local climate.
- (2) Asymmetric or dynamic roof forms are allowed to provide variety and flexibility in nonresidential building design, and allow for unique buildings. Asymmetric or dynamic roof forms shall be permitted on nonresidential buildings as an alternative to flat roofs.
- (3) Mechanical equipment shall not be visible from the ground within 1,000 feet from the building, and shall be screened in accordance with the following: roof-mounted mechanical or other equipment shall be screened by roofing and/or by parapet walls. Ground-mounted equipment within view of a roadway or driveway used by the general public shall be screened by masonry walls. Ground-mounted equipment, not within view of a roadway or driveway used by the general public, shall be screened by landscaping, at a minimum.

g. **Customer Entrances**

- (1) Each side of a building facing a public street shall include at least one customer entrance, except that no building shall be required to provide entrances on more than two sides of the structure that face public streets.
- (2) Buildings shall have clearly defined, highly visible customer entrances that include no

less than three of the following design features:

- i. Canopies/porticos above the entrance;
- ii. roof overhangs above the entrance;
- iii. entry recesses/projections,
- iv. arcades that are physically integrated with the entrance,
- v. raised corniced parapets above the entrance,
- vi. gabled roof forms or arches above the entrance,
- vii. outdoor plaza adjacent to the entrance having seating and a minimum depth of 20 feet,
- viii. display windows that are directly adjacent to the entrance,
- ix. architectural details, such as tile work and moldings, that are integrated into the building structure design and are above and/or directly adjacent to the entrance, and
- x. planters or wing walls that incorporate landscaped areas or seating areas. (A wing wall is a wall secondary in scale projecting from a primary wall and not having a roof.)

The Planning Director has the authority to review and enforce the provisions of this section during the zoning application and/or building permitting processes.

h. Loading docks and delivery areas

- (1) Loading docks and delivery areas shall be located to the side or rear of the building.
- (2) Outside loading docks and delivery areas that are within view of a roadway, driveway, or residential areas, shall be screened from view by masonry walls or landscaping buffer of not less than six (6) feet in height.

i. Awnings

- (1) Awnings are an appropriate feature in the Valley climate. Awnings may be constructed and maintained in accordance with this subsection.
- (2) An awning may be located over a storefront, a window, or a building entry. An awning may extend over the framing of a window or the framing of a building entry.
- (3) An awning shall not visually dominate the building to which such awning is attached and shall complement the character and design of the building.
- (4) A single awning shall not extend beyond the frame of a window or a building entry. If an awning is located over a storefront, such awning shall not extend beyond the lesser of: the outermost frame of a window located within one foot of a building entry or 30 feet.
- (5) The bottom of an awning shall not be higher than the top frame of a storefront building entry or window, a building entry, or a window of the building to which such awning is attached and shall be no higher than 12 feet from the finished floor as determined by measuring 12 feet from the finished floor specified in the

permitted building plans of the business establishment using such awning to the top of the awning.

- (6) An awning shall be constructed of fabric, metal, or glass. An awning should complement the overall color scheme of the building facade.

SECTION 11.10: ADDITIONAL STANDARDS FOR CONDOMINIUM OR MULTIFAMILY/APARTMENT DEVELOPMENT

- a. For condominium or multifamily/apartment development, the additional standards shall apply:
 - (1) Dwelling-unit buildings shall be located and oriented to screen all parking areas from view of adjoining uses, including roadways.
 - (2) Dwelling-unit buildings shall transition in height from lower to higher from the perimeter to the interior of the development. The taller buildings in the development shall be located in the interior part of the development.
 - (3) Buildings with up to two-story dwelling units may be located around the perimeters of the development, except that three-story buildings will be allowed around perimeters if they are part of buildings that include both two and three stories.
 - (4) Long uninterrupted expanses of building facades are prohibited. Articulation is required through the use of jogs, projections or retreats in the building walls, windows, balconies, entryways and bays.
 - (5) All building entries adjacent to a street shall be pedestrian-scaled and shall include two or more of the following architectural treatments:
 - i. distinctive doorways;
 - ii. distinctive entry canopies or awnings;
 - iii. projected or recessed entry bays; porches;
 - iv. changes in paving material, texture, or color;
 - v. landscaping providing entry focal points;
 - vi. fountains;
 - vii. decorative benches;
 - viii. ornamental glazing,
 - ix. railings,
 - x. and balustrades.
 - (6) Stairs, hallways, and elevators shall be located within buildings and structures and not on the exterior of buildings and structures. No more than 25 percent of front doors to units shall be located on the exterior of the buildings.
 - (7) Garages may be attached, detached, the first floor of a multistory residence or multistory freestanding structures. If freestanding parking structures are used, such structures shall be located so as to be easily accessible to the buildings in which the

dwelling units they service are located.

- (8) The exteriors of freestanding multistory parking structures shall have architecturally-designed masonry panels.
- (9) Garage doors of attached garages shall not comprise more than 60 percent of the total length of a building's frontage, with no more than six such garage doors in succession on a building.
- (10) No more than four detached garages shall be located side by side.
- (11) Any carport section shall be limited to housing no more than six vehicles, up to a maximum of 120 feet in length, including enclosed storage areas.
- (12) At least one garage with square footage sufficient to house a minimum of two seven-foot by 18-foot automobiles in addition to normal yard maintenance equipment shall be provided for each condominium unit.
- (13) The square footage for garages for a multifamily development shall be of adequate square footage to house a minimum of one seven-foot by 18-foot automobile.
- (14) At least 50 percent of the required total number of parking spaces shall be provided within covered parking such as garages or carports.

SECTION 11.11: ADDITIONAL STANDARDS FOR HOTEL DEVELOPMENT

The following additional standards shall apply to hotel development:

- a. Long uninterrupted expanses of building facades are prohibited. Articulation is required through the use of jogs, projections or retreats in the building walls, windows, balconies, entry ways and bays.
 - (1) All building entries adjacent to a street shall be pedestrian-scaled and shall include two or more of the following architectural treatments:
 - i. distinctive doorways;
 - ii. distinctive entry canopies or awnings;
 - iii. projected or recessed entry bays; porches;
 - iv. changes in paving material, texture, or color;
 - v. landscaping providing entry focal points;
 - vi. fountains;
 - vii. decorative benches;
 - viii. ornamental glazing,
 - ix. railings,
 - x. and balustrades.
 - (2) Stairs, hallways, and elevators shall be located within buildings and structures and not on the exterior of buildings and structures.

- (3) Guestrooms may be accessible only through interior corridors.
- (4) Excluding windows and doors, a minimum of 50 percent of the exterior of buildings shall consist of architectural approved building materials in this zoning district ordinance
- (5) If freestanding parking structures are used, such structures shall be located so as to be easily accessible to the buildings in which the guestrooms they service are located.
- (6) The exteriors of freestanding multistory parking structures shall have architecturally-designed masonry panels.
- (7) Outdoor delivery or service areas within view of any right-of-way or residential area shall be screened from view by masonry walls.
- (8) Outdoor recreational space within view of any right-of-way or residential area shall be screened from view by a combination of fencing and landscaping. The use of chain link fencing materials shall not satisfy the requirements for screening outdoor recreational space.

SECTION 11.12: SIGNS

- a. Additions to San Juan Code of Ordinances, Chapter 3 Building Regulations, Article 3, Signs specific to the proposed Expressway Corridor District (ECD)
 - (1) Signs in the Expressway Corridor District shall be in accordance with San Juan Code of Ordinances, Chapter 3 Building Regulations, Article 3, Signs.
 - (2) Signs shall not obscure the visibility of the windows of commercial structures. No more than 50 per cent of window may be used for sign lettering.
 - (3) For new developments or redevelopment a Sign Master Plan shall be submitted in accordance with Sec. 3.05.010, Master Sign Plan.
 - (4) For new digital billboard signs or conversion from static to digital signs, another sign(s) under the same ownership of equivalent square footage shall be removed.

SECTION 11.13 ADDITIONAL REQUIREMENTS FOR CAR WASH FACILITIES

- a. There shall be a 10,000-linear foot minimum separation between car wash facilities for properties with frontage along IH2/US Expressway 83. The distance shall be measured by a direct line from the corner of one property to the corner of another property.

SECTION II. REPEALER CLAUSE. This Ordinance shall be cumulative of all other ordinances dealing with the same subject and any provision of any ordinance in direct conflict with any provision of this Ordinance is hereby repealed and the provisions of this Ordinance shall supersede any provisions in conflict herewith; all provisions of any other ordinance not in conflict herewith shall remain in full force and effect.

SECTION III. SAVINGS CLAUSE. If any section, part, or provision of this ordinance is declared unconstitutional or invalid, by a court of competent jurisdiction, then, in that event, it is expressly provided, and it is the intention of the City Commission in passing this ordinance that its parts shall be severable and all other parts of this ordinance shall not be affected thereby and they shall remain in full force and effect.

SECTION IV. CODIFICATION CLAUSE. The provisions of Section I of this Ordinance are to be published in the location indicated in the Code of Ordinances of the City of San Juan, Texas, as soon as practicable.

SECTION V. PUBLICATION AND EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage and publication according to law.

READ, CONSIDERED, PASSED AND APPROVED on first reading at a regular meeting of the City Commission of the City of San Juan, Texas, at which a quorum was present and which was held in accordance with Vernon's Texas Codes Ann., Government Code, Section 551.041, on the 13th day of October, 2017.

READ, CONSIDERED, PASSED AND APPROVED on second and final reading at a regular meeting of the City Commission of the City of San Juan, Texas, at which a quorum was present and which was held in accordance with Vernon's Texas Codes Ann., Government Code, Section 551.041, on the 14th day of November 2017.

CITY OF SAN JUAN

Mario Garza, Mayor

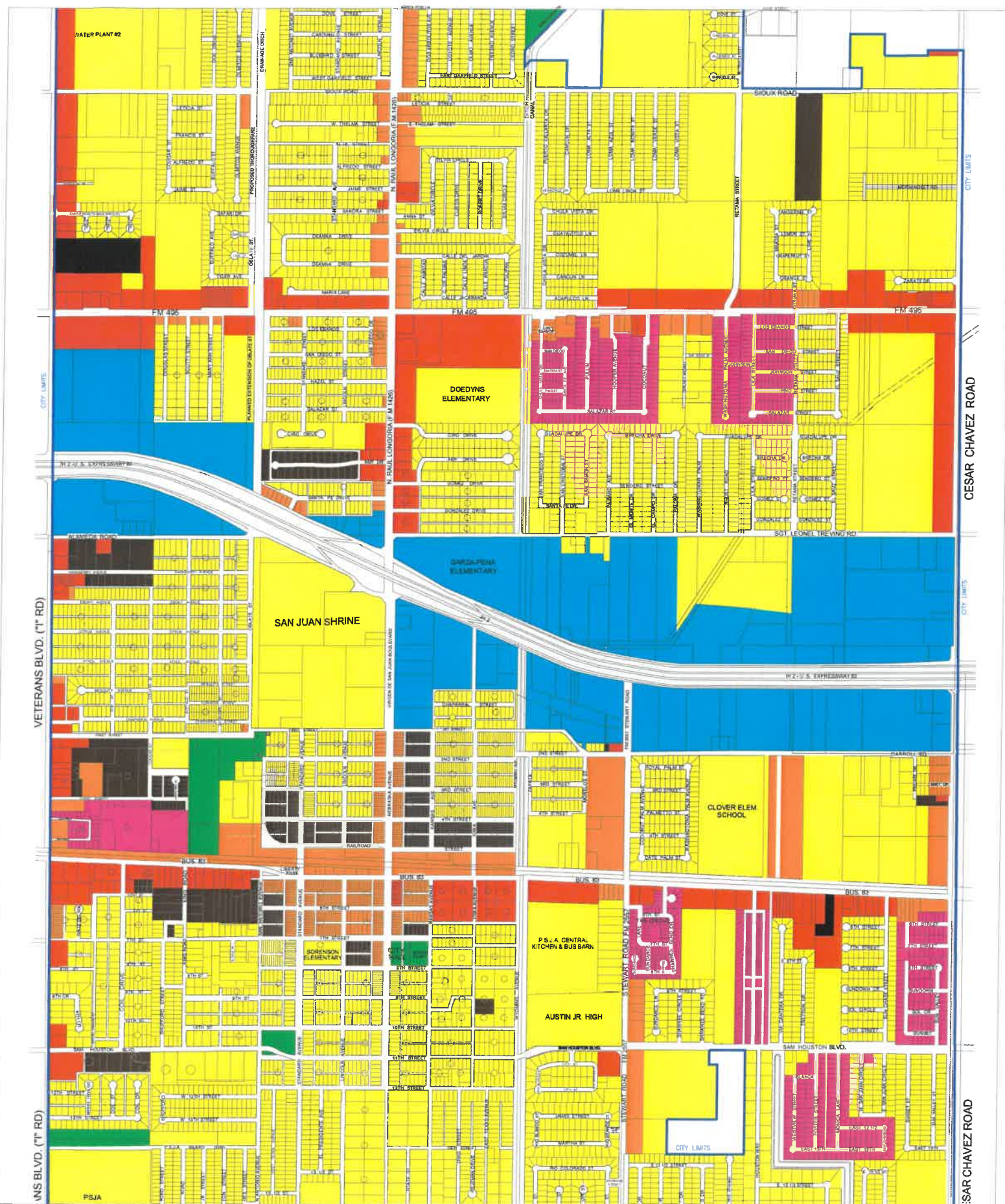
ATTEST:

Diana Cavazos, City Secretary

APPROVED BY:

Palacios, Garza & Thompson, P.C.

City Attorney



- Zoning Districts**
- Single Family Residential (R-S)
 - Manufactured Home (R-MH)
 - Multi-Family Residential (R-MF)
 - Neighborhood Commercial (C-1)
 - General Business (C-2)
 - Heavy Commercial (C-3)
 - Light Industrial (I-1)
 - Heavy Industrial (I-2)
 - Expressway Corridor (EC)

City of San Juan Zoning Map



AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
NOVEMBER 14, 2017

Consider Adoption of an Ordinance in Second Reading Granting to AEP Texas, Inc. Its Successors and Assigns, a Non-exclusive Franchise to Construct, Maintain and Operate Lines and Appurtenances and Appliances for Conducting Electricity In, Over, Under and Through the Streets, Avenues, Alleys and Public Places of the City of San Juan, Texas.

STAFF COMMENTS AND RECOMMENDATIONS:

During the City Commission meeting of October 24, the City Commission approved the First Reading of the Ordinance as presented by staff.

Previously, staff provided the following background:

The existing franchise agreement with American Electric Power (AEP) expired in April 7, 2016. The attached ordinance for your consideration will extend the franchise agreement until April 7, 2046.

The franchise agreement allows AEP to construct, maintain and operate lines, appurtenances and appliances for conducting electricity in, over, under and through the streets, avenues, alleys and public places of the City of San Juan.

