



Mayor: Mario Garza
Mayor Pro-Tem: Leonardo “Lenny” Sanchez
Commissioners: Adina “Dina” Santillan
Ernesto “Neto” Guajardo
Marco “Markie” Villegas

The City of San Juan does not discriminate on the basis of disability in the admission of, access to, treatment of, or employment in its programs, activities, or public meetings. Any individual with a disability in need of an accommodation is encouraged to contact the Office of the City Secretary at 956-223-2200 at least 24 hours prior to the scheduled meeting to make proper arrangements.

SAN JUAN CITY COMMISSION

Location: San Juan Memorial Library
Multipurpose Meeting Room
1010 S. Standard
San Juan, Texas 78589
Tuesday, March 8, 2022

REGULAR MEETING AGENDA **6:00 PM**

I. CALL TO ORDER

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. PUBLIC COMMENTS

V. PRESENTATIONS

- A. Presentation on New Fire Station.**
- B. Presentation Recognizing Jessica Villanueva as PSJA High School State Wrestling Champion.**
- C. Presentation on the San Juan Community Lions Club Pageant 2022.**
- D. Presentation of the Keep San Juan Beautiful and Department of Utilities Art Contest Winners.**
- E. Update on Hazardous Mitigation Action Plan.**

- F.** Presentation on Departmental Reports: Department of Finance, Fire Department, Police Department, Municipal Court, Department of Utilities, Department of Planning and Zoning, Department of Parks and Recreation, Department of Sanitation, and San Juan Memorial Library.

1. Department of Finance Monthly Report.
2. Fire Department Monthly Report.
3. Police Department Monthly Report.
4. Municipal Court Monthly Report.
5. Department of Utilities Monthly Report.
6. Planning and Zoning Monthly Report.
7. Parks and Recreation Monthly Report.
8. Department of Sanitation Monthly Report.
9. San Juan Memorial Library Monthly Report.

VI. PUBLIC HEARING/ORDINANCES

- A.** Hold Public Hearing and Consider an Ordinance for a Variance Request to 1) re-dedicate a 60' x 130' portion of East 7th Street (from Nebraska Avenue eastward a distance of 130') from a street right-of-way use to viable city property to construct a portion of a new Fire Department Facility and 2) the consideration of using this portion 60' x 130' portion of East 7th Street will result in 'E. 7th' Street' being a dead-end street which City Code requires a variance to be considered and awarded, as Requested by the City of San Juan.
- B.** Hold a Public Hearing and Consider an Ordinance for a Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at the proposed Chili's Restaurant to be located at 1411 E. IH 2, legally described as Lot 3, Plaza San Juan Subdivision, as Requested by Brinker International, Inc.
- C.** Hold a Public Hearing and Consider an Ordinance for a Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at Don Marisco Restaurant

located 901 N. Raul Longoria Road, Pecan Estates, Block 2, as Requested by Ernesto Lozano.

- D.** Hold a Public Hearing and Consider an Ordinance for a Conditional Use Permit to allow a Detail Shop at 1310 Sgt. Leonel Trevino Road, legally described as the East 300 feet of the South 218.2 feet of Lot 13, Block 39, Alamo Land and Sugar Company, located at the Northwest corner of Sgt. Leonel Trevino and Cesar Chavez Road, as Requested by Miguel Angel Aviles.
- E.** Consider an Ordinance for a Voluntary Annexation Petition for a 13.41-acre tract of land out of Lot 14, Block 47, Alamo Land and Sugar Company's Subdivision, as per map recorded in Volume 1, Pages 24 thru 26, Map Records, Hidalgo County, Texas, as Requested by AAAR Family, LTD.
- F.** Consider an Ordinance for a Voluntary Annexation Petition of the 24.85-acre tract of land out of Lot 7, Stewart's Addition to the Conway Gardens Subdivision, as per map recorded in Volume 0, Pages 43, Map Records, Hidalgo County, Texas, as Requested by Escon Development.
- G.** Hold a Public Hearing for a Conditional Use Permit to Allow Enterprise Car Sales and Rent-A-Car at 701 E. IH 2, legally described as the South 753.40 feet of the East 330 feet of the West 660 feet of Lot 7, Block 35, Alamo Land and Sugar Company, as Requested by Ples E. Schnitz.

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

- A.** Discussion and Possible Action to Authorize the City Manager to Declare a 2001 Ford Crown Victoria and 2010 Chevrolet Malibu as Surplus and for Final Disposal for Auction.
- B.** Consider Preliminary and Final Plat Approval of La Paloma Subdivision being a 20.83 acre tract of land out of Lot 14, Block 47, Alamo Land and Sugar Company Subdivision, located approximately a quarter of a mile West of Cesar Chavez Road, along the North side of Nolana Avenue, as Requested by Javier Hinojosa Engineering.
- C.** Consider Resolution to Approve a Waterline Access Agreement between the North Alamo Water Supply Corporation (NAWSC), City of San Juan and OC Development, LTD. for Christian Estates Subdivision.
- D.** Discussion and Possible Action to Adopt the Emergency Response Plan Required Per Senate Bill 3 and Authorize the City Manager to Execute All Related Documents and Budget Amendment as Needed.
- E.** Discussion and Possible Action to Authorize the City Manager to Declare a 2006 Ford F150,

Unit 260, as Surplus and for Final Disposal at Auction.

- F.** Discussion and Possible Action to Approve an Agreement with TRIMA Consultants, L.L.C. for Engineering Services and Associated Budget for the Installation of a Dual Voltage Magnetic Flow Meter for the Sgt. Leonel Trevino Reservoir and Authorize the City Manager to Execute All Related Documents and Budget Amendment as Needed.
- G.** Discussion and Possible Action to Approve an Agreement with TRIMA Consultants, L.L.C. for Engineering Services and Associated Budget for Improvements to the Existing Sanitary Sewer Collection System that has Partially Collapsed Under an apartment Building in the F.R. Speaks Subdivision and Authorize the City Manager to Execute All Related Documents and Budget Amendment as Needed.

VIII. CONTRACTUALS

- A.** Consider Entering Into an Interlocal Cooperation Agreement Between the City of San Juan and Hidalgo County to Provide Efficient and Effective Library Services for County Residents.

IX. CONSENT AGENDA

- A.** Consider Second and Final Reading of the Ordinance for a Conditional Use Permit to allow a kettle corn portable food stand at San Juan H-E-B located at 901 W. IH 2, legally described as Lot 2, HEB San Juan Unit 2 Subdivision, as Requested by Melissa Martinez.
- B.** Consider Second and Final Reading of an Ordinance for a Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at the proposed Olive Garden Restaurant to be located at 1403 E. IH 2, legally described as Lot 2, Plaza San Juan Subdivision, as Requested by Olive Garden Holdings, LLC.
- C.** Consider Second and Final Reading of Ordinance for a Rezoning Request from Neighborhood Commercial District (C-1) to General Business District (C-2) of the property legally described as Lots 19 thru 21, Block 4, Tierra del Sol Inc. No. 2 Subdivision, located at the Northeast corner of 7th Street and Veterans Boulevard, as Requested by Perla Castillo.
- D.** Approval of Minutes

- November 23, 2021 - Regular Meeting

X. EXECUTIVE SESSION

- A. The San Juan 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 §551.071 (Consultation with Attorney).
 - 1. Pursuant to Section §551.087 ECONOMIC DEVELOPMENT NEGOTIATIONS; Deliberation Regarding Financial Incentives to the Following Business Prospects:
 - a. Project Tri
 - b. Project Stay
 - 2. Pursuant to Section §551.074 PERSONNEL MATTERS; Discuss the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline or Dismissal of a Public Officer or Employee (Director of Sanitation).
 - 3. Pursuant to Section §551.071 of the Texas Government Code (Consultation with Attorney), Discussion and Possible Action Regarding Case No. AAA-01-21-0002-6837 and Case No. AAA-01-21-0002-6435, Arbitration Matters Regarding Concerning Joseph Martinez v. City of San Juan.
 - 4. Pursuant to Section §551.071 of the Texas Government Code (Consultation with Attorney), Discussion and Possible Action Regarding the City of San Juan Wrecker Ordinance Article 4.04.
 - 5. Pursuant to Section §551.072 of the Texas Government Code (Real Estate Matters) and §551.071 of Texas Government Code (Consultation with Attorney), Discussion and Possible Action Regarding a Possible Transfer of Property to the San Juan Economic Development Corporation (EDC), Legal Description Alamo Land & Sugar Co., 1.13 AC an IRR TR N 168.8'-S313.80'-W412'-E947.73' Lot 8 Blk 35 1.13 Net.

XI. RECONVENE

- A. The City Commission will Reconvene in Open Session to Take Necessary Action if any, in Accordance with Chapter 551, Open Meeting Subchapter E, Procedures Relating to Closed Meeting 551, Requirements to Vote or Take Final Action in Open Meeting.
 - 1. Pursuant to Section §551.087 ECONOMIC DEVELOPMENT NEGOTIATIONS; Deliberation Regarding Financial Incentives to the Following Business Prospects:
 - a. Project Tri
 - b. Project Stay

2. Pursuant to Section §551.074 PERSONNEL MATTERS; Discuss the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline or Dismissal of a Public Officer or Employee (Director of Sanitation).
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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).

BRENDA ESCALANTE
INTERIM CITY SECRETARY
CITY OF SAN JUAN, TEXAS

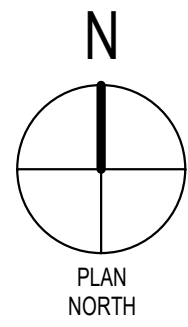
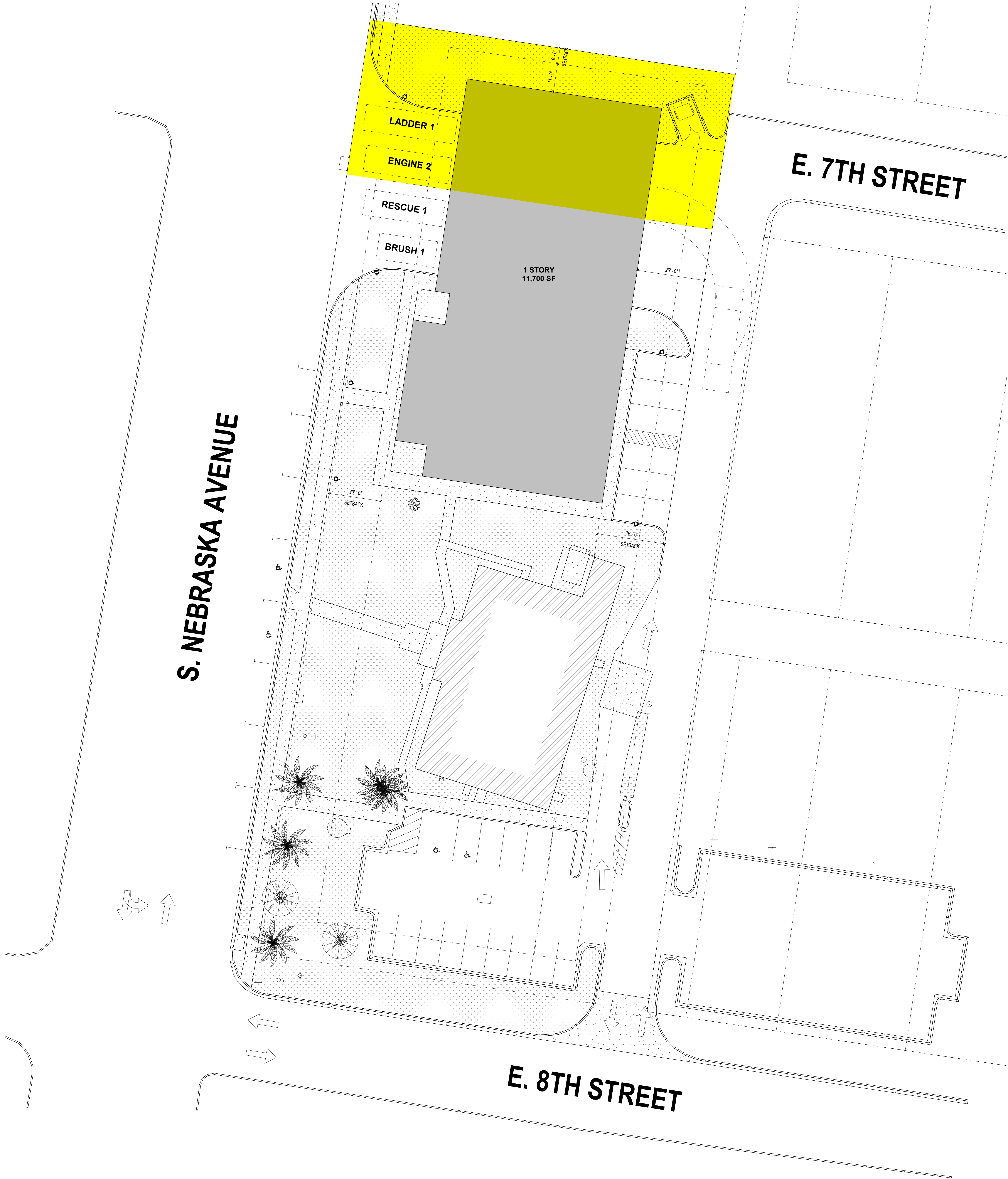
CERTIFICATION OF REMOVAL

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 _____ of _____, 2022.

OFFICE OF THE CITY SECRETARY

2/20/2023 2:47:09 PM
B:\M\360\21059 - San Juan Fire Station\21053 - San Juan Fire Station.rvt

A1 | COMPOSITE SITE PLAN
1/16" = 1'-0"



KEYPLAN

KEYPLAN

"NOT FOR CONSTRUCTION"
THIS DOCUMENT IS INTENDED FOR REVIEW ONLY AND IS NOT MEANT TO BE USED FOR CONSTRUCTION PURPOSES.
ELI DODIA, P.E., AIA
TX REGISTRATION NO.
Engineer 80201
Architect 9490

CITY OF SAN JUAN FIRE STATION

CITY OF SAN JUAN
709 S. NEBRASKA AVE, SAN JUAN, TX 78589

No.	Date	Description
PROJECT No.: 21053	ISSUE DATE: 02.04.22	
DRAWN BY: Author	CHECKED BY: Checker	
COMPOSITE SITE PLAN		
Sheet Number		
AS101		
Project Status: SCHEMATIC DESIGN		



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Marco “Markie” Villegas

MEMORANDUM

TO: Benjamin Arjona, City Manager

FROM: Brenda Escalante, Aide

DATE: 03/04/2022

SUBJECT: Presentation Recognizing Jessica Villanueva as PSJA High School State Wrestling Champion.

The City of San Juan Parks and Recreation Department along with the community would like to recognize Ms. Villanueva for this great achievement.



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MEMORANDUM

TO: Benjamin Arjona, City Manager

FROM: David Salinas, Director of Utilities

DATE: 03/01/2022

SUBJECT: Presentation of the Keep San Juan Beautiful and Department of Utilities Art Contest Winners.

Keep San Juan Beautiful and the Department of Utilities in Partnership with the Hidalgo County Irrigation District No. 2 Sponsored an Art Contest to Bring Awareness to Water Conservation and Beautify the City. The Winning Entries will Painted on Select Irrigation Stand Pipes throughout the City's Water Service Areas.

Let's all save water



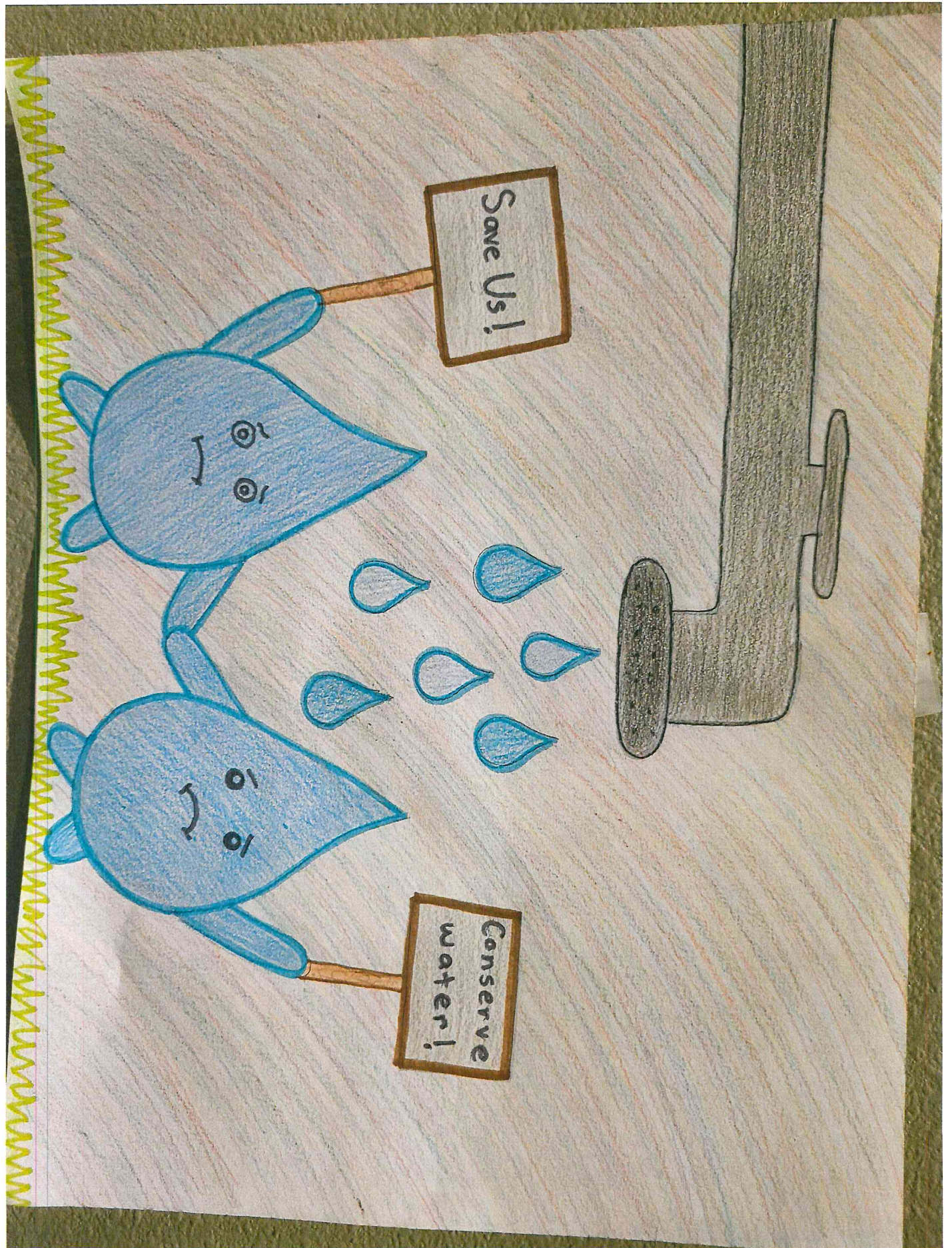
PAST

PRESENT

FUTURE

SAVE
WATER
LIVES







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MEMORANDUM

TO: Benjamin Arjona, City Manager

FROM: Brenda Escalante, Aide

DATE: 02/23/2022

SUBJECT: Update on Hazardous Mitigation Action Plan.



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MEMORANDUM

TO: Benjamin Arjona, City Manager

FROM: Brenda Escalante, Aide

DATE: 02/23/2022

SUBJECT: Department of Finance Monthly Report.

Finance Department

Department Description

Finance Department has the responsibility to safeguard City's financial assets and manage its resources in according with state law, City Charter, and ordinances enacted by the City Commission.

- Process accounts payable and payroll for the City of San Juan and Economic
- Development Corporation.
- Provide monthly financial reports to Departments and City Commission
- Generate financial reporting according to GAAP
- Maintain an adequate level of liquidity and meet financial responsibility of City's
- investments policy prioritizing objective of safety, liquidity and yield

Additional Information

7 STAFF MEMBERS

Maintained 26 funds, assisted 24 departments and posted 577 journal entries, issued 1,121 disbursement checks, 89 Bank Drafts and processed 2,775 payroll checks and direct deposits, through the months of January, 2022.

December Sales Tax 25.73% Increase of \$116,552 Compared to last year.

Audit FY 2020/2021 Awarded the Contract to Garcia and Pena

Reconciled 11 Bank Accounts

Budget Adjustments (9)

Budget Amendments (1)

Manage a 30.2 million budget

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Phone: (956)223-2200 • Fax: (956) 787-5978

- General Fund Budget of 16.8 million
- Utility & Sanitation Fund 5.4 million
- Stormwater Fund 305 thousand
- Debt Service Fund 1.9 million
- Sanitation Fund 3.5 million
- Other Funds 2.2 million

Utility Billing & Collection Department

Department Description

The Utility Billing Department is responsible for billing and collection of water usage, sanitary sewer, residential garbage collection and responding to customers complaints.