RECOMMENDATION:

Adopt the franchise agreement ordinance as recommended by staff.

PREPARED BY:

Xavier Cervantes,
Director of Planning
and Zoning

APPROVED BY:

Benjamin Arjona, City
Manager

**AN ORDINANCE GRANTING TO AEP TEXAS INC., ITS SUCCESSORS AND
ASSIGNS, A NON-EXCLUSIVE FRANCHISE TO CONSTRUCT, MAINTAIN AND
OPERATE LINES AND APPURTENANCES AND APPLIANCES FOR
CONDUCTING ELECTRICITY IN, OVER, UNDER AND THROUGH THE
STREETS, AVENUES, ALLEYS AND PUBLIC PLACES OF THE CITY OF SAN
JUAN, TEXAS**

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF
SAN JUAN, TEXAS, A MAJORITY OF MEMBERS CONCURRING:**

SECTION 1: Subject to Article IX of the Charter of the City of San Juan, Texas, to the extent not preempted by state or federal law, AEP Texas Inc., formerly known as AEP Texas Central Company, a corporation organized under the laws of the State of Delaware, its permitted successors and assigns, (hereinafter called “Company”) is hereby granted the non-exclusive right, privilege, franchise and authority for a term of thirty (30) years, beginning April 8, 2016 and ending April 7, 2046, to acquire, construct, maintain and operate in, above, under, across, over and along the streets, alleys, thoroughfares, bridges, and public places, as the same now exist or may hereafter be laid out, in the City of San Juan, State of Texas, (hereinafter called “City”), lines for the transmission and distribution of electric energy and services incidental thereto, either by means of overhead or underground conductors, with all necessary or desirable appurtenances and appliances, as currently installed or that may be installed in the future, including but not limited to electric substations, underground conduits, poles, towers, wires and transmission lines, and communications lines and associated fixtures to be used solely in connection with the operation of the electric system and grid and matters appurtenant thereto, all for the purpose of transmitting and distributing electrical energy to said City and the inhabitants thereof, and persons and corporations within and beyond the limits thereof, for light, heat, power and any other purpose or purposes for which electric

energy is now or may hereafter be used, and to license or lease space on or within the Company's poles, conduit and appurtenant facilities for the attachment of third party facilities.

SECTION 2: Poles and towers shall be erected so as not to interfere unreasonably with traffic over streets and alleys, and City may make and impose reasonable requirements fixing the location of poles, towers and conduits, provided that no such requirement shall be unreasonably burdensome upon Company or unreasonably interfere with the operation or maintenance of said facilities.

SECTION 3: City hereby grants to Company permission to cut, trim, treat and dispose of trees and other vegetation upon and overhanging the streets, alleys, avenues, sidewalks, and other public places of the City in the vicinity of Company's electric facilities where such trees and other vegetation, in Company's reasonable opinion, constitute a hazard to Company's personnel or facilities, or the provision of continuous electric service.

SECTION 4: The Company shall fully indemnify and save harmless the City from any and all damage, loss, action or cause of action arising in whole or in part from Company's exercise of any of its rights, privileges, franchises and obligations hereunder, except to the extent arising out of City's negligence or willful misconduct.

SECTION 5: For and as full consideration and compensation for this franchise and the rights, privileges and easements granted and conferred thereby and as rental for the use of the streets, alleys and other public areas within or that may hereafter be within said City, the Company shall pay said City an amount calculated in accordance with the methodology prescribed by applicable law, as it exists today in the form and substance of the Texas Public Utilities Regulatory Act (PURA) Section 33.008(b), Texas Utilities Code, or the same as may hereafter be changed, modified or replaced; to-wit: a charge equal to the total electric franchise fee revenue due City from Company for calendar year 1998 divided by the total

kilowatt hours delivered by Company to retail customers whose consuming facilities' points of delivery were located within the City's boundaries during 1998 (the charge per kilowatt hour determined for 1998) multiplied times the number of kilowatt hours delivered by Company to retail customers within the City's boundaries. A payment made on the basis of the foregoing applicable law or any change, modification or replacement thereof will be made each month throughout the term herein provided for, with each such payment to be made on the first business day of the second month following the month in which the deliveries occur.

The City shall notify the Company in writing of newly annexed and de-annexed areas. The notice shall include the ordinance number authorizing the action, an appropriate map identifying the areas and documentation of the notice to the State of Texas regarding the annexation or de-annexation. The Company shall have no responsibility for commencing payments to City for kilowatt hours delivered in newly annexed areas until it shall have received City's notification. Upon City's notification and starting the 91st day after receipt of such notice, the Company will commence payments to the City for kilowatt hours delivered in each newly annexed area and will make any appropriate adjustments in payments reflecting over deliveries of kilowatt hours in any prior month resulting from inclusion of kilowatt hours from de-annexed areas in the calculation of the monthly charge. Payments for deliveries in newly annexed areas and adjustments for over deliveries in de-annexed areas shall be made back to the effective date of the ordinance.

SECTION 6: This franchise ordinance may be transferred in accordance with Article IX, Section 9.02 of City's Charter, and whenever in this ordinance the City or Company is referred to, such reference shall be deemed to include the permitted respective successor or assign of either, and all rights, privileges, franchises and obligations herein contained shall bind and inure to the benefit of such successor or assign, in which event the predecessor of

such successor or assign is divested of all such rights, privileges, franchises or obligations, whether so expressed or not.

SECTION 7: The terms and provisions of this ordinance are joint and several, and the invalidity of any part shall not affect the validity of the remainder of the ordinance.

SECTION 8: This ordinance shall take effect sixty (60) days after adoption of this franchise ordinance on its third and final reading, provided that Company shall file its written acceptance of this franchise within ninety (90) days after the adoption of this ordinance and upon such acceptance, the electric franchise under which the City has been operating heretofore, shall stand surrendered.

SECTION 9: During the 60-day period after final passage of this ordinance and before such ordinance takes effect, the full text of such ordinance shall be published once each week for four consecutive weeks in one or more newspapers of general circulation in the City, and the expense of such publication shall be borne by Company.

INTRODUCED, READ FOR THE FIRST TIME AND PASSED to the second reading at a regular meeting duly and regularly called and held on the 13th day of October, 2017, by the following vote:

AYES: Mario Garza, Mayor

Jesus Ramirez, Mayor Pro-tem

Pete Garcia, Commissioner

Raudel Maldonado, Commissioner

Ernesto Guajardo, Commissioner

NAYES:None

INTRODUCED, READ FOR THE SECOND TIME AND PASSED to the third reading at a regular meeting duly and regularly called and held on the 14th day of November, 2017, by the following vote:

AYES:	_____	NAYES:	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

INTRODUCED, READ FOR THE THIRD TIME AND FINALLY PASSED AND ADOPTED in written form at a regular meeting duly and regularly called and held on the 28th day of November, 2017, by the following vote:

AYES:	_____	NAYES:	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

APPROVED, this the 28th day of November, 2017.

The Honorable Mayor of the City of San Juan, Texas

Printed Name

ATTEST:

City Secretary

Printed Name

STATE OF TEXAS §

COUNTY OF HIDALGO §

I, the undersigned, City Secretary of the City of San Juan Texas, hereby **CERTIFY** that the above and foregoing is a true and correct copy of a franchise ordinance passed, adopted and approved by the City Commission of the City of San Juan, Texas, at a meeting duly and regularly called and held on the 28th day of November, 2017.

IN TESTIMONY WHEREOF, witness my hand and seal of office, this 28th day of November, 2017.

City Secretary of the City of
San Juan, Texas

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
NOVEMBER 14, 2017

Consider an Ordinance in Second Reading for a Rezoning Request from Multi-Family Residence District (R-MF) to Single-Family Residence District (R-S) for a Property Legally Described as the West 20.0 Acres out of Lot 1, Block 43, Alamo Land and Sugar Company's Subdivision, Located Approximately a Quarter of a Mile East of Raul Longoria Road along the South Side of Nolana Avenue, as Requested by Ricardo Salinas.

STAFF COMMENTS AND RECOMMENDATIONS:

During the City Commission meeting of October 24, the City Commission approved the First Reading of the Ordinance as presented by staff.

Previously, staff provided the following background:

Mr. Salinas is proposing to rezone 20.00 acres from Multi-Family Residence District (R-MF) to Single-Family Residence District (R-S) in order to build a single-family residential subdivision. The property owner will be required to properly subdivide the property in order to undertake any improvements at the site. The surrounding zonings consist of single-family residential and commercial zoning designations.

Staff mailed a notice of the public hearings to thirty-five (35) property owners within a two hundred (200) foot radius and received no comments in favor or against this request.

RECOMMENDATION:

During their meeting of October 5, 2017 the Planning and Zoning Commission unanimously recommended approval of the rezoning request.

PREPARED BY:

Xavier Cervantes,
Director of Planning
and Zoning

APPROVED BY:

Benjamin Arjona, City
Manager

MEETING DATES:
PLANNING AND ZONING COMMISSION – 10/05/2017
CITY COMMISSION – 10/24/2017
DATE PREPARED – 09/27/2017

PAGE 1

STAFF REPORT
GENERAL INFORMATION

APPLICATION:	Rezoning Request from Multi-Family Residence District (R-MF) to Single-Family Residence District (R-S)
APPLICANT:	Ricardo R. Salinas
SURVEYOR/ENGINEER:	N/A
LEGAL:	The West 20.0 acres out of Lot 1, Block 43, Alamo Land and Sugar Company's Subdivision
LOCATION:	Approximately a quarter of a mile East from Raul Longoria Road along the South side of Nolana Avenue.
CURRENT USE OF PROPERTY:	Agriculture
EXISTING LAND USE AND ZONING:	<u>North</u> – Residential; Single-Family Residence District (R-S) <u>South</u> – Residential; Single-Family Residence District (R-S) <u>West</u> – Residential; Single-Family Residence District (R-S) / General Business District (C-2) <u>East</u> – Community Park; Single-Family Residence District (R-S) / General Business District (C-2)
ACCESS AND CIRCULATION:	This property has access onto Nolana Avenue
PUBLIC SERVICES:	Water service belongs to the North Alamo Water Supply Corporation; sewer is provided by the City of San Juan.
RECOMMENDATION:	Staff recommends approval of the rezoning request.

EVALUATION AND CONDITIONS FOR APPROVAL

Mr. Salinas is proposing to rezone 20.00 acres from Multi-Family Residence District (R-MF) to Single-Family Residence District (R-S) in order to build a single-family residential subdivision. The property owner will be required to properly subdivide the property in order to undertake any improvements at the site. The surrounding zonings consist of single-family residential and commercial zoning designations.

Staff mailed a notice of the public hearings to thirty-five (35) property owners within a two hundred (200) foot radius and received no comments in favor or against this request.

ATTACHMENTS:

Location Map
Aerial Photo
Zoning Map
Survey
List of neighboring property owners receiving notice
Photos
Ordinance

FINAL RESOLUTION OF REQUEST & COMMENTS:

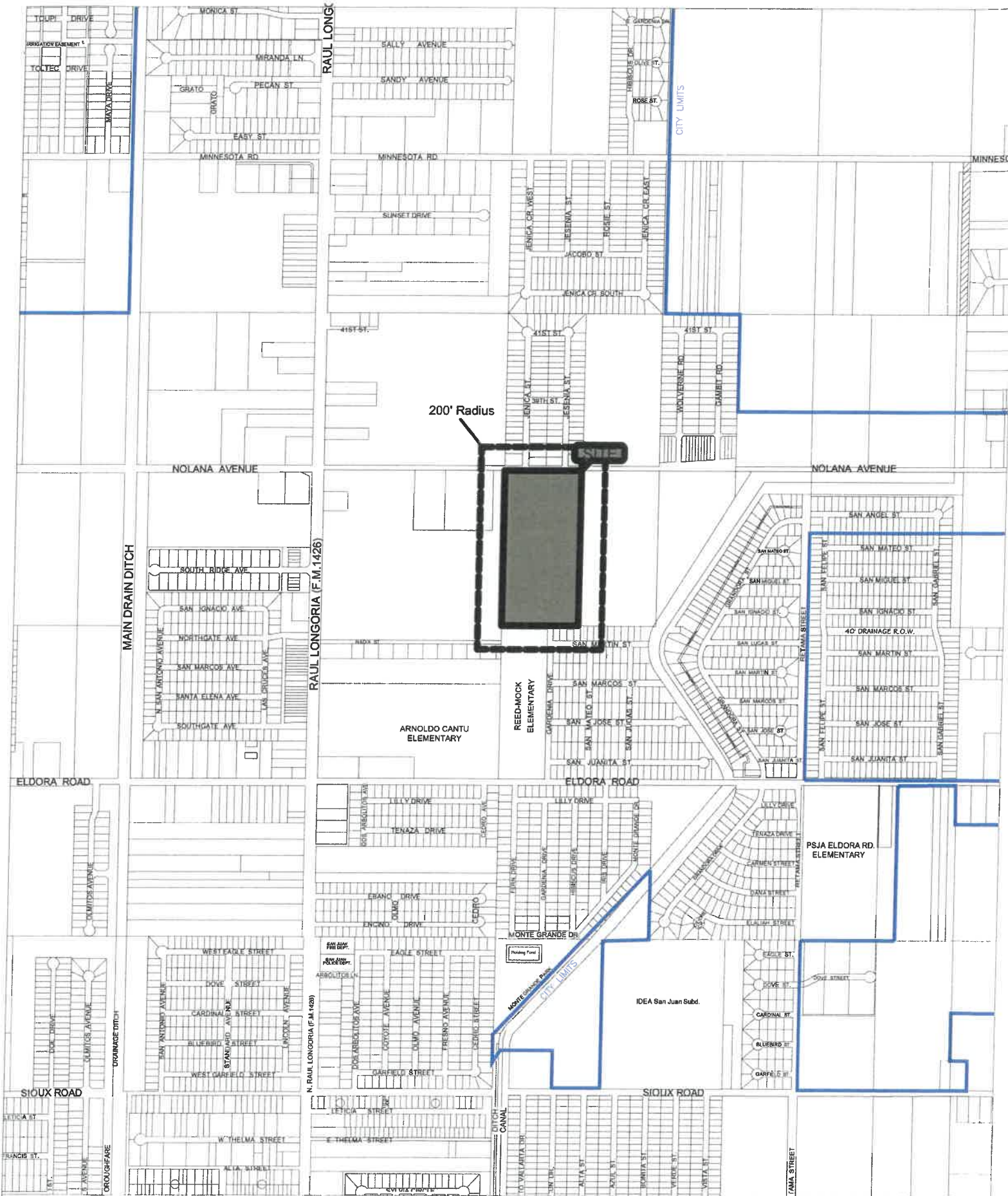
P&Z – 10/05/17 Commissioner Alaniz made a motion to approve the rezoning request as recommended by staff. Commissioner Gonzalez seconded the motion. The motion passed with a (4-0) vote.

Ms. Gomez, City Planner, said that Mr. Salinas had gone before the board several years before to rezone the property from single-family district to multi-family district. She said that Mr. Salinas is now requesting to re-zone the property from multi-family district to single-family district in order to build a single family residential subdivision.

Mr. Wilfred Pawlik, property owner to the North, stated that he had no objections to the re-zoning change request.

He said that Mr. Ricardo Salinas has purchased the property again and now wants to develop the property for single family residential instead of apartments.

Commissioner Alaniz asked if the agreement that was previously made when the same property came before the board as County Park would still be valid. Mr. David Salinas, engineer, said that the agreement would have no effect on this new subdivision. He said that the developer has several subdivisions in the Edinburg area and feels that the way to go now is to build houses and not apartments.



Legend

- CITY LIMITS
- Proposed area

Rezoning Request from Multi-Family Residence District (R-MF) to Single-Family Residence District (R-S) for a property legally described as the West 20.0-acres tract of land out of Lot 1, Block 43, Alamo Land and Sugar Company's Subdivision, located approximately a quarter of a mile East from Raul Longoria Road along the South side of Nolana Avenue, as Requested by Ricardo R. Salinas.





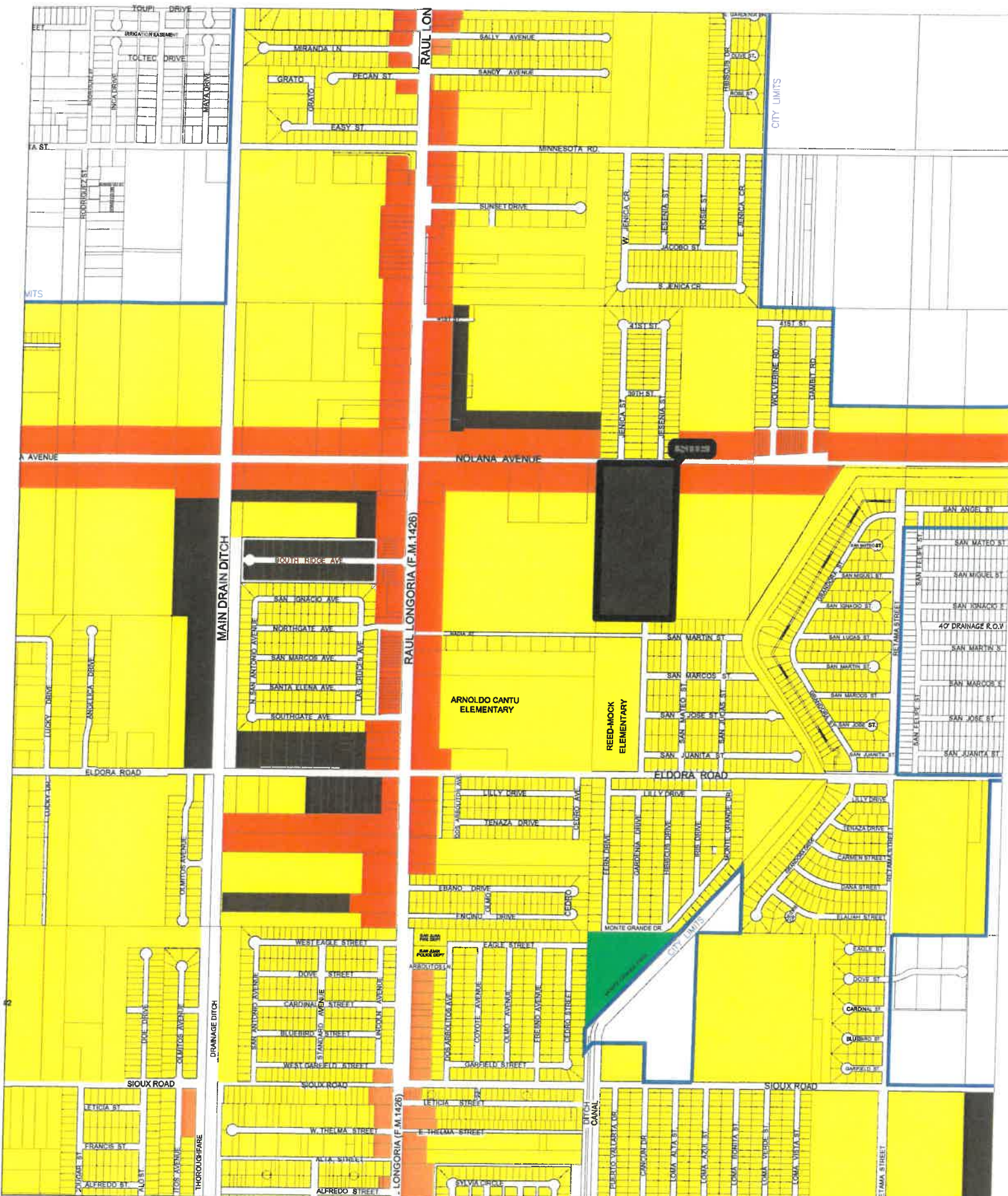
Legend

- CITY LIMITS
- Proposed area

Rezoning Request from Multi-Family Residence District (R-MF) to Single-Family Residence District (R-S) for a property legally described as the West 20.0-acres tract of land out of Lot 1, Block 43, Alamo Land and Sugar Company's Subdivision, located approximately a quarter of a mile East from Raul Longoria Road along the South side of Nolana Avenue, as Requested by Ricardo R. Salinas.

N





- Zoning Districts**
- Single Family Residential (R-S)
 - Manufactured Home (R-MH)
 - Multi-Family Residential (R-MF)
 - Neighborhood Commercial (C-1)
 - General Business (C-2)
 - Heavy Commercial (C-3)
 - Light Industrial (I-1)
 - Heavy Industrial (I-2)
 - Open Space (O)
 - Exp. Corridor (EC)

Rezoning Request from Multi-Family Residence District (R-MF) to Single-Family Residence District (R-S) for a property legally described as the West 20.0-acres tract of land out of Lot 1, Block 43, Alamo Land and Sugar Company's Subdivision, located approximately a quarter of a mile East from Raul Longoria Road along the South side of Nolana Avenue, as Requested by Ricardo R. Salinas.



SALINAS ENGI
CONSULTING E.
1013 SYCAMORE
(956) 682-9081
dsalinas

ADJOINER:
OWNER: SNOWDEN, DUANE C
THE EAST 20.0 ACRES OF
LOT 16, BLOCK 47
ALAMO LAND AND SUGAR
VOL. 1, PAGE 24, H.C.M.R.
PROPERTY I.D.# R547026

LOT 10, BLOCK 8
ET. AL SUBDIVISION
VOL. 0, PG. 4
H.C.M.R.

P.O.E.
TRACT I AND II
LOT 1, BLK 43

P.O.E.
TRACT I

NORTH
90.0'

EAST
480.0'

WEST
480.0'

ADJOINER:
OWNER: LYNETTE GARZA
W408.9'-E508.9'-N510.76'
LOT 11, BLOCK 8
JOHN CLOSNER
VOL. 0, PAGE 4, H.C.M.R.
PROPERTY I.D.# R200072

ADJOINER:
OWNER: AMADO MENDES
E103.4'-N510.76'
LOT 11, BLOCK 8
JOHN CLOSNER
VOL. 0, PAGE 4, H.C.M.R.
PROPERTY I.D.# R200078

1,230.0'

LOT 11, BLOCK 8
ET. AL SUBDIVISION
VOL. 0, PG. 4
H.C.M.R.

ADJOINER:
OWNER: STEBEL, WILLIE & EDWIN
THE SOUTH 28.72 ACRES OF
LOT 11, BLOCK 8
JOHN CLOSNER
VOL. 0, PAGE 4, H.C.M.R.
PROPERTY I.D.# R607720

NORTH

TRACT-II

12.63 GROSS ACRES

TRACT-I

7.37 GROSS ACRES

1,062.02'

NORTH
SOUTH

WEST
445.0'

WEST
215.0'

ADJOINER:
OWNER: PSJA ISD
THE WEST 435' OF
LOT 8, BLOCK 43
ALAMO LAND AND SUGAR
VOL. 1, PAGE 24, H.C.M.R.
PROPERTY I.D.# R546021

SAN MARTIN STREET (50.0' R.O.W.)

LOT 14, BLOCK 8
ET. AL SUBDIVISION
VOL. 0, PG. 4
H.C.M.R.

HIDALGO COUNTY COMMUNITY
RESOURCE CENTER
VOL. 47, PG. 83
H.C.M.R.

CURVE TABLE TRACT-I			
CURVE	LENGTH	RADIUS	BEARING
C1	58.92	175.00	N09°38'41"E 58.65
C2	75.75	225.00	N09°38'41"E 75.39

CURVE TABLE TRACT-II			
CURVE	LENGTH	RADIUS	BEARING
C1	58.92	175.00	S09°38'41"W 58.65
C2	75.75	225.00	S09°38'41"W 75.39

Rezoning Request from Multi-Family Residence District (R-MF) to Single-Family Residence District (R-S) for a property legally described as the West 20.0-acres tract of land out of Lot 1, Block 43, Alamo Land and Sugar Company's Subdivision, located approximately a quarter of a mile East from Raul Longoria Road along the South side of Nolana Avenue, as Requested by Ricardo R. Salinas.

Salinas, Ricardo R. Jr. and Arturo
1524 W Dove Avenue
McAllen, TX 78504-3439

Segura, Josefina A.
421 San Martin St.
San Juan, TX 78589-4908

Mendez, Amadeo
231 E Park Avenue
Pharr, TX 78577

Hidalgo County
100 E Cano Street, Suite 302
Edinburg, TX 78539-4548

Bracamontez, Rebecca
Alma D. Bracamontez
417 San Martin
San Juan, TX 78589

Garza, Lynette
200 W 16th Street
San Juan, TX 78589

Cruz, Refugio (DEC)
c/o Maria Cruz
P.O. Box 154
San Juan, TX 78589-0154

Cuellar, Jose and Myrthala
P.O. Box 1581
San Juan, TX 78589-1581

Pawlik, Wildred & Residuary Trust
for Kandee R. Pawlik
4701 Lark Avenue
McAllen, TX 78504-5336

Morales, Jesus and Patricia
205 Lilly Dr.
San Juan, TX 78589-4939

Rodriguez, Pedro and Maria D.
P.O. Box 902
San Juan, TX 78589-0902

Gonzalez, Minerva and Jose Luis
3701 Jenica St.
San Juan, TX 78589

Garza, Esperanza
500 San Martin St.
San Juan, TX 78589

PSJA ISD
P.O. Box 769
Pharr, TX 78577-1615

Gutierrez, Juanita
P.O. Box 1354
San Juan, TX 78589-1354

Saavedra, Daniel
420 San Martin St.
San Juan, TX 78589

Leal, Jose M. Jr. and Rose Elida Rdz
311 Nadia Rd.
San Juan, TX 78589

Navarro, Guadalupe & Rosa H.
3705 Jenica St.
San Juan, TX 78589

Rodriguez, Maria D.
P.O. Box 902
San Juan, TX 78589

Avila, Tony Jr. and Irma
817 E Johnson St.
San Juan, TX 78589-3942

Gutierrez, Denis
3704 Jenica St.
San Juan, TX 78589-9779

Moreno, Ricardo and Lucia
414 San Martin St.
San Juan, TX 78589

Solis, Julian and Elena
314 Nadia St.
San Juan, TX 78589

Solis, Jose Luis
Rosa Maria Carrizales
P.O. Box 2427
San Juan, TX 78589-7427

Foster, Baiel & Maria F. Segura
P.O. Box 1263
San Juan, TX 78589-1263

Cantu, Erika
2030 Lucky St.
Mission, TX 78573

Perez, Vicente and Ma. Leonor
3700 Jenica St.
San Juan, TX 78589-9779

Peña, Narcisco and Rosa Maria
P.O. Box 31
Parma, ID 83660-0031

Stebel, Edwin and Alicce Emillie
P.O. Box 313
Pharr, TX 78577-1606

Gonzalez, Sergio and Martha
P.O. Box 1151
San Juan, TX 78589-1151

Rezoning Request from Multi-Family Residence District (R-MF) to Single-Family Residence District (R-S) for a property legally described as the West 20.0-acres tract of land out of Lot 1, Block 43, Alamo Land and Sugar Company's Subdivision, located approximately a quarter of a mile East from Raul Longoria Road along the South side of Nolana Avenue, as Requested by Ricardo R. Salinas.

Lopez, Nancy
AKA Serna Nancy Ruth
3703 Jesenia St.
San Juan, TX 78589-9726

Grimaldo, Luis and Yvette
3701 Jesenia St.
San Juan, TX 78589-9726

Vasquez, Mario A. and Armandina
P.O. Box 2930
San Juan, TX 78589-7930

Avalos, Nora Idalia
Martin Sr. & Martin Jr. Avalos
5209 E Harrison Rd.
Walkerville, MI49459-9476

Rezoning Request from Multi-Family Residence District (R-MF) to Single-Family Residence District (R-S) for a property legally described as the West 20.0-acres tract of land out of Lot 1, Block 43, Alamo Land and Sugar Company's Subdivision, located approximately a quarter of a mile East from Raul Longoria Road along the South side of Nolana Avenue, as Requested by Ricardo R. Salinas.



Proposed Site

ORDINANCE NO.

AN ORDINANCE AMENDING THE ZONING ORDINANCE NO. 98-006, THE ZONING ORDINANCE OF THE CITY OF SAN JUAN, TO CHANGE THE ZONING DISTRICT FROM MULTI-FAMILY RESIDENCE DISTRICT (R-MF) TO SINGLE-FAMILY RESIDENCE DISTRICT (R-S) FOR THE PROPERTY LEGALLY DESCRIBED AS THE WEST 20.0 ACRES OUT OF LOT 1, BLOCK 43, ALAMO LAND AND SUGAR COMPANY'S SUBDIVISION, LOCATED APPROXIMATELY A QUARTER OF A MILE EAST FROM RAUL LONGORIA ROAD ALONG THE SOUTH SIDE OF NOLANA AVENUE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SAN JUAN, TEXAS:

Consistent with the City's land use plan as set-forth in the land use map that is a part of the City's Zoning Ordinance, and consistent with the City's intentions of allowing and encouraging single-family development that generates property taxes, water and sewer revenues and sales tax revenues.

The zoning district of the property legally described as the West 20.0 acres out of Lot 1, Block 43, Alamo Land and Sugar Company's Subdivision, as shown as Exhibit "A" shall be changed from Multi-Family Residence District (R-MF) to Single-Family Residence District (R-S) and the zoning map shall be amended accordingly.

PASSED and APPROVED on first reading on the 24th day of October, 2017.

PASSED and APPROVED on second and final reading on the 14th day of November, 2017.

CITY OF SAN JUAN

MARIO GARZA
MAYOR

ATTEST:

DIANA CAVAZOS
CITY SECRETARY

APPROVED BY:
Palacios, Garza & Thompson, P.C.