- The City of San Juan collects about 6,993 water and 9,732 sewer accounts.
- North Alamo Water Supply Corporation service 3,269 sewer accounts.

Per Audited Financial Report, in FY ending 9/30/2020, Utility Fund collected 5.8 million and Sanitation Fund 3.6 million with a combined 9.4 million.

- Email Billing (112)

Service Orders

1. Connects	35
2. Meter information	71
3. Disconnect	14
4. Dead Meters Change	21
5. Past Due Notice	1,476
6. Cut Off Register	27
7. Cut List	110

- Payments are made by

65 % paid in person
 1 % juniors
 22 % online
 6 % bank drafts
 6 % other locations

- Staff of 7 Employees

Purchasing Division

Purchasing Description

Purchasing Division is responsible for acquiring goods and services for the City, in accordance with state law, the City's purchasing policies and annual budget.

Activity through the January 2022.

• Purchase Orders Issued	1,198
• Purchase Order Changes/Voids	36
• Bid Openings	4
• Public Auction	1
• Revenue on Auction	\$32,717.50



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MEMORANDUM

TO: Benjamin Arjona, City Manager

FROM: Brenda Escalante, Aide

DATE: 02/23/2022

SUBJECT: Fire Department Monthly Report.

The San Juan Fire Department had the following activity during the month of January 2022:

Emergency Calls

A total of 64 calls for the month of January 2022. (Please see attached report.)

- A Shift = 21
- B Shift = 26
- C Shift = 17

Med-Care Response

Due to the COVID19 Med-Care, EMS responded along with the Fire Department for a total of 15 calls with three (3) delays for the month of January 2022. The Med-Care report has not been submitted by Med-Care.

County Calls

The San Juan Fire Department had a total of one (1) County Calls for the month of January 2022, which are the following:

- Incident Number – 22- 007 – Outside Brush Fire at 310 E. Moore Road
- Incident Number – 22 -028 – Cooking Fire at 904 San Miguel
- Incident Number – 22 -043 – Grass Fire at 909 San Ignacio

Volunteer Department

The San Juan Volunteer Fire Department was not able to meet for a monthly business meeting due to COVID-19.

Fire Inspections

A total of 27 inspections were conducted in the Month of January 2022, please see attached for

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detailed information about each conducted inspection.

Plan Reviews

The following plans were reviewed for the month of January 2022:

- Christian Estates
- Plantation Heights
- Papa Johns
- HEB

Fuel Utilization

Please note that the total amount of gallons mentioned in this report was submitted by the Fire Chief, Lieutenant, or Firefighter in Charge for the month of January 2022 to the Administration Office.

- A total of 156.6 Gallons of Unleaded
- A total of 723.40 Gallons of Diesel



Jonathan Lopez
A - Shift Driver

**January 2022
Call Volume Monthly Breakdown**

Fire House Code	Incident Type	Total
322	Motor Vehicle Accidents w/Injuries	5
323	Auto-Pedestrian	
324	Motor Vehicle Accidents w/o Injuries	4
311	Medical Call	8
142/143	Grass/Brush Fires	5
131	Vehicle Fires	5
700/750	False Alarms	10
154	Trash Fires	3
550/551	Assist other Agency/Dept.:	6
651	Smoke Scare	7
111	Structure Fires	2
1101	Equipment Fire	
412	Gas Leak	4
480	Attempted burning, Illegal action	2
600	Good Intent Call	
611	Cancelled in Route	
622	Wrong Location/No Incident Found	
541	Bee attack/ Animal Problem	
331	Child Locked in a Vehicle	2
440/1601	Electrical Equipment Problem (Pole)	
1131	Cooking Fire	
100	Fire, Other	1
Grand Total:		64

Call Volume for each shift:

A Shift 21
B Shift 26
C Shift 17

Respectfully Submitted by,


Jonathan Lopez A-shift, Driver



Tirso Garza, Fire Chief
2301 N. Raul Longoria
San Juan, TX 78589
Office: 956-223-2470
Fax: 956-783-3441

Med-Care Response Times

January 2022

Date	Incident #	Location	Dispatched Time	Arrival	Delay Time	Incident Type
01-01-22	22-004	200 W Frontage EB	06:41	06:57	16	MVA
01-02-22	22-010	122 Mesquite		10:55	0	Assist MedCare
01-03-22	22-013	900 N Raul Longoria	11:18	11:23	5	MVA
01-04-22	22-019	200 E Expressway 83 WB	10:33	10:48	15	MVA
01-05-22	22-021	1104 Paloma	12:55	13:02	7	Medical
01-05-22	22-022	Raul & Frontage	18:55	19:09	14	MVA
01-08-22	22-027	205 Calle De Jardin	12:26	12:34	8	Medical
01-16-22	22-040	912 W. 13th	07:03	07:13	10	Structure Fire
01-17-22	22-044	105 Calle De Jardin	20:39	20:43	4	Cardiac Arrest
01-18-22	22-045	612 Mesquite Ave	23:13	23:19	6	Lift assist
01-24-22	22-056	1200 E Expressway 83 WB	06:33	06:51	18	MVA
1-24-22	22-057	Raul Longoria & Amy	08:15	08:24	9	MVA
01-25-22	22-059	700 E Expressway 83 EB	08:38	09:03	25	MVA

01-29-22	22-064	Raul & Frontage	15:47	15:52	5	MVA/Vehicle Fire
01-30-22	22-065	409 Rafael Apt.3	07:30	07:39	9	Lift Assist

Fire Inspection January 2022

	Date	Name of Business	Address	Contact	Inspector	App/Deny
1	1/5/22	Life Span Rehabilitation Center, LLC.	1200 E 83 BUS	Alejandra Briones	J. Salinas	Approved
2	1/5/22	Valley Sounds & Security	1003 N Raul Longoria HWY	Christian Zaragoza	J. Salinas	Approved
3	1/5/22	Children First Academy	1208 El Presidente DR	Socorro Martinez	J. Salinas	Approved
4	1/10/22	Get Inked	200 W 83 Expy, Ste L	Adam Altamirano	J. Salinas	Approved
5	1/10/22	Boys and Girls Club of San Juan	509 E Earling RD	Fernando De La Rosa	J. Salinas	Approved
6	1/10/22	Angel's on Earth Home Care Services	4810 N Raul Longoria HWY, Ste 4	Leticia Gonzalez	J. Salinas	Approved
7	1/10/22	Taqueria Rios	5107 N Raul Longoria HWY	Diamira Rios	J. Salinas	Approved
8	1/10/22	McDonalds	824 W 83 BUS	Adam Rojas	J. Salinas	Approved
9	1/10/22	Cricket	106 E 495, Ste 5	Luis Esparza	J. Salinas	Approved
10	1/10/22	El Pato Mexican Food	1626 N Raul Longoria HWY	Carlos Reyes	J. Salinas	Approved
11	1/11/22	Shears Delight By Sindy	2016 N Raul Longoria HWY	Alexis Quintanilla	J. Salinas	Approved
12	1/11/22	Walgreens	824 N Veterans RD	Cricelda Rodriguez	J. Salinas	Approved
13	1/11/22	Cricket	502 S San Antonio AVE, Ste A	Amaranta Rodriguez	J. Salinas	Approved
14	1/11/22	Prestige Auto Sound and Tint	901 W 495, Ste B	Edson Rosales	J. Salinas	Approved
15	1/12/22	United Migrant Opportunity Service, Inc	202 S San Antonio AVE	Narcisa Mendoza	J. Salinas	Approved
16	1/12/22	Ruben Meat Market	4309 N Raul Longoria HWY	Alondra Garza	J. Salinas	Approved
17	1/12/22	Wingstop	826 W 83 BUS, Ste A	Margie Bustamante	J. Salinas	Approved
18	1/18/22	Little Caesars Pizza	106 E 495	Emilio Perez	J. Salinas	Approved
19	1/18/22	Nutrition Express	602 W 83 BUS, Ste B	Fanny A Solis	J. Salinas	Approved
20	1/18/22	Tortilleria Nvo. Progreso #3	2025 N Raul Longoria HWY, Ste 1	Sonia Hernandez Silva	J. Salinas	Approved
21	1/20/22	Gorditas Dona Tere	3100 N Raul Longoria HWY	Guillermo mendoza	J. Salinas	Approved
22	1/20/22	Pete's Auto Service	3705 N Raul Longoria HWY	Pedro Pestana	J. Salinas	Approved
23	1/21/22	Shops at Chavez	1600 W Interstate 2	Enrique Garza	J. Salinas	Approved
24	1/26/22	Aimee Studio Photography	1618 N Veterans RD, Ste O	Francisca Enedina Martinez	J. Salinas	Approved
25	1/26/22	Wing Barn	707 W Interstate 2, 100	America Velazquez	J. Salinas	Approved
26	1/28/22	Fast Auto Sales	100 W Salazar ST	Arnoldo Cadena	J. Salinas	Approved
27	1/28/22	Magaly's Catering LLC	909 W 495, Ste 6	Adriana Flores	J. Salinas	Approved



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MEMORANDUM

TO: Benjamin Arjona, City Manager

FROM: Brenda Escalante, Aide

DATE: 02/23/2022

SUBJECT: Police Department Monthly Report.

This memorandum is to keep you all informed on our Monthly operational statistics, and any other significant cases or events that occurred during the month of January 2022.

STATISTICS: POLICE	JANUARY
• Calls for service:	1755
• Incident reports:	183
• Accidents:	141
• 911 Calls:	1579
• Patrol Citations Issued:	170
• Violations:	246
• Patrol & CID Arrests:	38
• CID Issued Warrants:	39

SPECIAL GRANT DETAILS:	JANUARY
• Stone Garden hours:	365
• Vehicle Stops:	710
• Citations:	188
• Border Star hours:	83.25
• Vehicle Stops:	0
• Contacts:	8
• Misdemeanor Arrest:	0
• Felony Arrest:	3
• Cases Investigated:	9
• Citations:	0

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- Tx-Dot STEP-Wave Traffic

Enforcement hours:

Grant not being worked at the time.

TRAFFIC ENFORCMENT:

JANUARY

- Cruiser enforcement (Thursday Nights) traffic stops.
- Citations:
- Arrest:
- Regular patrol city wide.