CITY ATTORNEY

Exhibit "A"

SALINAS ENGINEERING
CONSULTING ENGINEERS
1013 SYCAMORE
(956) 682-9081
dsalinas.com

ADJOINER:
OWNER: SNOWDEN, DUANE C
THE EAST 20.0 ACRES OF
LOT 16, BLOCK 47
ALAMO LAND AND SUGAR
VOL. 1, PAGE 24, H.C.M.R.
PROPERTY I.D.# R547026

LOT 10, BLOCK 8
JOHN CLOSNER
VOL. 0, PG. 4
H.C.M.R.

F.O.C.
TRACT I AND II
N.W. 1/4
BLK. 43

F.O.B.
TRACT I

NORTH
90.0'

EAST
WEST

480.0'

ADJOINER:
OWNER: LYNETTE GARZA
W406.5'-E508.9'-N510.76'
LOT 11, BLOCK 8
JOHN CLOSNER
VOL. 0, PAGE 4, H.C.M.R.
PROPERTY I.D.# R200072

ADJOINER:
OWNER: ANNELO MENDEZ
E502.4'-N510.76'
LOT 11, BLOCK 8, JOHN CLOSNER
VOL. 0, PAGE 4, H.C.M.R.
PROPERTY I.D.# R200078

LOT 11, BLOCK 8
JOHN CLOSNER
VOL. 0, PG. 4
H.C.M.R.

ADJOINER:
OWNER: STEBEL, WILLIE & EDWIN
THE SOUTH 28.72 ACRES OF
LOT 11, BLOCK 8
JOHN CLOSNER
VOL. 0, PAGE 4, H.C.M.R.
PROPERTY I.D.# R507720

NORTH

TRACT-II
12.63 GROSS ACRES

TRACT-I
7.37 GROSS ACRES

NORTH
SOUTH

WEST 445.0'

ADJOINER:
OWNER: PSJA 150
THE WEST 435' OF
LOT 8, BLOCK 43
ALAMO LAND AND SUGAR
VOL. 1, PAGE 24, H.C.M.R.
PROPERTY I.D.# R546021

WEST 215.0'

SAN MARTIN STREET (50.0' R.O.W.)

LOT 14, BLOCK 8
JOHN CLOSNER
VOL. 0, PG. 4
H.C.M.R.



Mayor: Mario Garza
Mayor Pro-Tem: Jesus "Jesse" Ramirez
Commissioners: Ernesto "Neto" Guajardo
Raudel Maldonado
Pete Garcia

To: Benjamin Arjona, City Manager
From: Leroy Gonzales, Interim-Director of Finance
Date: October 17, 2017
Subject: Monthly Collection Report – September 2017

Attached you will find the above referenced monthly tax collection report as submitted by Pablo "Paul" Villarreal Jr., County of Hidalgo, Tax Collector for the City of San Juan, Texas.

According to the property tax code, Section 10 **Reports and Remittances of Other Taxes**, "Each month the collector of taxes for a taxing unit shall prepare and submit to the governing body of the unit a written report made under oath accounting for all taxes collected for the unit during the preceding month".

The following summary is included into this memorandum for information purposes:

Tax Year	SUMMARY OF TAX COLLECTIONS				
	2016	2015	2014	2013	2012
Tax Levy	6,638,277.98	6,363,985.51	6,062,874.30	6,226,969.81	5,863,668.66
Adjustment to date	(19,259.27)	15,174.33	56,698.99	2,590.79	7,624.63
Adjusted Tax Levy	6,619,018.71	6,379,159.84	6,119,573.29	6,229,560.60	5,871,293.29
Collection to date	6,232,308.52	2,957,041.48	2,645,528.79	2,596,943.90	2,403,399.43
Percentage Collected	91.16%	46.35%	43.23%	41.69%	40.93%

A property Tax Adjustments Report (by account) for the same month and prior months is available from the Finance Department.

If you have any questions, please do not hesitate in calling me at 956-223-2232.

C: Mayor, Mario Garza
Mayor Pro-Tem, Jesus "Jesse" Ramirez
Commissioners: Raudel Maldonado
Pete Garcia
Ernesto "Neto" Guajardo

PABLO "PAUL" VILLARREAL JR., ASSESSOR & COLLECTOR
CITY OF SAN JUAN TAXES COLLECTED FOR:
SEPTEMBER 2017

COMPARATIVE RATE OF COLLECTIONS

CITY OF SAN JUAN CSJ (37)	ORIGINAL TAX LEVY	COLLECTED TO DATE	DROPPED YRS AFTER PURGE	MODIF. TO DATE	TAXES OUTSTANDING	PERCENT 2016/2017	COLLECTED 2015/2016
2016 TAX ROLL	6,638,277.98	6,232,308.52	-	(19,259.27)	386,710.19	94.16%	94.35%
2015 & PRIOR YRS	1,435,488.73	349,762.10	(6,731.59)	(16,604.46)	1,062,390.58	24.77%	23.60%
ROLLBACK	2,534.74	3,176.71	-	22,599.39	21,957.42	12.64%	0.00%
TOTALS	8,076,301.45	6,585,247.33	(6,731.59)	(13,264.34)	1,471,058.19		

BREAKDOWN OF TAX COLLECTIONS AND FEES FOR THE MONTH OF SEPTEMBER 2017

	CITY OF SAN JUAN	MONTHLY MODIFICATIONS
CURRENT YEAR-BASE TAX	20,502.42	(2,721.85) CURRENT
CURRENT YEAR-P&I	4,541.21	
PRIOR YEARS-BASE TAX	13,796.03	(1,201.48) PRIOR
PRIOR YEARS-P&I	6,981.89	
ROLLBACK		ROLLBACK
ROLLBACK P&I		
ATTORNEY FEES	7,205.16	PURGED
TOTAL COLLECTIONS	53,026.71	(3,923.33)
LESS TRANSFERRED	16,959.00	
LESS IN TRANSIT	32,827.12	
LESS DUE TO HCAD COMM. FEE	24.59	
LESS DUE TO CO TREASURER	3,216.00	
BALANCE	-	

*****AFFIDAVIT*****

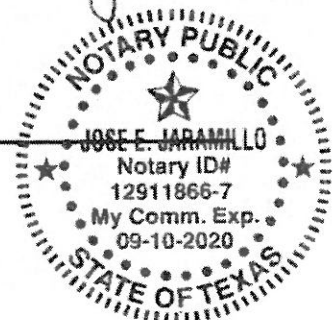
I, PABLO "PAUL" VILLARREAL JR., ASSESSOR-COLLECTOR OF TAXES FOR THE CITY OF SAN JUAN, DO SOLEMNLY SWEAR THAT THE ABOVE STATEMENT OF TAXES COLLECTED BY ME FOR THE MONTH OF SEPTEMBER 2017 IS CORRECT.

Pablo (Paul) Villarreal Jr.
ASSESSOR-COLLECTOR OF TAXES FOR CITY OF SAN JUAN, TEXAS



SWORN AND SUBSCRIBED BEFORE ME THIS 12th DAY OF OCTOBER, 2017 A.D.

Jose E. Jaramillo
NOTARY PUBLIC, HIDALGO COUNTY, TEXAS



MINUTES OF A REGULAR MEETING OF THE CITY OF SAN JUAN COMMISSION

DATE: Tuesday, May 23, 2017

TIME: 6:00 p.m.

PLACE: San Juan Memorial Library
Multipurpose Meeting Room
1010 S. Standard
San Juan, Texas 78589

MEMBERS PRESENT: Mario Garza, Mayor
Jesus Ramirez, Mayor Pro-Tempore
Raudel Maldonado, Commissioner
Pete Garcia, Commissioner

MEMBERS ABSENT: Juan Gonzalez, Chief of Police
Javier Villalobos, City Attorney

STAFF PRESENT: Benjamin Arjona, City Manager
Palmira Cepeda, Interim City Secretary
Oscar Cuellar, San Juan EDC Director
Leroy Gonzalez, Interim Finance Director
Adelaida Cordero, Director of Human Resources
Armandina Sesein, Library Director
Patrick Willingham, Director of Parks and Recreation
Xavier Cervantes, Director of Planning
Carmen Gonzalez, Director of Sanitation
Rene Jaime, Purchasing/Risk Manager
David Salinas, Director of Utilities
Mary Enriquez, Court Administrator

GUEST:

ORDER OF BUSINESS

I. CALL MEETING TO ORDER

Mayor Mario Garza called meeting to order at 6:00 p.m.

II. INVOCATION

Pastor Nuno Rodriguez led the invocation.

III. PLEDGE OF ALLEGIANCE

Mayor Mario Garza led the Pledge of Allegiance.

IV. PRESENTATIONS

- a. Presentation on Departmental Reports: Municipal Court, Police Department, Department of Utilities, Fire Department, Department of Finance and Benjamin Arjona, City Manager.

DISCUSSION: Benjamin Arjona, City Manager presented the item and Commissioner Raudel Maldonado asked Mary Enriquez, Court Administrator how they were doing with the scofflaw. Ms. Enriquez stated that business slowed down due to being tax season but overall everything was working smooth.

Commissioner Pete Garcia asked for status on a hole at the park that was reported and kids were tripping. Mr. Arjona stated that he would be addressing the issue the following day.

Commissioner Garcia asked what the process was on the trash pickup at businesses. He stated that the owner of Esther's Beauty Shop complained that the trash trucks were breaking the parking lot. Carmen Gonzalez, Director of Sanitation stated she would make contact with the owner. Mayor Mario Garza asked for the schedule of the sweeper truck and Ms. Gonzalez stated that it was not being used during the week due to other trash trucks being down and she also wanted to focus on all the city trash being picked up. Commissioner Pete Garcia asked what the issue was with the brush pick up and why it was not being picked up and Ms. Gonzalez stated that they are on schedule. She further stated that the problem was that the day after brush pick up residents would put out more trash. She added that a Code Enforcement Officer was working with her staff in assisting them to get

addresses on 18 homes that took out brush after they had already picked up. Mayor Garza asked if those residents were getting a citation and what was the City doing to fix the problem. Ms. Gonzalez stated that she wanted to work on a schedule aside from the regular schedule to be able to pick up items like mattresses and toilets on a quarterly basis.

Commissioner Raudel Maldonado asked for the status on Loma Linda Street. He mentioned that the street was in very bad shape and he has seen cars skid when it rains. Benjamin Arjona, City Manager stated that Loma Linda Street was the first one on the list to be fixed.

Mayor Pro-Tempore Jesus Ramirez asked what Paseo De Las Flores was lacking since the report stated 95% complete. Mr. Arjona stated that they were pending a pipe that goes under the canal. Mayor Pro-Tempore asked if they are at risk for flooding. Xavier Cervantes, Director of Planning stated that in case of the street flooding, the contractor would pump the water out and continue to do so until the project is completed.

V. PUBLIC HEARING/ORDINANCES

- a. Conduct a Public Hearing and Consider an Ordinance in First Reading Amending the Code of Ordinance at Appendix "A", Unified Development Code, Chapter 2-Zoning Regulations, Article II, - Establishment of Districts and Boundaries for the Expressway Corridor District, Article IV, Expressway Corridor District Including Use and Area Regulations, Area and Heights Requirements, Definitions, Uses, Additional Requirements for Parking, Driveway, Landscaping and Architectural Standards. (Xavier Cervantes, Director of Planning)

DISCUSSION: Benjamin Arjona, City Manager presented the item and Xavier Cervantes, Director of Planning gave presentation. Mr. Cervantes stated that 478 letters were mailed out in regards to the public hearing and no one spoke in opposition of the Ordinance amendment. During the meeting, the Planning and Zoning Commission unanimously recommended approval during the April 6th meeting. He stated that they had been working on the plan for over two years and that the Ordinance will only allow architectural buildings.

Mayor Mario Garza opened the item for discussion for or against at 6:34 P.M. and asked if there were any members for or against the item. Mayor Garza asked if other Cities had a similar Ordinance and Mr. Cervantes replied that the City of San Juan was the first one and other cities had similar Ordinances. Mayor Garza closed discussion at 6:37 P.M.

Motion was made by Commissioner Mayor Pro-Tempore Jesus Ramirez to approve and seconded by Commissioner Raudel Maldonado. Motion passed. (4-0)

- b. Conduct a Public Hearing and Consider an Ordinance in First Reading for a Conditional Use Permit for the Operation of a Gasoline Service Station and for the Sale of Alcoholic Beverages for Off-Premise Consumption at the Proposed "Aziz Quick Stop" proposed for construction at the Northeast corner of Raul Longoria and Eldora Roads, legally described as a 1.78-acre tract of land out of Lot 14, Block 8, John Closner Subdivision, as Requested by Aziz Quick Stop, LLC. (Xavier Cervantes, Director of Planning)

DISCUSSION: Benjamin Arjona, City Manager presented the item and Xavier Cervantes, Director of Planning gave presentation. Mr. Cervantes stated that Mr. Treviño was requesting a permit for gasoline service for his business and the hours of operation would be for 24 hours/7 days a week. Letters were sent to 19 property owners and no comments were made in favor or against. The Planning and Zoning Commission recommended approval with a 6 to 1 vote.

Mayor Mario Garza opened the item for discussion at 6:39 P.M. Jesse Zambrano stated that the issue was the proximity to the school nearby. He stated that he was not for or against but to keep in mind the effect on Cantu Elementary which is the closest to the business. Mayor Garza stated that there was a Stripes store located at the corner of Steward and Old 83 and Austin Middle School was down the road. He went on to say that Juan Gonzalez, Chief of Police did not express any concerns regarding the location of the business. Ruben Navarro stated that the school district should implement more security if they had concerns or felt that the students wouldn't feel safe. He added that the City needs more businesses for the tax revenue and to fix the streets. EDC board member Eddie Garcia stated that there were 33 acres of land that the City did not make any money from due to a School and Church being there. Therefore, by allowing Mr. Treviño have a business; the City would gain 1 ½ acre of land that would become taxable. Commissioner Pete Garcia stated that they needed to discuss and take into consideration all concerns due to beer runs and accidents that could occur. Mayor Garza asked Mr. Cervantes what his thoughts were and Mr. Cervantes responded that he did not see any

problem with the school being near the business since it was an elementary school and students still get dropped off and picked up.

Motion was made by Commissioner Raudel Maldonado to approve and seconded by Mayor Pro-Tempore Jesus Ramirez. Motion passed. (4-0)

VI. APPOINTMENTS

- a. Consider Removal and Appointment of Board Members related to the San Juan Economic Development Corporation Board. (Palmira Cepeda, Interim City Secretary)

DISCUSSION: Benjamin Arjona, City Manager presented the item and Palmira Cepeda, Interim City Secretary stated that she placed all the applications in a folder for the Commission to review. Commissioner Raudel Maldonado asked for clarification if they were making a Motion to remove and fill the position and Mayor Mario Garza responded that they were making a Motion to remove. He made the Motion to remove Adriana Salazar and Ms. Cepeda commented that Ms. Salazar had submitted her letter of resignation. Benjamin Arjona, City Manager mentioned the Motion would be to move and appoint and Mr. Maldonado made Motion to appoint Arturo Guajardo Jr.

Motion was made by Commissioner Raudel Maldonado to approve and seconded by Mayor Pro-Tempore Jesus Ramirez. Motion passed. (4-0)

- b. Consider Appointment of a Member of the City of San Juan Commission to the San Juan Economic Development Board as the City's Ex-Officio. (Palmira Cepeda, Interim City Secretary)

DISCUSSION: Benjamin Arjona, City Manager presented the item and Mayor Mario Garza made motion to appoint Mayor Pro-Tempore Jesus Ramirez.

Motion was made by Mayor Mario Garza to approve seconded by Commissioner Raudel Maldonado. Motion passed. (4-0)

- c. Consider Appointment to the Following Boards: Amigos Del Valle Board, Hidalgo County Metropolitan Planning Organization, and Lower Rio Grande Valley Development Council. (Palmira Cepeda, Interim City Secretary)

DISCUSSION: Benjamin Arjona, City Manager presented the item and Palmira Cepeda, Interim City Secretary stated that it would be one Motion for all Boards. Mayor Mario Garza made motion to nominate Commissioner Raudel Maldonado to the Amigos Del Valle Board, himself for the MPO Board and Mayor Pro-Tempore Jesus Ramirez for the Lower Rio Grande Valley Board.

Motion was made by Mayor Mario Garza to approve seconded by Commissioner Raudel Maldonado. Motion passed. (4-0)

VII. DISCUSSION AND POSSIBLE ACTION ON ALL THE FOLLOWING MATTERS:

- a. Discussion and Possible Action Regarding Contract with Perdue, Brandon, Fielder, Collins & Mott, L.L.P. for Legal Services in Connection with Delinquent Ad Valorem Taxes and Mowing Lien Assessments for the City of San Juan. (Benjamin Arjona, City Manager)

DISCUSSION: Benjamin Arjona, City Manager presented the item and Commissioner Pete Garcia asked who had placed the item on the agenda and Mr. Arjona responded that Mayor Pro-Tempore Jesus Ramirez had placed the item. Commissioner Garcia went on to say they needed three Commissioners to approve the item before placing it. The Item was tabled.

- b. Discussion and Possible Action Regarding Appointment of Legal Services in Connection with Delinquent Ad Valorem Taxes and Mowing Lien Assessments for the City of San Juan and Authorize City Manager to Execute an Agreement for Professional legal Services Relating Thereto. (Benjamin Arjona, City Manager)

DISCUSSION: Benjamin Arjona, City Manager presented the item and stated that item would be tabled because the previous item was tabled.

**CITY OF SAN JUAN
CITY COMMISSION MEETING
TUESDAY, May 23, 2017**

- c. Process a Middle of the Year Budget Amendment for the General Fund, Utility Fund, Sanitation Fund, and the Miscellaneous Grant Fund. (Pablo A. Garza, Director of Finance)

DISCUSSION: Benjamin Arjona, City Manager presented the item and asked for Leroy Gonzalez, Interim Finance Director to give presentation. Mr. Gonzalez stated that the General Fund had \$216,326, Utility Fund had \$214,000 and the Solid Waste Fund had \$43,160. He went on to say that they were getting money from the General Fund for insurance costs, increasing line items for the Fire Department to pay a lease on a truck and for over time. The Miscellaneous Grant Fund was to record revenue coming in.

Motion was made by Commissioner Raudel Maldonado seconded by Commissioner Pete Garcia. Motion passed. (4-0)

- d. Discussion and Possible Action Regarding Agreement for Legal Services with the Law Office of Javier Villalobos, P.C., as General Counsel for the City of San Juan. (Benjamin Arjona, City Manager)

DISCUSSION: Benjamin Arjona, City Manager presented the item. Commissioner Pete Garcia asked if Mr. Villalobos had submitted a letter of resignation and Mr. Arjona replied he had spoken to Mr. Villalobos, therefore, he did not need to submit a letter of resignation. Commissioner Garcia nonetheless asked Mr. Villalobos for a letter of resignation because it was the proper thing to do. Mayor Mario Garza motioned to table the item.

Motion was made by Mayor Mario Garza seconded by Mayor Pro-Tempore Jesus Ramirez. Motion passed. (4-0)

- e. Discussion and Possible Action Regarding Appointment of the City Attorney, as General Counsel for City of San Juan, and Authorize City Manager to Execute an Agreement for Professional Legal Services Relating Thereto. (Benjamin Arjona, City Manager)

DISCUSSION: Mayor Mario Garza motioned to table the item.

Motion was made by Mayor Mario Garza to approve and seconded Mayor Pro-Tempore Jesus Ramirez. Motion passed. (4-0)

VIII. CONTRACTUALS/RESOLUTIONS

- a. Consider Awarding the Paving Improvements Phase 1 Project to 2GS, LLC dba Earthworks Enterprise out of Peñitas, Texas in the amount of \$1,425,557.75 or to IOC Construction out of Edinburg, Texas in the amount of \$1,432,233.25. (Xavier Cervantes, Director of Planning)

DISCUSSION: Benjamin Arjona, City Manager presented the item and Xavier Cervantes, Director of Planning gave presentation. Mr. Cervantes stated that Earthworks Enterprise would take approximately 300 calendar days to complete the project if the Commission were to choose them. IOC Construction is slightly more expensive with cheaper quality material and they would take approximately 100 calendar days to complete the project. He also mentioned that included in this project were Puerto Vallarta street and Cancun street to repave. Mayor Pro-Tempore Jesus Ramirez motioned to award the bid to Earthworks Enterprise.

Motion was made by Mayor Pro-Tempore Jesus Ramirez to approve and seconded Commissioner Raudel Maldonado. Motion passed. (4-0)

IX. CONSENT AGENDA

- a. Budget Expenditure Report-March 31, 2017
- b. Property Tax Collection Report- April 30, 2017

DISCUSSION: Benjamin Arjona, City Manager presented the item and Mayor Mario Garza asked if there was anything on the item that needed to be amended and asked if there was a Motion to approve.

Motion was made by Commissioner Pete Garcia to approve and seconded Commissioner Raudel Maldonado. Motion passed. (4-0)

X. EXECUTIVE SESSION 7:04 P.M.

A. The City Commission will Convene in Executive Session, in Accordance with the Texas Open Meeting Act, Vernon's Texas Statutes and Codes Annotated, Government Code, Chapter 551 et seq:

1. Attorney Client Consultation Pursuant to 551.071 (2) Regarding the City's Legal Duties and Obligations Under Chapter 174 Texas Local Government Code And the Implementation of Collective Bargaining for the City's Police and Fire Civil Service Employees.

2. 551.074 to Deliberate the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, Renumeration, or Dismissal of Public Officer or Employee.

DISCUSSION: Benjamin Arjona, City Manager presented the item and Commissioner Pete Garcia advised that the Commission should not discuss item A-2 since they had no legal counsel present. Mayor Mario Garza stated that they needed to let Mr. Arjona finish presenting the item and to note that they would not be discussing Item A-2. Mayor Garza stated that there would be no action taken on Item A-2 and proceeded to executive session at 7:04 P.M.

XI. RECONVENE 7:30 P.M.

DISCUSSION: Mayor Mario Garza stated that no action would be taken for item A-1.

XII. ADJOURNMENT

DISCUSSION: Mayor Mario Garza asked for a Motion to adjourn.

Commissioner Raudel Maldonado motioned to adjourn meeting and seconded by Mayor Pro-Tempore Jesus Ramirez. Motion passed. (4-0)

CITY OF SAN JUAN, TEXAS

Mario Garza, Mayor

ATTEST:

Diana H. Cavazos, City Secretary

MINUTES OF A SPECIAL CALLED MEETING OF THE CITY OF SAN JUAN COMMISSION

DATE: Wednesday, June 7, 2017

TIME: 5:30 p.m.

PLACE: San Juan Memorial Library
Multipurpose Meeting Room
1010 S. Standard
San Juan, Texas 78589

MEMBERS PRESENT: Mario Garza, Mayor
Jesus Ramirez, Mayor Pro-Tempore
Raudel Maldonado, Commissioner
Pete Garcia, Commissioner

MEMBERS ABSENT: Javier Villalobos, City Attorney

STAFF PRESENT: Benjamin Arjona, City Manager
Palmira Cepeda, Interim City Secretary
Juan Gonzalez, Chief of Police
Tirso Garza, Chief of Fire
Oscar Cuellar, San Juan EDC Director
Leroy Gonzales, Interim Finance Director
Adelaida Cordero, Director of Human Resources
Armandina Sesin, Library Director
Patrick Willingham, Director of Parks and Recreation
Xavier Cervantes, Director of Planning
Carmen Gonzalez, Director of Sanitation
Rene Jaime, Purchasing/Risk Manager
David Salinas, Director of Utilities
Mary Enriquez, Court Administrator
Eder Castañeda, Information Technology

GUEST:

ORDER OF BUSINESS

I. CALL MEETING TO ORDER

Mayor Mario Garza called meeting to order at 5:30 p.m.

II. INVOCATION

Benjamin Arjona, City Manager led the invocation.

III. PLEDGE OF ALLEGIANCE

Benjamin Arjona, City Manager led the Pledge of Allegiance.

IV. DISCUSSION SND POSSIBLE ACTION ON ALL OF THE FOLLOWING MATTERS:

- a. Discussion and Possible Action Regarding Agreement for Legal Services with the Law Office of Javier Villalobos, P.C., as General Counsel for City of San Juan. (Benjamin Arjona, City Manager) **(TABLED)**

DISCUSSION: Mayor Mario Garza presented the item and Motioned to untable the item.

Motion was made by Mayor Mario Garza to approve and seconded by Mayor Pro-Tempore Jesus Ramirez. Motion passed. (4-0)

Mayor Mario Garza stated that he would like to motion to terminate legal services with the Law Office of Javier Villalobos.

Motion was made by Mayor Mario Garza to approve and seconded by Mayor Pro-Tempore Jesus Ramirez. Motion passed. (4-0)

- b. Discussion and Possible Action Regarding Appointment of City Attorney, as General Counsel for City of San Juan, and Authorize City Manager to Execute an Agreement for Professional Legal Services Relating Thereto. (Benjamin Arjona, City Manager)
(TABLED)

DISCUSSION: Mayor Mario Garza presented the item and motioned to untable the item.

Motion was made by Mayor Mario Garza to approve and seconded by Mayor Pro-Tempore Jesus Ramirez. Motion passed. (4-0)

Mayor Mario Garza stated that he would like to make a motion to go into contract for legal services with the law firm Palacios, Garza and Thompson. Benjamin Arjona, City Manager asked for clarification if he was going to negotiate into contract agreement. Mayor Garza confirmed and clarified that he has no relation with attorney Garza.

Motion was made by Mayor Mario Garza to approve and seconded by Commissioner Pete Garcia. Motion passed. (4-0)

V. ADJOURNMENT

Mayor Mario Garza motioned to adjourn meeting and seconded by Commissioner Raudel Maldonado. Motion passed. (4-0)

CITY OF SAN JUAN, TEXAS

Mario Garza, Mayor

ATTEST:

Diana H. Cavazos, City Secretary

MINUTES OF A REGULAR MEETING OF THE CITY OF SAN JUAN COMMISSION

DATE: Tuesday, June 13, 2017

TIME: 6:00 p.m.

PLACE: San Juan Memorial Library
Multipurpose Meeting Room
1010 S. Standard
San Juan, Texas 78589

MEMBERS PRESENT: Mario Garza, Mayor
Jesus Ramirez, Mayor Pro-Tempore
Raudel Maldonado, Commissioner
Pete Garcia, Commissioner
Rick Palacios, City Attorney

MEMBERS ABSENT: Carmen Gonzalez, Director of Sanitation

STAFF PRESENT: Benjamin Arjona, City Manager
Palmira Cepeda, Interim City Secretary
Juan Gonzalez, Chief of Police
Tirso Garza, Chief of Fire
Oscar Cuellar, San Juan EDC Director
Leroy Gonzales, Interim Finance Director
Adelaida Cordero, Director of Human Resources
Armandina Sesin, Library Director
Patrick Willingham, Director of Parks and Recreation
Xavier Cervantes, Director of Planning
Mario Nuñez, Sanitation
Rene Jaime, Purchasing/Risk Manager
David Salinas, Director of Utilities
Mary Enriquez, Court Administrator
Eder Castañeda, Information Technology

GUEST: Jennifer Martinez and Omar H. Puentes- Students at PSJA Early College High School, Andre De Mattos- PBK Architects, Mr. Alaniz- Parks Advisory Board, Iran Gutierrez- Perdue, Brandon, Fielder, Collins & Mott

ORDER OF BUSINESS

I. CALL MEETING TO ORDER

Mayor Mario Garza called meeting to order at 6:00 p.m.

II. INVOCATION

Benjamin Arjona, City Manager led the invocation.

III. PLEDGE OF ALLEGIANCE

Mayor Mario Garza led the Pledge of Allegiance.

IV. PRESENTATIONS

- a. Presentation on Departmental Reports: Department of Planning and Zoning, Department of Parks and Recreation, San Juan Memorial Library, Department of Sanitation.
(Benjamin Arjona, City Manager)

DISCUSSION: Benjamin Arjona, City Manager presented the items and asked if there were any questions. Commissioner Pete Garcia stated that the City will be having a 4th of July event and asked when the event was brought up to the Commission for discussion and approval. Mr. Arjona stated that it was an administrative decision since the cost was \$6,000 and as City Manager he could make that decision. Mr. Arjona also mentioned that there would be a presentation regarding the 4th of July event during the meeting. He went on to say that he had a discussion with Mayor Mario Garza and Mayor Pro-Tem Jesus Ramirez in regards to the Mayor wanting to do something for the City of San Juan at no cost. Mr. Garcia stated that it should have been brought to the City Commission because more than likely the amount of money will be increasing and they should not wait for the number to go up to be able to submit for approval.

**CITY OF SAN JUAN
CITY COMMISSION MEETING
TUESDAY, JUNE 13, 2017**

Mayor Pro-Tem Jesus Ramirez asked if there were any other occasions where Mayors requested an event without requiring approval and Mr. Arjona stated that there had been events such as the Sanclovia event.

Commissioner Pete Garcia asked if they had checked with the City Attorney in reference to insurance covers for any possible accidents during the 4th of July event and Mr. Arjona stated that the Fire Department was overseeing that. Mayor Mario Garza asked Tirso Garza, Fire Chief, if he had been contacted by any companies that specialize in fireworks display. Chief Garza stated that he had been contacted by one company and was still pending information. Mayor Garza asked if the Fire Department would be involved in the fireworks display and Chief Garza replied that they would only assist in covering the perimeter that was required and the company would take care of the rest.