Not working No cruisers in the areas.
N/A
N/A
170

FEDERAL & STATE ASSET FOREFEITURE PROGRAM:

- Received state forfeiture awards: Nothing to report
- Received federal forfeiture awards: Nothing to report.
- The department is in full compliance with federal and state guidelines (Audits).

CRIME STOPPERS:

- No board meetings were scheduled.

SAN JUAN POLICE PERSONNEL:

Nothing To Report

TELE-COMMUNICATORS:

- No new event to report.

FLEET

- No new event to report.

STATISTICS: ANIMAL CONTROL JANUARY

- Calls for Service: 120
- Citations Issued: 0
 - Violations: 0

COVID-19 OPERATIONS:

- San Juan Police Department followed the guidelines set forth by the Mayor, County Judge and the Governor of Texas.

SPECIAL EVENTS:

- The annual racial profiling report has been reported to TCOLE and a copy of the report is attached.

Respectfully,

Ruben Morin, Chief of Police
San Juan Police Department
"A Commitment to the Future"

2021

*** SAN JUAN POLICE DEPARTMENT ***

01. Total Traffic Stops by San Juan PD	2206	
02. Location of Stop:		
a. City Street	1944	88.12%
b. US Highway	262	11.88%
c. County Road	0	
d. State Highway	0	
e. Private Property or Other	0	
Total	2206	100%
03. Was Race known prior to Stop:		
a. NO	0	
b. YES	2206	100%
Total	2206	100%
04. Race or Ethnicity:		
a. Alaska-Native/American-Indian	0	
b. Asian/Pacific-Islander	1	0.05%
c. Black	2	0.09%
d. White	11	0.50%
e. Hispanic/Latino	2192	99.36%
Total	2206	100%
05. Gender: Female:		
a. Alaska-Native/American-Indian	0	
b. Asian/Pacific-Islander	0	
c. Black	0	
d. White	2	0.22%
e. Hispanic/Latino	889	99.78%
Total	891	100.00%
Gender: Male:		
a. Alaska-Native/American-Indian	0	
b. Asian/Pacific-Islander	1	0.08%
c. Black	2	0.15%
d. White	9	0.68%
e. Hispanic/Latino	1303	99.09%
Total	1315	100.00%

06. Reason for stop?

Violation of Law

a. Alaska-Native/American-Indian	0	
b. Asian/Pacific-Islander	0	
c. Black	0	
d. White	4	0.57%
e. Hispanic/Latino	703	99.43%
Total	707	100.00%

Preexisting Knowledge

a. Alaska-Native/American-Indian	0
b. Asian/Pacific-Islander	0
c. Black	0
d. White	0
e. Hispanic/Latino	0

Moving Traffic Violation

a. Alaska-Native/American-Indian	0	
b. Asian/Pacific-Islander	1	0.10%
c. Black	2	0.20%
d. White	3	0.30%
e. Hispanic/Latino	1003	99.40%
Total	1009	100.00%

Vehicle Traffic Violation

a. Alaska-Native/American-Indian	0	
b. Asian/Pacific-Islander	0	
c. Black	0	
d. White	4	0.82%
e. Hispanic/Latino	486	99.18%
Total	490	100.00%

07. Was a Search Conducted:

1. YES

a. Alaska-Native/American-Indian	0	
b. Asian/Pacific-Islander	0	
c. Black	0	
d. White	0	
e. Hispanic/Latino	49	100.00%
Total	49	100%

2. NO

a. Alaska-Native/American-Indian	0	
b. Asian/Pacific-Islander	1	0.05%
c. Black	2	0.09%
d. White	11	0.51%
e. Hispanic/Latino	2143	99.35%
Total	2157	100.00%

08. Reason for Search?

1. Consent	0		
a. Alaska-Native/American-Indian			
b. Asian/Pacific-Islander			
c. Black			
d. White			
e. Hispanic/Latino			
2. Contraband	0		
a. Alaska-Native/American-Indian			
b. Asian/Pacific-Islander			
c. Black			
d. White			
e. Hispanic/Latino			
3. Probable Cause	0		
a. Alaska-Native/American-Indian			
b. Asian/Pacific-Islander			
c. Black			
d. White			
e. Hispanic/Latino			
4. Inventory	0		
a. Alaska-Native/American-Indian			
b. Asian/Pacific-Islander			
c. Black			
d. White			
e. Hispanic/Latino			
5. Incident to Arrest			
a. Alaska-Native/American-Indian			
b. Asian/Pacific-Islander			
c. Black			
d. White			
e. Hispanic/Latino	49	100.00%	
Total	49	100%	

09. Was Contraband Discovered:

- 1. YES
 - a. Alaska-Native/American-Indian
 - 1. Finding resaulted in arrest - YES
 - 2. Finding resaulted in arrest - NO
 - b. Asian/Pacific-Islander
 - 1. Finding resaulted in arrest - YES
 - 2. Finding resaulted in arrest - NO
 - c. Black

1. Finding resulted in arrest - YES		
2. Finding resulted in arrest - NO		
d. White		
1. Finding resulted in arrest - YES		
2. Finding resulted in arrest - NO		
e. Hispanic/Latino		
1. Finding resulted in arrest - YES	2	100%
2. Finding resulted in arrest - NO		
Total	2	100%

2. NO		
a. Alaska-Native/American-Indian		
b. Asian/Pacific-Islander		
c. Black		
d. White		
e. Hispanic/Latino	47	100.00%
Total	47	100%

10. Description of Contraband:

1. Drugs		
a. Alaska-Native/American-Indian		
b. Asian/Pacific-Islander		
c. Black		
d. White		
e. Hispanic/Latino	1	50%
2. Currency	0	
3. Weapons	0	
a. Alaska-Native/American-Indian		
b. Asian/Pacific-Islander		
c. Black		
d. White		
e. Hispanic/Latino	1	50%
4. Alcohol	0	
5. Stolen Property	0	
6. Other	0	
Total	2	100%

11. Result of Stop:

1. Verbal Warning	0	
2. Written Warning		
a. Alaska-Native/American-Indian	0	
b. Asian/Pacific-Islander	1	0.11%
c. Black	1	0.11%
d. White	4	0.44%
e. Hispanic/Latino	909	99.34%
Total	915	100.00%

3. Citation

a. Alaska-Native/American-Indian	0	
b. Asian/Pacific-Islander	0	
c. Black	1	0.08%
d. White	7	0.56%
e. Hispanic/Latino	1234	99.36%

Total	1242	100.00%
-------	------	---------

4. Written Warning with Arrest

0

5. Citation and Arrest

a. Alaska-Native/American-Indian

0

b. Asian/Pacific-Islander

0

c. Black

0

d. White

0

e. Hispanic/Latino

49

100%

Total

49

6. Arrest

0

Total

2206

100.00%

12. Arrest Based on:

1. Violation of Penal Code

a. Alaska-Native/American-Indian

b. Asian/Pacific-Islander

c. Black

d. White

e. Hispanic/Latino

49

100.00%

2. Violation of Traffic Law

3. Violation of City Ordinance

4. Outstanding Warrant

Total

49

100.00%

13. Was Physical Force Used:

1. NO

a. Alaska-Native/American-Indian

0

b. Asian/Pacific-Islander

1

0.05%

c. Black

2

0.09%

d. White

11

0.50%

e. Hispanic/Latino

2192

99.36%

2. YES

0

14. Total Number of Racial Profiling complaints received

0

1. Resulted in disciplinary action

0

2. Did not result in disciplinary action

0

Report Date Complied: 1/14/2022



Mayor: Mario Garza
Mayor Pro-Tem: Leonardo “Lenny” Sanchez
Commissioners: Adina “Dina” Santillan
Ernesto “Neto” Guajardo
Marco “Markie” Villegas

MEMORANDUM

TO: Benjamin Arjona, City Manager

FROM: Brenda Escalante, Aide

DATE: 02/23/2022

SUBJECT: Municipal Court Monthly Report.

The Municipal Court is responsible for the legal enforcement of City Ordinances and laws. It deposits and prepares daily reports to the Department of Finance.

Amount Collected \$ 15,141.40

Defensive Driving 1

Deferred 0

Pre-Trials 15

Bench Trials 4

Code Enforcement 8

Scofflaw \$ 0

COLLECTIONS 2021 COLLECTIONS 2022

January - \$ 22,434.21 January - \$ 15,141.40

CITATIONS ISSUED 2021 CITATIONS ISSUED 2022

January - 67 January - 170

SCOFFLAW COLLECTIONS 2021 SCOFFLAW COLLECTIONS 2022

January - \$ 3,305.00 January - \$ 0

City Marshal - Warrants and Fines Collected - \$ 2,760.00

Phone calls - 65

Warrants - 16

Total warrants Issued. - 0

709 S. Nebraska Ave. • San Juan, Texas 78589-2649
Phone: (956)223-2200 • Fax: (956) 787-5978



Mayor: Mario Garza
Mayor Pro-Tem: Leonardo “Lenny” Sanchez
Commissioners: Adina “Dina” Santillan
Ernesto “Neto” Guajardo
Marco “Markie” Villegas

MEMORANDUM

TO: Benjamin Arjona, City Manager

FROM: Brenda Escalante, Aide

DATE: 02/23/2022

SUBJECT: Department of Utilities Monthly Report.