Mayor Pro-Tem Jesus Ramirez asked Xavier Cervantes, Director of Planning what the status was on operation crackdown. Mr. Cervantes replied that currently they had four houses with the property owners consent to demolish and he would be scheduling the demolition with the Public Works Department.

Commissioner Raudel Maldonado asked Patrick Willingham, Director of Parks & Recreation how the All-Stars were doing. Mr. Willingham responded that they currently have 11 teams and are on the second week of Regionals and the following week starting on Sectionals.

Benjamin Arjona, City Manager asked Patrick Willingham, Director of Parks and Recreation to give presentation on the 4th of July celebration event. Mr. Willingham stated that it would be on Saturday, July 1st, 2017 and it consisted of a fireworks display, live music and six inflatable moonjumps. They would section 30 areas for people to BBQ at no cost using their own BBQ pit. He also mentioned that vendors would be selling food and drinks and the Police Department and Security were also scheduled to secure the event.

- b. Presentation of Scholarship Awards by San Juan Fire Department. (Tirso Garza, Fire Chief)

DISCUSSION: Benjamin Arjona, City Manager presented the item and asked Tirso Garza, Fire Chief to give presentation. Chief Garza stated that they had done their yearly selection for the scholarships. Out of 25 applicants they were able to award a \$500 scholarship to Jennifer Martinez, Omar H. Puentes and Liliana Estrada.

V. PUBLIC HEARING/ORDINANCES

- a. Conduct a Public Hearing and Consider an Ordinance in First Reading for the Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption at the proposed “Oak Barrel Liquor, Wine and Spirits” store located at 502 N. Veterans Boulevard, legally described as the West 193 feet of the North 162 feet of the South 318 feet of Lot 2, Knights Subdivision, as Requested by Sharon Garcia. (Xavier Cervantes, Director of Planning)

DISCUSSION: Benjamin Arjona, City Manager presented the item and asked Xavier Cervantes, Director of Planning to give presentation. Mr. Cervantes stated that 15 surrounding property owners received notices and no one has opposed. The permit is for off-premise consumption Monday to Saturday 10:00 A.M. to 9:00 P.M. The Planning and Zoning Commission unanimously recommended approval during the May 18th meeting.

Mayor Mario Garza opened the Item for discussion for For or Against the item at 6:22 P.M. and asked the Commission if they had any questions. Item Closed at 6:22 P.M.

Motion was made by Commissioner Raudel Maldonado to approve and seconded by Mayor Pro-Tempore Jesus Ramirez. Motion passed. (4-0)

- b. Conduct a Public Hearing and Consider an Ordinance in First Reading for a Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption at H&H Food Mart”, store located at 914 W. Sam Houston Boulevard, legally described as the West 209 feet of the North 192 feet of lot 1, Clark Mellenbruch Subdivision, as Requested by HH & A, Inc. (Xavier Cervantes, Director of Planning)

DISCUSSION: Benjamin Arjona, City Manager presented the Item and Xavier Cervantes, Director of Planning gave presentation. Mr. Cervantes stated that the hours of operation would be Monday through Friday 7:00 A.M. to 12:00 A.M., Saturdays 7:00 A.M. to 1:00 A.M., and Sundays 12:00 P.M. to 12:00

**CITY OF SAN JUAN
CITY COMMISSION MEETING
TUESDAY, JUNE 13, 2017**

A.M. The surrounding property owners received notices and no one opposed. The Planning and Zoning Commission unanimously recommended approval during the May 18th meeting.

Mayor Mario Garza opened the Item for discussion for For or Against at 6:24 P.M. and asked the City Commission if they had any questions. Item was closed at 6:24 P.M.

Motion was made by Mayor Pro-Tempore Jesus Ramirez to approve and Seconded by Commissioner Pete Garcia. Motion passed. (4-0)

- c. Conduct a Public Hearing and Consider an Ordinance in First Reading for a Conditional Use Permit for a recreational facility (soccer field) in a commercial zoned property legally described as Lot 2, Jesus Quiroz Subdivision, located at 2603 N. Veterans Boulevard, as Requested by Jesus Quiroz. (Xavier Cervantes, Director of Planning)

DISCUSSION: Benjamin Arjona, City Manager presented the item and Xavier Cervantes, Director of Planning gave presentation. Mr. Cervantes stated that the soccer field will have a fence and a net to prevent the soccer balls from going into Veterans Boulevard. Soccer field will include restrooms and parking lot and the proposed hours will be Monday through Friday 6:00 P.M. to 9:00 P.M., and Saturdays and Sundays 8:00 A.M. to 9:00 P.M. The Planning and Zoning Commission unanimously recommended approval during the May 18th meeting.

Mayor Mario Garza opened the Item for discussion for For or Against at 6:25 P.M., and asked the City Commission if they had any questions. Item was closed at 6:25 P.M.

Motion was made by Commissioner Raudel Maldonado to approve and it was seconded by Mayor Pro-Tempore Jesus Ramirez. Motion passed. (4-0)

VI. APPOINTMENTS

- a. Consider to Appoint the Alternate and Policy Committee for the Hidalgo County Metropolitan Planning Organization. (Palmira Cepeda, Interim City Secretary)

DISCUSSION: Benjamin Arjona, City Manager presented the item and mentioned Mayor Mario Garza was selected at the previous City meeting to be the MPO. Mr. Arjona stated that they needed to select an alternate in case he was not able to attend. Rick Palacios, City Attorney stated that he would select a member of the Commission or a City employee. Mayor Garza nominated Xavier Cervantes, Director of Planning and Benjamin Arjona, City Manager as proxy.

Motion was made by Mayor Pro-Tempore Jesus Ramirez to approve and seconded by Commissioner Pete Garcia. Motion passed. (4-0)

- b. Consider Appointments for the Housing Authority Board. (Palmira Cepeda, Interim City Secretary)

DISCUSSION: Benjamin Arjona, City Manager presented the item and Mayor Mario Garza removed Adriana Salazar from the Housing Authority Board and appointed Feliberto Garza. Rick Palacios, City Attorney stated that under the Texas local government code the Commission didn't have a vote since they were appointed by the Mayor.

- c. Consider Removal and Appointment of Board Members related to the San Juan Economic Development Corporation Board. (Palmira Cepeda, Interim City Secretary)

DISCUSSION: Benjamin Arjona, City Manager presented the item and Mayor Mario Garza asked the Commission if they had any nominees. Mayor Pro-Tem Jesus Ramirez motioned to remove Eddie Rodriguez and appoint Fred Rodriguez

Motion was made by Mayor Pro Tempore Jesus Ramirez to approve and seconded by Commissioner Raudel Maldonado. Opposed by Commissioner Pete Garcia. Motion passed.(3-1) Mayor Mario Garza removed Dolores Barrientes and appointed Rubio Muñiz.

Motion was made by Mayor Pro-Tempore Jesus Ramirez to approve seconded by Commissioner Raudel Maldonado. Opposed by Commissioner Pete Garcia. Motion passed. (3-1)

- d. Consider Removal and Appointment of Board Members related to the San Juan Civil Service Board (Palmira Cepeda, Interim City Secretary)

DISCUSSION: Benjamin Arjona, City Manager presented the item and Mayor Pro-Tem Jesus Ramirez motioned to remove Mr. Vasquez and Mr. Alvarado and appoint Rolando Casas and Eric Sanchez.

Motion was made by Mayor Pro-Tempore Jesus Ramirez to approve and seconded by Commissioner Raudel Maldonado. Opposed by Pete Garcia. Motion passed. (3-1)

VII. DISCUSSION AND POSSIBLE ACTION ON ALL THE FOLLOWING MATTERS:

- a. Discussion and Action on the Interior Finishes for the New Public Safety Building. (Xavier Cervantes, Director of Planning)

DISCUSSION: Benjamin Arjona, City Manager presented the item and Andre De Mattos from PBK Architects gave the presentation. Mr. De Mattos stated that this was the second presentation regarding the finishing of the building. Commissioner Pete Garcia asked Juan Gonzalez, Chief of Police if he agreed on the colors of the tile. Chief Gonzalez agreed and stated that everything was looking good. Commissioner Garcia stated that he was glad the Police Department was content with the interior of the building and mentioned that it would also keep the staff motivated to continue doing a great job.

Motion was made by Commissioner Pete Garcia to approve and seconded by Mayor Pro-Tempore Jesus Ramirez. Motion passed. (4-0)

- b. Discussion and Possible Action to allow staff to Advertise and Accept Sealed BIDS for Water and Wastewater Treatment Chemicals, Analytical Laboratory and Solids Hauling and Disposal Services (David Salinas, Director of Utilities)

DISCUSSION: Benjamin Arjona, City Manager presented the item and David Salinas, Director of Utilities stated that he was asking for approval of the purchase of various chemicals for the water treatment and wastewater treatment.

Motion was made by Mayor Pro-Tempore Jesus Ramirez and seconded by Commissioner Pete Garcia. Motion passed. (4-0)

- c. Discussion and Authorization to ratify Change Order No. 1 to the City of San Juan 3.5 MGD Water Treatment Plant No.2 Expansion and Rehabilitation to Existing 3.5 MGD Plant Project Contract with The Vertex Companies, Inc. in the amount of \$39,484.60 and Authorize City Manager to execute any related documents. (Davis Salinas, Director of Utilities)

DISCUSSION: Benjamin Arjona, City Manager presented the item and David Salinas, Director of Utilities stated he was requesting approval to ratify the work that had already been done. There were a couple of things added and/or removed when the design was done. Mayor Mario Garza asked who was responsible for not having the correct information and Mr. Salinas replied that the project had been going on since 2010 and there had been changes in staff. Mayor Pro-Tem asked where the funding was coming from and Mr. Salinas responded that the funding was from monies leftover from a Texas water development project.

Motion was made by Commissioner Pete Garcia and seconded by Mayor Pro-Tempore Jesus Ramirez. Motion passed. (4-0)

- d. Discussion and Authorization to Ratify Change Order No.2 to the City of San Juan 3.5 MGD Water Treatment Plant No.2 Expansion and Rehabilitation to Existing 3.5 MGD Plat Project Contract with The Vertex Companies Inc., in an amount of \$5,711.60 (David Salinas, Director of Utilities)

DISCUSSION: Benjamin Arjona, City Manager presented the item and David Salinas, Director of Utilities stated there were additional valves that needed to be installed in order for the equipment to be functioning properly and efficiently.

Motion was made by Commissioner Raudel Maldonado and seconded by Commissioner Pete Garcia. Motion passed. (4-0)

- e. Discussion and Possible Action to Approve Parks and Recreation Advisory Board to attend a PSJA Board Meeting for Permission to Name Park Located to the East of Lalo Arcaute Park, behind Carman Elementary School.

DISCUSSION: Benjamin Arjona, City Manager presented the item and Mr. Alaniz with the Parks Advisory Board gave presentation. Mr. Alaniz stated that the park is located east to Lalo Arcaute Park and they currently have permission from the PSJA School District to use it.

Motion was made by Commissioner Raudel Maldonado and seconded by Mayor Pro-Tempore Jesus Ramirez. Motion passed. (4-0)

- f. Discussion and Possible Action with Naming the Baseball/Softball Complex Consisting of Mayfield Park, Lalo Arcaute Park and Unnamed Park behind Carmen Elementary School.

DISCUSSION: Benjamin Arjona, City Manager presented the item and Mr. Alaniz with Parks Advisory Board stated that it would be for the naming of all the parks as a complex.

Motion was made by Commissioner Raudel Maldonado and seconded by Mayor Pro-Tempore Jesus Ramirez. Motion passed. (4-0)

- g. Discussion and Action to Authorize City Manager to Request Statement of Qualifications for City Engineers. (Benjamin Arjona, City Manager)

DISCUSSION: Benjamin Arjona, City Manager presented the item. Commissioner Pete Garcia asked who had put the item on the agenda and Mr. Arjona replied it was Mayor Mario Garza. Commissioner Garcia asked if they were going to choose by RFQs and Mr. Arjona responded yes. The Mayor Pro-Tem also asked how many they were going to choose after the RFQs and Mr. Arjona stated it was up to the Commission to decide.

Motion was made by Mayor Pro-Tempore Jesus Ramirez and seconded by Commissioner Raudel Maldonado. Motion passed. (4-0)

- h. Discussuion and Possible Action Regarding Contract with Perdue, Brandon, Fielder, Collins & Mott, L. L. P. for Legal Services in Connection with Delinquent Ad Valorem Taxes and Mowing Lien Assessments for the City of San Juan. (Benjamin Arjona, City Manager) **(TABLED)**

DISCUSSION: Benjamin Arjona, City Manager presented the item and Mayor Mario Garza motioned to untangle the item. Commissioner Pete Garcia asked for Iran Gutierrez with Perdue, Brandon, Fielder, Collins & Mott to give presentation. Mr. Gutierrez stated that compared to the previous year, they have gone up 18.88% on improvement of 1.62%. Mayor Mario Garza asked what the amount of collection was for the year 2016 and Mr. Gutierrez replied that the month of May it was 17.26%. He also mentioned that collections were down with the previous firm before he took over the accounts. Mayor Pro-Tem Jesus Ramirez made motion to terminate contract and Commissioner Pete Garcia stated for the record that he was against terminating the contract because the Company had done a good job.

Motion was made by Mayor Pro-Tempore Jesus Ramirez and seconded by Commissioner Raudel Maldonado. Motion passed. Opposed Commissioner Pete Garcia (3-1)

- i. Discussion and Possible Action Regarding Appointment of Legal Services in Connection with Delinquent Ad Valorem Taxes and Mowing Lien Assessment for the City of San Juan and Authorize City Manager to Execute an Agreement for Professional Legal Services Relating Thereto. (Benjamin Arjona, City Manager) **(TABLED)**

DISCUSSION: Benjamin Arjona, City Manager presented the item and Mayor Mario Garza motioned to untangle the item.

Motion was made by Mayor Pro-Tempore Jesus Ramirez and seconded by Commissioner Raudel Maldonado. Motion passed. (4-0)

Mayor Pro-Tem asked City Attorney Rick Palacios if they need to get a request for qualifications (RFQ) or if they can make a recommendation. Mr. Palacios stated that the Commission did not have to wait and they could make a motion to hire a firm. Mayor Pro-Tem Jesus Ramirez made the motion to hire Linebarger and Associates.

Motion was made by Mayor Pro-Tempore Jesus Ramirez and seconded by Commissioner Raudel Maldonado. Opposed Commissioner Pete Garcia. (3-1)

- j. Discussion and Possible Action to Authorize City Manager to Conduct Interviews for the Position of City Secretary and Recommend top three Applicants for Second and Final Interview by the City Commission. (Benjamin Arjona, City Manager)

DISCUSSION: Benjamin Arjona, City Manager presented the item and announced the top three candidates. Nonetheless, Commissioner Pete Garcia stated that the Commission would like to interview the top five candidates. Mayor Mario Garza recommended that all five candidates be interviewed at 5 minute intervals and Commissioner Garcia suggested to make a committee of three interviewers for the process.

Motion was made by Mayor Pro-Tempore Jesus Ramirez to approve and seconded Commissioner Pete Garcia. Motion passed. (4-0)

VIII. CONTRACTUALS/RESOLUTIONS

- a. Consider the Renewal of an Interlocal Agreement between the City of San Juan and the University of Texas Rio Grande Valley (UTRGV) to Continue to Participate in the Stormwater Task Force. (Xavier Cervantes, Director of Planning)

DISCUSSION: Benjamin Arjona, City Manager presented the item and Xavier Cervantes, Director of Planning gave presentation. Mr. Cervantes mentioned that they have been in partnership for a while and it has been working great. The purpose is to implement a regional stormwater management program mandated by the Texas Commission on Environmental Quality.

Motion was made by Mayor Pro-Tempore Jesus Ramirez to approve and seconded Commissioner Pete Garcia. Motion passed. (4-0)

IX. CONSENT AGENDA

- a. Consider an Ordinance in Second Reading Amending the Code of Ordinances at Appendix “A”. Unified Development Code, Chapter 2- Zoning Regulations, Article II- Establishment of Districts and Boundaries for the Expressway Corridor District, Article IV, Expressway Corridor District Including User and Area Regulations, Area and Heights Requirements, Definitions, Uses, Additional Requirements for Parking Driveway, Landscaping and Architectural Standards. (Xavier Cervantes, Director of Planning)

Motion was made by Mayor Pro-Tempore Jesus Ramirez to approve and seconded Commissioner Pete Garcia. Motion passed. (4-0)

- b. Consider an Ordinance in Second Reading for a Conditional Use Permit for the operation of a Gasoline Service Station and for the Sale of Alcoholic Beverages for Off-Premise Consumption at the proposed “ Aziz Quick Stop” proposed for construction at the Northeast corner of Raul Longoria and Eldora Roads, legally described as a 1.78-acre tract of land out of Lot 14, Block 8, John Closner Subdivision, as Requested by Aziz Quick Stop, LLC. (Xavier Cervantes, Director of Planning)

Motion was made by Mayor Pro-Tempore Jesus Ramirez to approve and seconded Commissioner Raudel Maldonado. Motion passed. (4-0)

X. EXECUTIVE SESSION

- a. The City Commission will Convene in Executive Session, in Accordance with the Texas Open Meetings Act, Vernon’s Texas Statutes and Codes Annotated, Government Code, Chapter 551 et Seq:
 1. 551.074, to Deliberate the Appointment, Employment, Reassignment, Duties, Discipline, Renumeration, or Dismissal of Public Office or Employee. (Hussein Bakka, Director of Information Technology)

DISCUSSION: Benjamin Arjona, City Manager stated that they did not have to go into executive session.

XI. ADJOURNMENT

Commissioner Raudy Maldonado motioned to adjourn meeting and seconded by Commissioner Pete Garcia. Motion passed. (4-0)

CITY OF SAN JUAN, TEXAS

Mario Garza, Mayor

ATTEST:

Diana H. Cavazos, City Secretary

MINUTES OF A REGULAR MEETING OF THE CITY OF SAN JUAN COMMISSION

DATE: Tuesday, June 27, 2017

TIME: 6:00 p.m.

PLACE: San Juan Memorial Library
Multipurpose Meeting Room
1010 S. Standard
San Juan, Texas 78589

MEMBERS PRESENT: Mario Garza, Mayor
Jesus Ramirez, Mayor Pro-Tempore
Raudel Maldonado, Commissioner
Ernesto Guajardo, Commissioner
Pete Garcia, Commissioner
Rick Palacios, City Attorney

MEMBERS ABSENT: Pete Garcia, Commissioner

STAFF PRESENT: Benjamin Arjona, City Manager
Palmira Cepeda, City Secretary
Juan Gonzalez, Chief of Police
Oscar Cuellar, San Juan EDC Director
Leroy Gonzalez, Interim Finance Director
Adelaida Cordero, Director of Human Resources
Armandina Sesin, Library Director
Patrick Willingham, Director of Parks and Recreation
Xavier Cervantes, Director of Planning
Carmen Gonzalez, Director of Sanitation
Rene Jaime, Purchasing/Risk Management
David Salinas, Director of Utilities
Mary Enriquez, Court Administrator
Robert Rangel, Director of Information Technology

GUEST: Carlos Ramos - City of San Juan Crime Stoppers, Chris Vela- Financial Advisor with First South West

ORDER OF BUSINESS

I. CALL MEETING TO ORDER

Mayor Mario Garza called meeting to order at 6:00 p.m.

II. INVOCATION

Benjamin Arjona, City Manager led the invocation.

III. PLEDGE OF ALLEGIANCE

Mayor Mario Garza led the Pledge of Allegiance.

IV. PUBLIC COMMENTS

V. PRESENTATIONS

- a. Presentation on Departmental Reports: Municipal Court, Police Department, Department of Utilities, Fire Department, Department of Finance and City Manager. (Benjamin Arjona, City Manager)

DISCUSSION: Benjamin Arjona, City Manager presented the item. Commissioner Raudel Maldonado asked for an update on a recent accident that occurred due to traffic caused by cars cruising on Thursday nights. Juan Gonzalez, Chief of Police stated that they usually stop the cruise night from occurring but there are always different groups doing it. He stated that they always let the

public know that cruising is not allowed in the City of San Juan and they also inform them through social media.

Mayor Mario Garza asked if it is only City of San Juan resident that cruise. Chief Gonzalez elaborated by saying that they get people from all over and have made some arrests due to reckless driving, narcotics and outstanding warrants.

Mayor Pro-Tempore advised to submit a request for assistance from the constable's office and DPS to assist with patrolling on Thursday nights.

Mayor Garza asked Mr. Arjona for an update on street projects. Mr. Arjona stated that there are a couple of street projects that are taking place like the Urban County 2016 project. The project is also known as capri subdivision that include: Coconut Street, Pullin Street, Hooper Street and Salazar Street. He went on to say that if the projects get approved by Hidalgo County, the projects will begin in the month of July. He also mentioned that the repaving project phase I for Cancun street, Puerto Vallarta street and Veracruz had already started. Once the project is completed, the next project will be Valencia Village.

Mayor Pro-Tem Jesus Ramirez asked David Salinas, Director of Utilities, about the notice that went out for water conservation. Mr. Salinas stated that they sent out the notice because of the current heat wave and because of the construction at the water plant. He went on to say that they were going to do critical connections and it would not affect residents because the towers were full. He went on to say that the notice is in effect until December and if they finish before the set date, they will issue out another notice. Notices were sent out to residents on the monthly water bills. Mayor Pro-Tem Ramirez asked if the City of San Juan was also on notice and Mr. Salinas confirmed that the city was on notice and he was closely working with Patrick Willingham, Director of Parks and Recreations on the watering of the fields. Mr. Ramirez went on to say that there was an issue at the Police Department with the sprinkler system because the system has a timer and the water was going to the street. Mr. Willingham stated that he had met with staff the turned off the system until the problem is fixed.

- b. Presentation on the National Night Out 2017.

DISCUSSION: Benjamin Arjona, City Manager presented the item and asked Juan Gonzalez, Chief of Police to give presentation. National Night Out was set for August 5th 2017 from 6:00 P.M. to 10:00 P.M. At Mayfield Park in San Juan. They promote the youth and schools get invited to participate as well as local nonprofit groups and state agencies. Mayor Mario Garza asked if Walgreens was still the biggest contributor. Chief Gonzalez stated that Walgreens, Walmart, Mercedes Benz, Spirit Truck Line, Ready Mix, HEB and other contributors. Chief Gonzalez congratulated the San Juan Crime Stoppers for all their work and for becoming a certified program in the State of Texas.

VI. CONTRACTUALS/RESOLUTIONS

- a. Consideration and Approval of the City's Plan of Finance Pertaining to the Contemplated Issuance of Obligations to be designated as "City of San Juan, Texas Waterworks and Sewer System Revenue Bonds, Series 2017"; Authorizing the City Staff and the City Financial Advisor and Bond Counsel to proceed with this Plan of Finance; and Authorizing Other Matters Related to the Foregoing. (Ben Arjona, City Manager)

DISCUSSION: Benjamin Arjona, City Manager presented the item and Chris Vela, Financial Advisor gave presentation. Mr. Vela clarified that there will not be two rates, there will be one set rate and will be submitted to the water development board for approval.

Arnoldo Cantu presented a plan of finance resolution that finalizes and approves the presentation Mr. Vela gave. The resolution was for the bonds council, financial advisors and the City of San Juan to move forward and work with the water development board for the pricing of the bonds.

Motion was made by Commissioner Raudel Maldonado to approve and seconded by Mayor Pro-Tem Jesus Ramirez. Motion passed. (5-0)

VII. DISCUSSION AND POSSIBLE ACTION TO THE FOLLOWING MATTERS:

- a. Staff is Requesting Authorization to Use Surplus Funds in the Series 2007 and 2014 Bonds for the Purchase and Installation of Pumps, Water and Wastewater Treatment

Plant and Distribution and Collection Systems. Approval of a Budget Amendment is Needed to Transfer Funds into the Capital Fund Account and Authorize the City Manager to Execute Any Related Documents. (David Salinas, Director of Utilities)

DISCUSSION: Benjamin Arjona, City Manager presented the item and David Salinas, Director of Utilities gave presentation. Mr. Salinas stated that that combined there were approximately \$800 thousand dollars and the funds would be used for the placement of palm trees at water plant # 1. He also stated that they would like to do improvements at the treviño reservoir and that the funds needed to be committed before the end of the fiscal year.

Motion was made by Mayor Pro-Tem Jesus Ramirez to approve and seconded by Commissioner Raudel Maldonado. Motion passed. (5-0)

- b. Consider the Approval of a Budget Amendment in the Amount of \$10,000.00 out of Wrecker Fund Balance to Police Department Wrecker Fund Budget. (Juan Gonzalez, Police Chief)

DISCUSSION: Benjamin Arjona, City Manager presented the item and Juan Gonzalez, Chief of Police gave presentation and stated that the funds were from the fees they charge the wrecker service every time the pick up a car. It is a law enforcement fee of \$15 dollars and they use the funds to buy equipment for the department. The funds will be used for radio equipment and minor equipment to finish the year.

Motion was made by Mayor Pro Tempore Jesus Ramirez to approve seconded by Commissioner Raudel Maldonado. Motion passed. (5-0)

- c. Consider the Approval of a Budget Amendment in the Amount of \$20,000 from Account 10.540.1051 Fall/Spring Employees to Cover Expenses in PONY Baseball. (Patrick Willingham, Director of Parks & Recreation)

DISCUSSION: Benjamin Arjona, City Manager presented the item and Patrick Willingham, Director of Parks and Recreation gave presentation. Mr. Willingham stated that the department has had 20% increases in growth and they short in equipment. He mentioned that there were six teams that advanced to regionals. Mayor Pro-Tem Jesus Ramirez asked if there were any teams advancing

outside the valley. Mr. Willingham stated that they were anticipating a minimum of two teams. Commissioner Ernesto Guajardo asked if there would be enough money to cover for expenses including fall sports. Mr. Willingham stated that money was already allocated for those expenses.

Motion was made by Mayor Pro Tempore Jesus “Jesse” Ramirez to approve seconded by Commissioner Ernesto Guajardo. Motion passed. (5-0)

- d. Consider the Approval of a Budget Amendment in the Amount of \$6,089 from the General Fund to Cover Uniforms and Tournament Fees for PONY Baseball. (Patrick Willingham, Director of Parks and Recreation)

DISCUSSION: Benjamin Arjona, City Manager Presented the item and Patrick Willingham gave presentation. Mr. Willingham went on to say that the amount of money on the item was raised by gate fees at tournaments and \$1,600 in sponsorships. Commissioner Ernesto Guajardo mentioned that the money raised at in the concession stand was not listed. Mr. Willingham stated that that money was not listed because the department uses city funds to purchase the items. Commissioner Guajardo stated that he would still like to see it on the report.

Motion was made by Mayor Pro Tempore Jesus Ramirez to approve and seconded by Commissioner Ernesto Guajardo. Motion passed. (5-0)

VIII. CONSENT AGENDA

- a. Consider an Ordinance in Second Reading for a Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption at the proposed “Oak Barrel Liquor, Wine and Spirits” store located at 502 N. Veterans Boulevard, legally described as the West 193 feet of the North 162 feet of the South 318 feet of Lot 2, Knights Subdivision, as Requested by Sharon Garcia. (Xavier Cervantes, Director of Planning)
- b. Consider an Ordinance in Second Reading for a Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption at “H&H Food Mart” store, located at 914 W. Sam Houston Boulevard, legally described as the West 209 feet of the North 192 feet of Lot 1, Clark Mellenbruch Subdivision, as Requested by HH & A, Inc. (Xavier Cervantes, Director of Planning)
- c. Consider an Ordinance in Second Reading for a Conditional Use Permit for a recreational facility (soccer field) in a commercial zoned property legally described as Lot 2, Jesus

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Quiroz Subdivision, located at 2603 N. Veterans Boulevard, as Requested by Jesus Quiroz. (Xavier Cervantes, Director of Planning)

d. Budget Expenditure Report-May 31, 2017. (Leroy Gonzalez, Accounting Manager)

e. Property Tax Collection Report- May 31, 2017. (Leroy Gonzalez, Accounting Manager)

DISCUSSION: Benjamin Arjona, City Manager presented the item Mayor Mario Garza asked if there were any items that needed to be amended.

Mayor Pro-Tem Jesus Ramirez stated that meeting minutes have not been submitted for approval and wanted to know status. Mr. Arjona stated that they were currently working on them and would be submitting soon.

Rick Palacios, City Attorney stated that commission need to consent agenda for items a,b,c,d and e.

Motion was made by Mayor Pro-Tem Jesus Ramirez to approve and seconded Commissioner Raudel Maldonado. Motion passed. (5-0)

IX. ADJOURNMENT: 6:39 pm

Commissioner Raudy Maldonado motioned to adjourn meeting and seconded by Commissioner Ernesto Guajardo. Motion passed. (5-0)

CITY OF SAN JUAN, TEXAS

Mario Garza, Mayor

ATTEST:

Diana H. Cavazos, City Secretary

MINUTES OF A REGULAR MEETING OF THE CITY OF SAN JUAN COMMISSION

DATE: Tuesday, July 25, 2017

TIME: 6:00 P.M.