Texas Drought Outlook

- 84% of Texas is in a drought (February 7, 2022)
- RGV is Normal (No Change In the watershed)
- Falcon and Amistad are @ 35.85%
- STAGE II IS STILL IN FULL EFFECT

System Outlook

- Water Connections – 7,114
- Sewer Connections – 10,859 (3745 NAWSC)

Water Treatment Facility

- Combined Gallons Treated: 66.234 MG
- Combined Gallons Produced: 68.586 MG

Water Treatment Facility No. 1

- 0.241 MG treated
- 24.971 MG delivered
- 21.937 MG Transferred from WTF No. 2
- 7.92 MG RAW (Reservoir)
- 0.122 MG Backwash
- 0 MG Well

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Water Treatment Facility No. 2

- 65.993 Treated
- 43.615 MG Delivered
- 21.937 MG Transferred to WTF No. 1
- 72.29 MG RAW (Reservoir)
- 1.418 MG Backwash

WTP 3.5 MGD Expansions and Rehab 100%
Operated Water Plant as Efficiently as Possible
Sludge Management Continues to be Critical

Water Distribution System

- Leaks – 0
- Breaks – 12
- Taps – 1

Water Loss

- Reported – 77,000 gals
- Unreported – 20,500 gals

Hydrants

- Flushed – 26
- Repaired/Replaced – 0
- STAGE II WATER CONSERVATION STILL IN EFFECT

Valves

- Worked –
- Repaired/Replaced – 0

Utility Billing

- Work Orders – 5

We Continue Our Hydrant and Valve Maintenance
Two Vacancies

Wastewater Treatment Facility

- Treated – 65.694 MG
- Wetland – 0 MG
- 260 - Cubic Yards of Sludge Hauled to Landfill

Wastewater Collections

Work orders - 40

- Sewer Main Repaired – 0

- Sewer Backups Reported – 12
- Sewer Backups Cleared – 12
- Odor Complaints – 1
- Locates – 9
- Manhole Repaired/replaced – 1
- New Manholes installed – 0
- Unauthorized Discharges - 0

Administration

Financials

- Administration – 78.50%
- Water Treatment – 70.96%
- Distribution: – 93.31%
- Sewer Collection – 77.25%
- Wastewater Treatment – 68.93%

Projects

- WTF No. 2 Pending TWDB Budget Approval
- WWTF Rehab Design – 100% Complete (CHC) Pending Constructability Review
- WTF No. 1 Rehab – 100%, Pending Constructability Review
- LS 13 Design – 100% Complete (CHC) Pending AEP Line Relocation (Bid February 4, 2022)
- LS 6 Capacity Issues CHC working on upgrades

Certification

- Water Treatment - 1
- Distribution – 0
- Sewer Collection - 0
- Wastewater Treatment – 0

Renewals - 0



Mayor: Mario Garza
Mayor Pro-Tem: Leonardo “Lenny” Sanchez
Commissioners: Adina “Dina” Santillan
Ernesto “Neto” Guajardo
Marco “Markie” Villegas

MEMORANDUM

TO: Benjamin Arjona, City Manager

FROM: Daniel Tijerina, Planning Director

DATE: 03/01/2022

SUBJECT: Planning and Zoning Monthly 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.

- 62 building permits were issued during the month of February; \$3,821,390.00 in total valuation.
- 67 garage sale permits were issued for \$2,085.00 in total valuation.
- Provide customer service and support to 829 people and handled approximately 2,117 calls.
- The building inspectors made approximately 578 inspections.
- Fifteen (15) building permits were issued for new houses for \$3,098,012.00 in total valuation.

HEALTH DEPARTMENT

City Inspectors continue visiting all the businesses to check if occupational licenses and health permits were up to date. A total of twenty four (24) yearly letters were sent out to existing businesses to renew their licenses. A total of nineteen (19) business permits were renewed with \$1,500.00 in total valuation and nineteen (19) health inspections were issued during the month of January with \$2,100.00 in total valuation.

NEW BUSINESSES OPENING IN THE CITY DURING THIS MONTH

- Magaly's Catering at 909 W. FM 495
- Premier Wholesale Solutions at 3801 N. Raul Longoria Road
- Grand Slam Quick Oil & Lube, LLC. at 2411 N. Veterans Boulevard
- YM Events at 618 E. Earling Road
- Behind the Fence Tattoo Studio at 113 W. Business 83
- Don Marisco Restaurant at 901 N. Raul Longoria Road
- Floreria y Boutique Dos Hermanas at 315 W. 1st Street
- Freedom Loan and Title, LLC. at 3801 N. Raul Longoria Road

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Phone: (956)223-2200 • Fax: (956) 787-5978

CODE ENFORCEMENT

Code Enforcement Inspectors issued two (2) illegal dumping violations, five (5) work orders for weedy lots, fourteen (14) abandoned and junk vehicles, ten (10) garage sale without a permit, five (5) rubbish, twelve (12) violations for building without a permit, fourteen (14) certified letters, four (4) complaint filed in court, twenty (20) street vendor without a permit and three (3) person conducting business at a residential area.

SUBDIVISIONS IN PROCESS

- Oakland Properties
- Westview IV Subdivision
- Plantation Heights
- Oakridge Estates
- La Paloma Subdivision
- The Orchards of San Juan – Phase 1
- Gutierrez-Duncan
- San Juan City Hall
- Cantu Subdivision
- Christian Estates
- Arguello Subdivision
- Hinojosa Subdivision
- Sioux Coves Subdivision
- Meadows on Ridge
- Valley Ranch Phase 2
- Starlite Subdivision
- The R.G. Complex
- Re-Plat of Texas National
- Uresti Subdivision
- Black Hills Estates Subdivision
- Hacienda San Fernando Subdivision

CONDITIONAL USE PERMIT

1. Portable Kettle Corn Stand at San Juan H-E-B
2. Olive Garden for the Sale of Alcoholic Beverage
3. Chili's Restaurant for the Sale of Alcoholic Beverages
4. Don Marisco Restaurant for the Sale of Alcoholic Beverages
5. Detail Shop at 1310 Sgt. Leonel Trevino Road

VARIANCE REQUEST

1. To re-dedicate a 60' x 130' portion of East 7th Street (from Nebraska Avenue eastward a distance of 130') and consider using this portion as a dead-end street

SUBDIVISIONS

1. La Paloma Subdivision
2. Plantation Heights

PLANNING AND ZONING MEETINGS

1. February 3, 2022
2. February 17, 2022



**PLANNING AND ZONING COMMISSION
FEBRUARY 3, 2022
SAN JUAN MEMORIAL LIBRARY
6:00 P.M.**

P&Z PRESENT

Irma Castillo
Eddie Alaniz
Carlos Cantu
Eliza Yzaguirre
Adan Magallan
Valerie Cardenas
Victor Perez, Jr.

P&Z ABSENT

STAFF PRESENT

Daniel Tijerina
Janie Soto

GUESTS PRESENT

Eduardo Martinez
Melissa Martinez
Eulalio Ramirez, QHA

1. CALL TO ORDER

Chairwoman Castillo called the meeting to order at 6:00 p.m.

2. APPROVAL OF MINUTES

Chairwoman Castillo asked if there were any corrections to February 3, 2022 minutes. Commissioner Magallan made a motion to approve the minutes as presented by staff. Commissioner Alaniz seconded the motion. The motion passed unanimously with a 7-0 vote.

3. PUBLIC HEARINGS

Item 3.1

Conditional Use Permit:

To allow a kettle corn portable food stand at the
San Juan H-E-B
901 W. IH 2
Lot 2, H-E-B San Juan Unit 2 Subdivision
EC
Melissa Martinez

REVIEW COMMENTS: Mr. Tijerina stated the request is to allow a kettle corn portable stand outside de San Juan H-E-B. He talked about the adjacent zonings districts.

1. **RECOMMENDATION:** Staff recommends approval subject to comply to: 1) cannot be located in a residential area; 2) stand must meet applicable building and fire codes; 3) must have paved off-street parking, 4) trailer must be anchored to the ground properly; 5) must meet setback requirement; 6) water and sewage disposal facilities must be available; 7) health permit required; 8) owner agrees to pay an annual fee to the City of San Juan to maintain the Occupational License and Conditional Use Permit thru the City.

Chairwoman Castillo remembered another food stand that that was approved at the San Juan HEB.

Ms. Melissa Martinez, the applicant, stated that business will on weekends only, Thursday to Sunday, just a couple of hours. She said that she participated in city events.

Commissioner Perez asked about the location where she is going to be.

Ms. Martinez responded just outside from the HEB, where big concrete area and palm trees are located.

There being no further discussion, Chairwoman Castillo entertained a motion. Commissioner Alaniz made a motion to approve the request as per staff's recommendation. Commissioner Perez seconded the motion. The motion passed unanimously with a 7-0 vote.

Item 3.2

Conditional Use Permit:

For the Sale of Alcoholic Beverages (wine and beer)
for On-Site Consumption
Proposed Olive Garden Restaurant
1403 E. IH 2
Lot 2, Plaza San Juan Subdivision
EC
Olive Garden Holdings, LLC.

REVIEW COMMENTS: Mr. Tijerina stated that permit is to sale alcohol (wine and beer) inside the Olive Garden Restaurant. He listed the surrounding zoning and uses. Access to the property is along Frontage Road.

- **Hours of operation:** Sunday through Thursday from 11:00 a.m. to 10:00 p.m., Friday and Saturday from 11:00 a.m. to 11:00 p.m.
- **Staff:** 100 employees
- **Parking:** 55 parking spaces

RECOMMENDATION: Staff recommends approval subject to comply to: 1) Business must be a minimum of 300 feet from nearest residence; 2) Business must be as close to a major arterial; 3) Parking area; 4) Loading and uploading must be inside property; 5) Business must discourage criminal activities; 6) Business must keep litter to a minimum; 7) Occupancy load as per Fire Department; 8) Must comply with the TABC requirements; 9) Must comply with noise ordinance; 10) Must comply with security cameras; 11) Occupational License, Conditional Use and Health Permits are required and 12) No smoking inside the building.

Chairwoman Castillo asked if the board had any questions.

There was none.

There being no further discussion, Chairwoman Castillo entertained a motion. Commissioner Cardenas made a motion to approve the request as per staff's recommendation. Commissioner Magallan seconded the motion. The motion passed unanimously with a 7-0 vote.

4. SUBDIVISIONS

Item 4.1

Preliminary and Final Plat:

La Paloma Subdivision

Being a 20.83 acre tract of land out of Lot 14, Block 47, Alamo Land and Sugar Company's Subdivision R-S / C-2

Developer: AAAR Family, LTD.

Engineer: Javier Hinojosa Engineering

REVIEW COMMENTS: Mr. Tijerina went over the memorandum and explaining the property location, current use and zoning. He stated that city staff initiates the voluntary annexation process. The developer is proposing an eighty-seven (87) lot subdivision with six (6) internal streets. The subdivision will have two access roads along Nolana Avenue. The seven (7) lots facing Nolana Avenue will be for commercial use and the rest of the properties for residential use. Additional information was requested from L&G Engineering regarding right-of-way dedication along Nolana Avenue. Right-of-way dedicated in subdivision plat is correct.

VARIANCES REQUESTED:

1. To not comply with the required setbacks, they are proposing 5' side setback for interior lots, 15' rear setback for all lots and 15' front setback for curl de sac lots.
2. To not comply with the 65 feet minimum width lot requirements for corner lots. They are proposing 64 feet.
3. To not comply with the 15 foot utility easement on the rear of all properties. They are proposing a 10 foot.
4. To not comply with the Park Fee. They are requesting to pay 50% during subdivision process and 50% at building permit stage.
5. To not comply with the commercial lot sizes for Lots 1, 2, 41 and 42.

WATER: Water service will be provided by the North Alamo Water Supply Corporation. Water line shall be looped to the 8-inch water line.

FIRE: Additional fire hydrants shall be located every 300 feet of the existing fire hydrant. Water line shall be looped to the 8-inch water line as per San Juan Fire Department requirements.

SEWER: Sewer service will be provided by the City of San Juan.

OTHER COMMENTS:

Park Fee of \$700.00 per lot being platted for single-family residential purposes.

Park Fee of \$700.00 per acre being platted for commercial or industrial purposes.

Recording fee of \$106.00

Hidalgo County Drainage District Fee \$250.00

4% Inspection Fee based on Cost Estimate

RECOMMENDATION: Staff recommends approval subject to comply with the list of requirements in the attached report and denial of all variances requested.

Vice Chairman Alaniz said that he sees a lot of new subdivisions requesting different type of variances against the city codes.

Commissioner Yzaguirre suggested revising the ordinances.

There being no further discussion, Chairwoman Castillo entertained a motion. Commissioner Alaniz made a motion to approve the request as per staff's recommendation. Commissioner Cantu seconded the motion. The motion passed unanimously with a 7-0 vote.

Item 4.2

Preliminary and Final Plat:

Plantation Heights Subdivision

Being a 21.68 acre tract of land out of Lot 1, Block 14,
John Closner Subdivision

R-S

Developer: DM & DG Development, LLC.

Engineer: Quintanilla, Headley and Associates, Inc.

REVIEW COMMENTS: Mr. Tijerina went over the memorandum stating the property is located approximately a quarter of a mile South of Hall Acres Road, along the East side of Veterans Boulevard. The developer is proposing a one hundred and five (105) residential subdivision with six (6) internal streets. A rezoning request was granted to residential use.

WATER: Water service will be provided by the City of San Juan. Water line shall be looped to the 8-inch water line.

SEWER: Sewer service will be provided by the City of San Juan.

OTHER COMMENTS:

Park Fee of \$700.00 per lot being platted for single-family residential purposes.

Recording fee of \$106.00

Hidalgo County Drainage District Fee \$250.00

4% Inspection Fee based on Cost Estimate

RECOMMENDATION: Staff recommends approval subject to compliance with the list of requirements in the attached report.

Chairwoman Castillo asked if the board had any questions.

There was none.

There being no further discussion, Chairwoman Castillo entertained a motion. Commissioner Cardenas made a motion to approve the request as per staff's recommendation. Commissioner Yzaguirre seconded the motion. The motion passed unanimously with a 7-0 vote.

5. **NEXT MEETING** – February 17, 2022 (if necessary)

6. **ADJOURNMENT**

There being no further items to discuss, Commissioner Alaniz made a motion to adjourn; Commissioner Yzaguirre seconded the motion. The motion passed unanimously with a (7-0) vote and the meeting was adjourned at 6:32 p.m.

City of San Juan, Texas

Irma Castillo, Chairwoman
Planning and Zoning Commission

Attest:

Planning Director



**ZONING BOARD OF ADJUSTMENTS AND APPEALS
FEBRUARY 17, 2022
SAN JUAN MEMORIAL LIBRARY
6:00 P.M.**

P&Z PRESENT

Eddie Alaniz
Carlos Cantu
Eliza Yzaguirre
Adan Magallan

P&Z ABSENT

Irma Castillo
Valerie Cardenas
Victor Perez, Jr.

STAFF PRESENT

Daniel Tijerina
Monica Gomez

GUESTS PRESENT

David Ratliff

1. CALL TO ORDER

Vice Chairman Alaniz called the meeting to order at 6:00 p.m.

2. APPROVAL OF MINUTES

Vice Chairman asked if there were any corrections to the July 1, 2019 minutes. Commissioner Magallan made a motion to approve the minutes as presented by staff. Commissioner Alaniz seconded the motion. The motion passed unanimously with a 4-0 vote.

3. PUBLIC HEARINGS

Item 3.1

Variance Request:

To allow a commercial sign to be 80 feet in height as
opposed to the 60 feet as required by code
1403 E. IH 2
Lot 2, Plaza San Juan Subdivision
EC
David Ratliff

REVIEW COMMENTS: Mr. Tijerina stated the a variance request to the zoning ordinance is to allow an 80 feet pylon sign as opposed to the maximum of 60 feet permitted for commercial signs along the Expressway. The proposed sign will be for the proposed Chili's and Olive Garden Restaurants. Staff touched bases with the cities of Harlingen, Brownsville, Weslaco and Mission, and maximum height of signs along the expressway is 80 feet in height. If the board approves the variance the applicant will met the requirements by the building code.

RECOMMENDATION: Staff recommends approval of the variance request.

Vice Chairman Alaniz said that he doesn't see a problem for signs along the expressway and to reduce the clutter of multiple signs.

David Ratliff, applicant, said the sign is going to be a regular cabinet sign with no light, no distraction to drivers.

There being no further discussion, Vice Chairman Alaniz entertained a motion. Commissioner Cantu made a motion to approve the request as per staff's recommendation. Commissioner Yzaguirre seconded the motion. The motion passed unanimously with a 4-0 vote.

4. NEXT MEETING – March 3, 2022 (if necessary)

5. ADJOURNMENT

There being no further items to discuss, Commissioner Magallan made a motion to adjourn; Commissioner Cantu seconded the motion. The motion passed unanimously with a (4-0) vote and the meeting was adjourned at 6:08 p.m.

City of San Juan, Texas

Irma Castillo, Chairwoman
Planning and Zoning Commission

Attest:

Planning Director



**PLANNING AND ZONING COMMISSION
FEBRUARY 17, 2022
SAN JUAN MEMORIAL LIBRARY
6:15 P.M.**

P&Z PRESENT

Eddie Alaniz
Carlos Cantu
Eliza Yzaguirre
Adan Magallan

P&Z ABSENT

Irma Castillo
Valerie Cardenas
Victor Perez, Jr.

STAFF PRESENT

Daniel Tijerina
Monica Gomez

GUESTS PRESENT

Miguel A. Aviles
Frances S. Rodriguez
David Raftliff

1. CALL TO ORDER

Vice Chairman Alaniz called the meeting to order at 6:15 p.m.

2. APPROVAL OF MINUTES

Vice-chairman Alaniz asked if there were any corrections to February 3, 2022 minutes. Commissioner Yzaguirre made a motion to approve the minutes as presented by staff. Commissioner Cantu seconded the motion. The motion passed unanimously with a 4-0 vote.

3. PUBLIC HEARINGS

Item 3.1

Variance Request:

1) Consider a variance to have E. 7TH result in a dead-end street E. of Nebraska; and 2) dedicate this same street ROW for public facilities (New Fire Station).
7th Street (from Nebraska Avenue to the alley)
O
City of San Juan

REVIEW COMMENTS: Mr. Tijerina stated the variance request is on behalf of the city to re-dedicate a 60' x 130' portion of East 7th Street Nebraska Avenue eastward a distance of 130' from a street right of way use to viable city property to construct a portion of a new fire station and the consideration of using this 60' x 130' portion of East 7th Street in such a manner will result in 7th Street being a dead-end street which City Code requires a variance to be considered and awarded. It is noted that this section of 7th Street has no utility lines.

If approved, a re-subdivision of the property shall be filed in order to include this 60' x 130' section of 7th Street as part of the corner lot. In summary, 7th Street shall be a dead-end street in the re-subdivision plat, and the former right-of-way shall be dedicated and recorded as viable property for public facilities.

RECOMMENDATION: Staff recommends approval.

Vice Chairman Alaniz opened the public hearing and asked if there was any input in favor or against the request.

There was none.

Vice Chairman Alaniz closed the public hearing and asked if the board had any questions.

Vice Chairman Alaniz asked if the right-of-way was taken from the property owner to build the street and now the city is going to use it for their own benefit.

Mr. Tijerina mentioned a page that was attached to the packet from the Texas Local Government Code which allows the abandonment of the street thru a variance request. Letters were mailed out to the property owners of the surrounding properties.

Vice-chairman Alaniz asked about any complaints against the request.

Commissioner Yzaguirre asked about the relocation of the lines.

Mr. Tijerina responded all utilities run along the alley and not thru the street.

There being no further discussion, Vice-chairman Alaniz entertained a motion. Commissioner Magallan made a motion to approve the request as per staff's recommendation. Commissioner Cantu seconded the motion. The motion passed unanimously with a 4-0 vote.

Item 3.2

Conditional Use Permit:

For the Sale and On-Site Consumption of Alcoholic
Beverages (wine and beer)
Proposed Chili's Restaurant
1411 E. IH 2
Lot 3, Plaza San Juan Subdivision
EC
Brinker International, Inc.

REVIEW COMMENTS: Mr. Tijerina stated that permit is for the Sale and On-site Consumption of Alcohol (wine and beer) inside the Chili's Restaurant. He listed the surrounding zoning and uses. Access to the property is along Frontage Road.

- **Hours of operation:** Sunday through Thursday from 11:00 a.m. to 11:00 p.m., Friday and Saturday from 11:00 a.m. to 12:00 a.m.
- **Building area:** 4,694 square feet
- **Sitting/Dining:** 208 Seats
- **Parking:** 60 parking spaces

RECOMMENDATION: Staff recommends approval subject to comply to: 1) Business must be a minimum of 300 feet from nearest residence; 2) Business must be as close to a major arterial; 3) Parking area; 4) Loading and uploading must be inside property; 5) Business must discourage criminal activities; 6) Business must keep litter to a minimum; 7) Occupancy load as per Fire Department; 8) Must comply with the TABC requirements; 9) Must comply with noise ordinance; 10) Must comply with security cameras; 11) Occupational License, Conditional Use and Health Permits are required and 12) No smoking inside the building.

Vice Chairman Alaniz opened the public hearing and asked if there was any input in favor or against the request.

There was none.

Vice Chairman Alaniz closed the public hearing and asked if the board had any questions.

There was none.

There being no further discussion, Vice-chairman Alaniz entertained a motion. Commissioner Yzaguirre made a motion to approve the request as per staff's recommendation. Commissioner Magallan seconded the motion. The motion passed unanimously with a 4-0 vote.

Item 3.3

Conditional Use Permit:

For the Sale and On-Site Consumption of Alcoholic
Beverages (wine and beer)
Don Marisco Restaurant
901 N. Raul Longoria Road
Pecan Estates, Block 2
C-2
Ernesto Lozano

REVIEW COMMENTS: Mr. Tijerina stated that permit is for the Sale and On-site Consumption of Alcohol (wine and beer) inside Don Marisco Restaurant. He listed the surrounding zoning and uses. He is proposing to use a drive-thru window to sell food as well.