PLACE: San Juan Memorial Library
Multipurpose Meeting Room
1010 S. Standard
San Juan, Texas 78589

MEMBERS PRESENT: Mario Garza, Mayor
Jesus “Jesse” Ramirez, Mayor Pro Tempore
Raudel “Raudy” Maldonado, Commissioner
Ernesto “Neto” Guajardo, Commissioner

MEMBERS ABSENT: Pete Garcia, Commissioner

STAFF PRESENT: Benjamin Arjona, City Manager
Rick Palacios, City Attorney
Diana Cavazos, City Secretary
Tirso Garza, Chief of Fire
Juan Gonzalez, Chief of Police
Leroy Gonzalez, Interim- Director of Finance
Adelaida Cordero, Director of Human Resources
Patrick Willingham, Director of Parks and Recreation
Xavier Cervantes, Director of Planning
Carmen Gonzalez, Director of Sanitation
Rene Jaime, Purchasing/Risk Manager
Ramiro Ramirez, Utilities
Mary Enriquez, Court Administrator

GUEST:

ORDER OF BUSINESS:

- I. CALL MEETING TO ORDER**
Mayor Mario Garza called meeting to order at 6:00 p.m.
- II. INVOCATION**
Commissioner Jesus “Jesse” Ramirez led the invocation.
- III. PLEDGE OF ALLEGIANCE**
Mayor Mario Garza led the Pledge of Allegiance.
- IV. PUBLIC COMMENTS**
Citizen Yolanda Alvarado talked about commissioners that are threatening staff and ex-officials that are stating lies on social media. She is asking Mayor Garza to keep and a close watch on these matters.
- V. PRESENTATIONS**

A. Commissioner Jesus “Jesse” Ramirez recognized the Sanitation Department, Planning Department and Chief Gonzales for Operation Crackdown.

DISCUSSION: Commissioner Ramirez recognized and congratulated all departments that made Operation Crackdown possible. He also thanked Chief Gonzalez for getting the word out when interviewed by the local news station.

B. Update on Water Plant Liquidation Damages

DISCUSSION: Mayor Garza asked if the liquidation damages had been discussed with City Attorney Rick Palacios.

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Mr. Ben Arjona said there was a letter received from the engineering firm. He will review the original contract and the surety bond with Mr. Rick Palacios tomorrow.

C. Project Updates

DISCUSSION: City Manager Ben Arjona stated that Urban Street Projects had started with Paseo de las Flores, which is 98% complete. Repaving of Phase I has commenced and will be completed within two weeks. The substation is 80% completed has a substantial completion date of August 24th.

D. Guillermo Ordorica with the Mexican Consulate will be presenting Escuadron 201.

DISCUSSION: City Manager Ben Arjona presented a flyer for the Inauguration and conference of Escuadron 201. It will take place on August 16, 2017 at the San Juan Memorial Library at 6:00 p.m. commemorating the collaboration between Mexico and the United States during World War II. Event is open to all public.

E. Recognize ABC Force Academy, USSSA Champions in Gulf Shores, AL.

DISCUSSION: Mr. Willingham, Parks and Recreation Director introduced the baseball players for ABC Force Academy who won the USSSA Championship on June 25, 2017 at Gulf Shores, Alabama.

Coach Ayala and the majority of the players started off in the City of San Juan with the All Stars.

City Mayor Mario Garza congratulated Coach Ayala and the players for their outstanding performance.

VI. PUBLIC HEARINGS/ORDINANCES

- A. Conduct a Public Hearing and Consider an ordinance in First Reading for a Rezoning Request from a Single-Family Residence District (R-S) to Multi-Family Residence District (R-MF) for a Property Legally describes as 10.00-acre Tract of Land out of Lot 3, Block 39, Alamo Land and Sugar Company's Subdivision, Located Approximately a Quarter of a Mile West from Cesar Chavez Road along the South side of Sioux Road, as requested by Omar Rios. [Xavier Cervantes, Director of Planning]

DISCUSSION: Mr. Cervantes commented that the property owner will be required to properly subdivide the property in order to undertake any improvements of the site. The surrounding zoning consists of single-family residential districts except for the North side which is outside city limits. Staff mailed notices to 19 property owners and received no comments in favor/against such request. One property owner did express concerns about the quality of the development that will take place.

Mayor Garza opened the public hearing at 6:13 p.m.

Mayor Garza closed the public hearing at 6:14 p.m.

Commissioner Jesus "Jesse" Ramirez made a motion to approve and Ernesto "Neto" Guajardo seconded. Motion passed. (4-0)

VII. DISCUSSION AND POSSIBLE ACTION ON ALL THE FOLLOWING MATTERS:

- A. Consider the Approval of a Budget Amendment in the amount of \$20,000 from account 10-520.1030 Salaries of Employees to Account 10-5007957 Capital Outlay for the purchase of Commercial Riding Mowers for the Parks Division. [Patrick Willingham, Director of Parks and Recreation]

DISCUSSION: There was money identified as a surplus for positions that weren't filled. The city keeps up with the cleaning and maintenance of over 100 acres. The most recent equipment was purchased 7 years ago.

Mayor Garza asked what the value of a riding mower is; Mr. Willingham proceeded to respond that he was quoting a Kubota model that has a cost of \$7,000.00 which includes warranty. Commissioner Maldonado asked Mr. Willingham if he had any equipment recommendations from other cities. Mr. Willingham summarized that he's familiar with the equipment used in the parks and recreation department with his 15 years of experience. He is also getting recommendations from neighboring cities.

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Commissioner Jesus “Jesse” Ramirez made a motion to approve and Ernesto “Neto” Guajardo seconded. Motion passed. (4-0)

- B. Consider the Approval of a Budget Amendment in the Amount of \$10,000 from Account 10-520.1030 Salaries of Employees to Account 10-5007957 Capital Outlay for the Purchase of a Golf Cart and Gator for the Parks and Recreation Department. [Patrick Willingham, Director of Parks and Recreation]**

DISCUSSION: Mr. Willingham said that it was hard to get from one place to the other at the park. He went on to say that the majority of the time there was golf carts rented for 3 All Star events last year. They can also be used at the Wetlands to get water/ice to the crew.

Commissioner Guajardo asked if the money was available to which City Manager, Ben Arjona responded that it was. Commissioner Maldonado asked for the cost of the golf cart and gator, Mr. Willingham responded that the value of the golf cart was \$2,000 to \$3,000 and the gator \$5000 to \$6000. Commissioner Ramirez asked for the cost of a full size truck and if that would be better. Rene Jaime responded that a truck would cost \$18,000 and an S10/Ranger \$15,000-\$20,000. Mr. Willingham mentioned that trucks would tear down the vegetation.

Commissioner Raudel “Raudy” Maldonado made a motion to approve and Ernesto “Neto” Guajardo seconded. Motion passed. (4-0)

- C. Consider Authorizing the City Manager to Enter into an Interlocal Agreement between the City of San Juan, Texas and Lower Rio Grande Valley Development Council Regarding for Provision of 911 Services for FY 2018-2019. [Juan Gonzalez, Chief of Police]**

DISCUSSION: Interlocal agreement is a standard agreement that is renewed every two years to maintain the communication system.

Commissioner Jesus “Jesse” Ramirez made a motion to approve and Raudel “Raudy” Maldonado seconded. Motion passed. (4-0)

VIII. CONTRACTUALS/RESOLUTION

- A. Consider the Selection of a Project for Hidalgo County, Urban County Program FY 31 (2018) Funds. [Xavier Cervantes, Director of Planning]**

DISCUSSION: Project selection based on areas of eligibility and street conditions. Staff recommends repaving Sunset drive and Monica Street from Raul Longoria to street end. Sunset Drive does not have curb and gutter.

Commissioner Ramirez asked if some of the funding can be used for Boys and Girls Club on the north side. To which Mr. Arjona responded that it would have to be checked with Urban County if it is allowable.

Commissioner Jesus “Jesse” Ramirez made a motion to approve and Ernesto “Neto” Guajardo seconded. Motion passed. (4-0)

- B. Consider Adopting a Resolution Granting Authority to Officers, Including but not Limited to Signing, Inquiring, Giving Written or Oral Instructions to Plains CapitalBank, with Respect to Any Transactions with PlainsCapital Bank. [Leroy Gonzalez, Interim-Director of Finance]**

DISCUSSION: Resolution is for the removal of Mr. Pablo Garza as the finance director and adding Mr. Leroy Gonzalez as the Interim Finance Director.

Commissioner Jesus “Jesse” Ramirez made a motion to approve and Ernesto “Neto” Guajardo seconded. Motion passed. (5-0)

- C. Consider Authorizing the City Manager to Enter into a Contract Agreement for Engineering Services with One or More Engineers. [Rene Jaime, Purchasing/Risk Manager]**

DISCUSSION: During a regular scheduled City Commission Meeting on June 6th the City Commission authorized the City Manager to request qualifications from engineering firms. RFQ17530705 for engineering services was advertised on the Advance news on June 21st and on the McAllen Monitor on

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June 25th. A total of 11 firms submitted their response they were reviewed and evaluated. The top 5 firms were invited to make a short 5 minute presentation.

- 1) R. Gutierrez Engineering Corporation has been in business since 1998. They have three professional registered engineers and one of them is an in-house land surveyor. Current City Engineer for the city of Pharr. They did the overpass for U.S. 281/Military Highway, water treatment plant for the City of Edinburg, I Rd/Veterans North San Juan lateral and the Minnesota drainage to name a few. Their last project for the City of San Juan was the water line for Oblate Street 3-4 years ago. They currently have 11 staff members in their office. The point of contact will be Mr. Ramiro Gutierrez.
- 2) Halff Associates has been in business for 60 years. The valley office was initiated in 1993 because of Sharyland Plantation, which is a 6,000 acre development. Halff offers the local McAllen office which consists of 40 staff members with big firm resources. It is a multi-disciplined firm that has experience in roadway design, drainage design, water and waste water design, structural design, master comprehensive planning, landscape design, architecture design, park design, mechanical design, plumbing and electrical design among many others. They offer services from South Padre Island to Rio Grande City and up to Kingsville/Corpus Christi area. They have extensive experience with private, state and federal projects. The last project for the City of San Juan was about 2 years ago the Sioux Road canal crossing; it was on schedule, on budget and had no issues.
- 3) Perez Consulting Engineers has been in business for 26 years. The firm has three registered engineers and is currently in the process of acquiring an additional engineer. They have qualifications in paving, drainage, alternative transportation, irrigation and pumping systems, water design, waste water design and land development design among many others. They also work with a grant writing firm out of Austin that can assist with funding sources and low interest loans. Recently they did the major roadway sanitary sewer design (40 feet deep) in the City of Edinburg. The point of contact will be David Perez. As far as working on rotation it was hard to be a consultant and waiting your turn, but it can be done. They would hold bi-weekly construction meetings at the City Hall for faster response times. The firm assisted the City of San Juan with creating design standard with staff free of charge. They did the Urban County paving project on 3rd Street, Iowa and 4th Street which was a success. Currently they are working on Phase I paving improvements.
- 4) Cruz-Hogan Consultants is a firm with 30 years' experience. They have 4 professional registered engineers. They have three offices: Weslaco, Harlingen and McAllen (main branch). They have extensive experience in water, waste water, distribution, collection, drainage and roadway design. They specialize in public works and do not practice private development. They work with over 19 cities which include: McAllen, San Juan, Alamo, Pharr, Harlingen, Laguna Vista, Lyford, Donna, San Benito, Alton, Falfurrias, South Padre Island and Port Isabel to name a few. They have served as City Engineers for over 10 cities. Their most current project with the City of San Juan was the water treatment plant. They have participated in rotation in bigger cities where numerous large projects are going on, but they feel there's no need for a city this size.
- 5) Javier Hinojosa Engineering Firm has been in business for 21 years. They specialize in infrastructure improvement: street, water line, sanitary, sewer and storm drainage. They've had projects with City of Pharr, Mission, McAllen, Edinburg, San Juan, Palmhurst, Peñitas, Sullivan City, Progreso, Hidalgo and various school districts. The firm has projects with Hidalgo Precinct 2, Hidalgo County Precinct 3, Mercedes, Jaguar, Audi, Acura, Lexus and Porsche dealerships. They have worked on street improvements with the City of San Juan in 2001, 2003, 2005 and in 2016 they worked on the Urban County project improving Salazar, Coconut Palm and Hooper Streets. Mr. Hinojosa has worked with the City of San Juan extensively and has a good relationship with staff. He has a process for undertaking projects which consists of: a project orientation meeting, setting objectives and goals, setting requirements wanted by staff, surveying, preliminary design, implementation of changes, setting a budget, preparing specifications for the jobs, prepare bidding and bidding packets. If selected Mr. Hinojosa will be the point of contact and has no problem with rotation basis. Currently he has 10 people on staff.

Mr. Cervantes explained that rotation in the past had worked well. They used rotation for capital improvement projects and subdivision review. He has a database system that is fair to the participants of the rotation. He mentioned that the firms didn't reject any projects in the past the only issue was

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with one firm that had their fees extremely high therefore they would go to the next firm in the rotation. City Attorney Rick Palacios stated that City Manager could negotiate the percentages with the engineering firms on the projects and take back to the commission for final decision. Raudel Maldonado stated he didn't think 3 firms were needed for a small city he further discussed he agreed to two firms. Mr. Cervantes suggested having a set standard percentage to make the system fair to all firms and to set a standard. There is a general contract for the firms to sign and there is a project based contract for each project which goes back to the board for approval. Attorney Rick Palacios will review and make any changes needed to the general contract that is being used for the past engineering firms.

The selection was general rotation with two firms: Perez Consulting Engineers and Cruz-Hogan Consultants

Commissioner Jesus "Jesse" Ramirez made a motion to approve and Ernesto "Neto" Guajardo seconded. Motion passed. (4-0)

**D. Consider Authorizing the City Manager to Enter into a Contract Agreement for Consulting Services for a Comprehensive Study with Study with Lynn, Ross & Gannaway, LLP.
[Adelaida Cordero, Director of Human Resources]**

DISCUSSION: Adeleida Cordero and Mr. Arjona have met with the firm Lynn, Ross and Gannaway LLP to get a quote for a comprehensive study. The consultant studies will review job descriptions, classifications, personnel policies and compensation plans. There is a breakdown of estimated number of hours. Travel expenses were not included since most training will be through skype. The travel to meet with staff, management and commission is not included but we are expecting approximately 4 visits. There is funding available through the Department of Utilities, Sanitation and Certificate of Obligation Series 2017.

Commissioner Ernesto "Neto" Guajardo made a motion to approve and Jesus "Jesse" Ramirez seconded. Motion passed. (4-0)

IX. CONSENT AGENDAS

A. Property Tax Collection Report- June 30, 2017 [Leroy Gonzalez, Interim Director of Finance]

DISCUSSION: There was an amendment on the consent.

Commissioner Jesus "Jesse" Ramirez made a motion to approve and Raudel "Raudy" Maldonado seconded. Motion passed. (5-0)

X. ADJOURNMENT

Commissioner Ernesto "Neto" Guajardo made a motion to adjourn and seconded by Raudel "Raudy" Maldonado. Motion Passed. (5-0)

CITY OF SAN JUAN, TEXAS

Mario Garza, Mayor

ATTEST:

Diana H. Cavazos, City Secretary