- **Hours of operation:** Monday to Sunday from 11:00 a.m. to 9:00 p.m.

RECOMMENDATION: Staff recommends approval subject to comply to: 1) Business must be a minimum of 300 feet from nearest residence; 2) Business must be as close to a major arterial; 3) Parking area; 4) Loading and uploading must be inside property; 5) Business must discourage criminal activities; 6) Business must keep litter to a minimum; 7) Occupancy load as per Fire Department; 8) Must comply with the TABC requirements; 9) Must comply with noise ordinance; 10) Must comply with security cameras; 11) Occupational License, Conditional Use and Health Permits are required and 12) No smoking inside the building.

Vice Chairman Alaniz opened the public hearing and asked if there was any input in favor or against the request.

Frances Suarez Rodriguez, resident of 103 Gonzalez Drive, asked about the operation hours for the restaurant.

Vice-chairman Alaniz responded operation hours are 11:00 a.m. to 9:00 p.m.

Ms. Suarez said her main concern is the traffic along Raul Longoria Road and surrounding businesses.

Vice Chairman Alaniz closed the public hearing and asked if the board had any questions.

There was none.

There being no further discussion, Vice-chairman Alaniz entertained a motion. Commissioner Yzaguirre made a motion to approve the request as per staff's recommendation. Commissioner Cantu seconded the motion. The motion passed unanimously with a 4-0 vote.

Item 3.4

Conditional Use Permit:

To allow a Detail Shop
1310 Sgt. Leonel Trevino Road
The East 300 feet of the South 218.2 feet of Lot 13,
Block 39, Alamo Land and Sugar Company
C-2
Miguel Angel Aviles

REVIEW COMMENTS: Mr. Tijerina stated that permit is to allow a detail shop at corner of Sgt. Leonel Trevino and Cesar Chavez Road. The applicant is proposing a detail shop to repair windshields, buff cars and fix dents.

- **Hours of operation:** Monday thru Sunday from 8:00 a.m. to 6:00 p.m.
- **Staff:** 5 employees

RECOMMENDATION: Staff recommends approval subject to comply to: 1) all maintenance area shall be closed, 2) there shall be no outside storage or materials; 3) place shall be at least 100 feet from the nearest residence, 4) a 6-foot opaque fence shall be build next to residential area, 5) the building shall comply with the building and fire codes, 6) owner agrees to maintain conditional and occupation permit and 7) must comply with noise ordinance.

Vice Chairman Alaniz opened the public hearing and asked if there was any input in favor or against the request.

Mr. Aviles, applicant, asked to board to consider his request for a detail shop.

Commissioner Magallan asked if he will paint cars at that location.

Vice Chairman Alaniz closed the public hearing and asked if the board had any questions.

There being no further discussion, Vice-chairman Alaniz entertained a motion. Commissioner Yzaguirre made a motion to approve the request as per staff's recommendation. Commissioner Cantu seconded the motion. The motion passed unanimously with a 4-0 vote.

4. **NEXT MEETING** – March 3, 2022 (if necessary)

5. **ADJOURNMENT**

There being no further items to discuss, Commissioner Magallan made a motion to adjourn; Commissioner Cantu seconded the motion. The motion passed unanimously with a (4-0) vote and the meeting was adjourned at 6:41 p.m.

City of San Juan, Texas

Irma Castillo, Chairwoman
Planning and Zoning Commission

Attest:

Planning Director



Mayor: Mario Garza
Mayor Pro-Tem: Leonardo “Lenny” Sanchez
Commissioners: Adina “Dina” Santillan
Ernesto “Neto” Guajardo
Marco “Markie” Villegas

MEMORANDUM

TO: Benjamin Arjona, City Manager

FROM: Patrick Willingham, Director of Parks and Recreation

DATE: 03/01/2022

SUBJECT: Parks and Recreation Monthly Report.

For the month of February 2022, we have the following to report:

Parks Division/Events Division, staff continues to maintain our city parks and landscape areas as needed. This past month staff worked on the following areas.

- Staff has been maintaining our athletic fields, watering, fertilizing and mowing in preparation for the winter and spring programs.
- Staff assisted with the groundbreaking of Starbucks, Chili’s, and Olive Garden.
- Parks crew assisted with the set up and take down for the 86th Annual RGV Golden Gloves Championships.
- Staff is working on adding electricity to the batting cages at Municipal Park.
- Working on upgrading grounds for the upcoming baseball/softball season.

Recreation Division,

WINTER LEAGUES: On Tuesday, February 1, staff held two coaches meeting for Girls Soccer at 5:30 pm and Boys Basketball at 6 pm. Staff discussed and distributed schedules and rules to the coaches. Boys Basketball Leagues has 22 teams which commenced the week of February 15 with games played at local PSJA ISD schools Garza-Pena gym, Raul Yzaguirre MS gym and Austin MS gym. Girls Soccer Leagues has 11 teams which play began on February 15 with all games at Municipal Park soccer fields.

Girls Basketball, Boys Soccer and Winter Baseball Leagues All finished at the beginning of the month.

PONY Baseball/Softball: Registration ended on Monday, February 28 for PONY Baseball and

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Phone: (956)223-2200 • Fax: (956) 787-5978

Softball Leagues with draft scheduled during the beginning of March. Preparations are ongoing for the upcoming PONY Baseball/Softball season.

- **Adult Softball Leagues:** On Wednesday, February 2 at 6 pm, staff held a coaches meeting for Men's Class E Softball league. During the meeting coaches were given schedules, rules and team rosters. Adult Softball is currently ongoing for Men's Class E Softball League with 10 teams. All softball games are played at Municipal Park on Thursday Nights.

- **2022 PSJA ISD-CITY OF SAN JUAN SOFTBALL TOURNAMENT:** On Saturday, February 19 from 10 am - 2 pm the San Juan Parks & Recreation Department hosted the annual PSJA ISD-City of San Juan Softball Tournament for 4th-5th Grades. A total of 6 elementary schools in San Juan participated.

1st Place Garza Pena Elementary,

2nd Place Carman Elementary

3rd Place Clover Elementary & Reed-Mock Elementary.

- **TAAF Region 2 Meeting:** Our Recreation Supervisor, Ramiro Moreno, currently serves as the TAAF Region 2 Director and TAAF Executive Board Member. Mr. Moreno organized and conducted the TAAF Region 2 Meeting held in Pharr, TX. on February 17, 2022 at 12 pm at the Pharr Parks & Recreation Department. Mr. Moreno discussed and coordinated this summers' Region 2 meet schedules for track, swimming and tennis. San Juan Parks and Recreation staff reported on our programs & events that are ongoing and upcoming.

-
-

- **Staff Meeting:** On Tuesday, February 1 at 4 pm, Recreation administration staff held a staff meeting with the departments' seasonal part-time staff for the upcoming boys' basketball leagues and girls' soccer leagues.

- **Golden Gloves Boxing Tournament:** The Golden Gloves Boxing Tournament was held Friday-Sunday, February 18-20, 2022. Staff assisted with sound system set up and the hospitality tent and any other duties that were needed during the event

Maintenance Division, staff continues to provide professional maintenance and custodial service throughout the city. The following areas were addressed this past month

- Staff worked on several issues at the Northside PD, the heater was repaired, as well as the door for the jail cell.
- Maintenance technicians upgraded all the power boxes at the Sports Complex in preparation for the upcoming spring season.
- Working on estimates for roof at Amigos Del Valle.
- Staff has been opening, closing and maintaining the multi-purpose room at the San Juan Library for the primary elections.
- Staff also continues to clean and sanitize city department buildings and offices in order to maintain a healthy environment.

Upcoming Events:

Winter sports programs – Boys' basketball, girls' soccer and men's softball is currently underway.

Youth Baseball/Softball- league registration has concluded and season will begin at the end of March.

Our Parks and Recreation Advisory Board meeting for the month of February was postponed to March 9, 2022 out respect for the family of Former San Juan commissioner Mr. Luis Santillan. This meeting will be made up at the end of March on a date agreed upon by the Parks Board.



Mayor: Mario Garza
Mayor Pro-Tem: Leonardo “Lenny” Sanchez
Commissioners: Adina “Dina” Santillan
Ernesto “Neto” Guajardo
Marco “Markie” Villegas

MEMORANDUM

TO: Benjamin Arjona, City Manager

FROM: Juan Soto, Interim Sanitation Director

DATE: 03/01/2022

SUBJECT: Department of Sanitation Monthly Report.

Sanitation Department (February 2022)

- Solid Waste Collection ran on schedule all month
- Brush Pickup ran on schedule all month
- Drop off Site – 1,863 Residents
- Residential – 1,001.40 Tons
- Commercial – 717.15 Tons
- Roll-Off Containers – 159.84 Tons 31 loads
- Brush – 613.31 Tons 194 loads of brush

Central Garage (February 2022)

- Tickets Open 93
- Tickets Closed 75
- 5 Residential Side Loaders operating
- 1 Commercial Side Loader operating
- 2 Commercial Front Loaders operating
- 2 Brush trucks operating
- 1 Brush tractor (grapple) operating
- 2 Brush Grapple Trucks operating
- 2 Roll- Off Trucks operating and 1 down

Recycling (February 2022)

- Cardboard: 12.60 tons/\$2,026.23
- Mix White Paper: 2.97 tons/\$326.41
- Office Paper: 0.00 tons /\$0.00
- Newspaper: 0.34 tons/\$32.73
- Books/Magazines: 0.00 tons /\$0.00
- Aluminum Cans: 0.00 tons/\$0.00
- Tin Cans: 0.00 tons/\$0.00
- E-Waste: 0.00 tons/\$0.00
- Metal: 4.53 tons/\$815.40
- Plastic: 2.17 tons/\$0.00
- Curbside Recycle: 4.35 tons /\$0.00
- Oil: 0.00 tons/\$0.00
- Total Tons/Revenue: 26.96 tons/\$3,200.77
- Savings of \$579.80
- Walk-Ins: 336

Code Enforcement (February 2022)

- Violation Notices Issued: 12
- Illegal Dumping: 5
- Contact People: 35
- Construction Material: 12
- Tires: 43



Mayor: Mario Garza
Mayor Pro-Tem: Leonardo “Lenny” Sanchez
Commissioners: Adina “Dina” Santillan
Ernesto “Neto” Guajardo
Marco “Markie” Villegas

MEMORANDUM

TO: Benjamin Arjona, City Manager

FROM: Brenda Escalante, Aide

DATE: 03/01/2022

SUBJECT: San Juan Memorial Library Monthly Report.

Enclosed is the February monthly report including statistics and programs:
For the month of February, we had 1,721 visitors. Out of those visitors, 318 were here for computer use only. The library checked out a total of 641 items both adult and children. We had 29 in-house circulation items. We requested and received ten (10) Interlibrary Loans (ILL). We had 22 new patrons added to our circulation system. We helped the public with an estimated 386 reference/informational questions. We had 29 fax transactions. The monthly amount deposited was \$763.25 both fines and fees.

Please see the attached statistical report.

During the month of February

- Attended the Library Board meeting
- Attended the City Commission meeting
- Attended the Directors' meeting
- Attended the Hidalgo County Library System (HCLS) meeting at the Dustin Sekula Library in Edinburg
- Managed the day-to-day operations of the San Juan Memorial Library

Meetings to be held in March 2022

Multipurpose Room

State of Texas Voting, March 1st
Library Board, March 2nd

709 S. Nebraska Ave. • San Juan, Texas 78589-2649
Phone: (956)223-2200 • Fax: (956) 787-5978

Purchasing Bid Opening, March 3rd
Planning and Zoning meeting, March 3rd & 17th
Civil Service, March 7th
City Commission meetings, March 8th & 22nd
Directors' meetings, March 9th & 23rd
EDC meeting, March 15th

Training Room:

EDC meeting, March 1st

**Notice of a Meeting of the
San Juan Memorial Library Board
NOTICE IS HEREBY GIVEN**

THAT, the San Juan Memorial Library Advisory Board will hold a Meeting at the Library, located at 1010 S. Standard Ave., on Wednesday, March 2, 2022 at 6:00 p.m. for the purpose of discussing the following items:

NOTE: If during the course of the meeting, any discussion of any item on the agenda should be in executive or closed session (Consultation with Attorney; Closed Meeting §551.071; Real Property §551.072; Gifts and Donations §551.073; Personnel Matters §551.074), the San Juan Memorial Library Board will convene in such executive or closed session in accordance with §551.001-.146 Texas Government Code.

**This facility is wheelchair accessible and accessible parking spaces are available.
Request for accommodations must be made forty-eight (48) hours prior to this meeting.
Please contact the Office of the City Secretary at (956) 223-2206**

ORDER OF BUSINESS

- I Invocation
- II Pledge of Allegiance
- III Call Meeting to Order
- IV Roll Call (Action is required if a member is absent to excuse or un-excuse the absence)
 - Maria Estella Ayala Maria A. Navarro
 - Nadia Baughman George Rodea
 - Celena Hoglund Elizabeth Saldaña
 - Iris Lara
- V Review of Minutes
- VI Old Business
 - Review of the By-Laws of the San Juan Memorial Library Board.
- VII New Business
 - Designation of a City Commissioner Liaison to the Library Board
 - Meeting Schedule for 2022
- VIII Director's Report
- IX Adjournment

I, the undersigned authority, do hereby certify that the above notice of said Regular Meeting of the Memorial Library Advisory Board of the City of San Juan was posted on the bulleting board at City Hall. Notice was posted on the 25th Day of February and will remain posted continuously for at least 72 hours preceding the scheduled time of said Meeting, in compliance with Chapter 551 of the Government Code, Vernon's Texas Codes, Annotated (Open Meeting Act).

WITNESS MY HAND AND SEAL, THIS 25th of February, 2022

Brenda Escalante, Interim City Secretary

Date:	February 9, 2022	
Time:	6:00 p.m.	
Place:	San Juan Memorial Library	
Members Present:	Maria Estella Ayala Celena Hoglund Maria Alicia Navarro	Nadia Baughman Iris Lara Elizabeth Saldaña
Members Absent:	George Rodea	
Liaison:		
Library Director:	Armandina A. Sesín	
Visitors:		

I Invocation

II Pledge of Allegiance

III Call Meeting to Order

IV Roll Call

V Review of Minutes

VI Old Business

Maria Alicia Navarro made a motion to table this item; Nadia Baughman seconded. The motion was made to table this item due to the fact that one board member was absent. All in favor.

VII New Business

The director introduced Ms. Celena Hoglund as the new Library Board Member appointed by the City Commission at the meeting held on October 26, 2021.

VIII Director's Report

The library director presented her December monthly report, including statistics. A motion was made by Nadia Baughman to approve the director's monthly report and seconded by Maria Alicia Navarro. All in favor.

IX Adjournment

A motion to adjourn was made at 6:49 p.m. by Elizabeth Saldaña and seconded by Maria Alicia Navarro. All in Favor. Next meeting will be on Wednesday, March 2, 2022.

Nadia Baughman, Chair

Iris Lara, Secretary

**San Juan Memorial Library
February 2022 Statistics**

Statistics	
Total Visitors	1,721
Computer Users	318
Total Checkouts	641
In-House Use	37
Inter-Library Loans	10
New Patrons	29
Reference\ Informational Questions	386
FAX transactions	29
Children's Programs	0
Attendance	0

Multipurpose Room Reservations	Attendance
1st EDC	15
3rd Planning and Zoning	12
4th Civil Service Meeting	8
8th City Commission	34
9th Directors Meeting	14
9th Library Board	7
14th Early Voting	197
15th Early Voting	136
16th Early Voting	156
17th Early Voting	137
18th Early Voting	127
19th Early Voting	196
20th Early Voting	62
22nd Early Voting	190
23rd Early Voting	122
24th Early Voting	180
25th Early Voting	327
Total	1,920

Training Room Reservations	Attendance
9th Keeping San Juan Beautiful	5
14th Distractive Driving Training	31
15th Distractive Driving Training	27
15th EDC	10
17th Utilities Pre-bid	10
17th Planning and Zoning	10
18th San Juan Housing Authority	6
24th Utilities Pre-bid	9
25th Civil Service Sergeant Exam	6
28th City Commission	11
	125

Checkouts	
DVDs	101
Books Juvenile	386
Books Adult	154
Total	641

WiFi Usage	
LibGuest	1,009
LibStaff	144
Total	1,153

Study Room Attendance	
Study Rooms	71

Facebook Page	
Likes	921
Visitors	3140

SJML Homepage	
Visitors	1,006

Deposits	
Fines	\$ 88.50
Copies	\$ 674.75
Total	\$ 763.25

**San Juan Memorial Library Advisory
Board Meeting
Sign In Sheet**

DATE: February 9, 2022

TIME: 6:00 p.m.

PLACE: San Juan Memorial Library

Board Members:

1. Maria Estella Ayala

Maria E. Ayala
Iris Lara

2. Iris Lara

3. George Rodea

4. María Alicia Navarro

María A. Navarro
George Rodea

5. Nadia Baughman

6. Celena Hoglund

Nadia Baughman
Celena Hoglund

7. Elizabeth Saldaña

Elizabeth Saldaña

Library Director:

Armandina A. Sesín

Armandina A. Sesín

Visitors:

Youth & Children's Programs/Attendance

Date	Program	Attendance
Tuesday, February 1, 2022	0	0
Wednesday, February 2, 2022	0	0
Thursday, February 3, 2022	0	0
Friday, February 4, 2022	0	0
Monday, February 7, 2022	0	0
Tuesday, February 8, 2022	0	0
Wednesday, February 9, 2022	0	0
Thursday, February 10, 2022	0	0
Friday, February 11, 2022	0	0
Monday, February 14, 2022	0	0
Tuesday, February 15, 2022	0	0
Wednesday, February 16, 2022	0	0
Thursday, February 17, 2022	0	0
Friday, February 18, 2022	0	0
Tuesday, February 22, 2022	0	0
Wednesday, February 23, 2022	0	0
Thursday, February 24, 2022	0	0
Friday, February 25, 2022	0	0
Monday, February 28, 2022	0	0
Total	0	0

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
MARCH 8, 2022

Hold Public Hearing and Consider an Ordinance for a Variance Request to 1) re-dedicate a 60' x 130' portion of East 7th Street (from Nebraska Avenue eastward a distance of 130') from a street right-of-way use to viable city property to construct a portion of a new Fire Department Facility and 2) the consideration of using this portion 60' x 130' portion of East 7th Street will result in 'E. 7th' Street' being a dead-end street which City Code requires a variance to be considered and awarded, as Requested by the City of San Juan.

STAFF COMMENTS AND RECOMMENDATIONS:

The City of San Juan is requesting a variance to consider the following matters: 1) re-dedicate a 60' x 130' portion of East 7th Street Nebraska Avenue eastward a distance of 130' from a street right of way use to viable city property to construct a portion of a new fire station. 2) the consideration of using this 60' x 130' portion of East 7th Street in such a manner will result in 7th Street being a dead-end street which City Code requires a variance to be considered and awarded. It is noted that this section of 7th Street has no utility lines.

If approved, a re-subdivision of the property shall be filed in order to include this 60' x 130' section of 7th Street as part of the corner lot. In summary, 7th Street shall be a dead-end street in the re-subdivision plat, and the former right-of-way shall be dedicated and recorded as viable property for public facilities.

Staff mailed a notice of this public hearing eleven (11) property owners within a two hundred (200) foot radius and received one comment against the request.

RECOMMENDATION:

Staff recommends approval of the variance request as presented.

PREPARED BY:

Brenda Escalante,
Aide

APPROVED BY:

Benjamin Arjona, City
Manager

MEETING DATES:
PLANNING AND ZONING COMMISSION – 02/17/2022
CITY COMMISSION – 03/08/2022
DATE PREPARED – 03/01/2022

PAGE 1

STAFF REPORT
GENERAL INFORMATION

APPLICATION:	1) Consider a variance to have E. 7 TH result in a dead-end street E. of Nebraska; and 2) dedicate this same street ROW for public facilities (New Fire Station).
APPLICANT:	City of San Juan
SURVEYOR/ENGINEER:	N/A
LOCATION:	7 th Street (from Nebraska Avenue eastward distance of 130')
EXISTING LAND USE/ ADJACENT ZONING:	<i>North</i> – Vacant; Neighborhood Commercial District (C-1) <i>South</i> – Fire Station; Open Space District (O) <i>East</i> – Water Plant; Open Space District (O) <i>West</i> – Commercial; Neighborhood Commercial District (C-1)
ACCESS AND CIRCULATION:	Nebraska Avenue and 7 th Street
PUBLIC SERVICES:	N/A
RECOMMENDATION:	Staff recommends approval.

EVALUATION AND CONDITIONS FOR APPROVAL

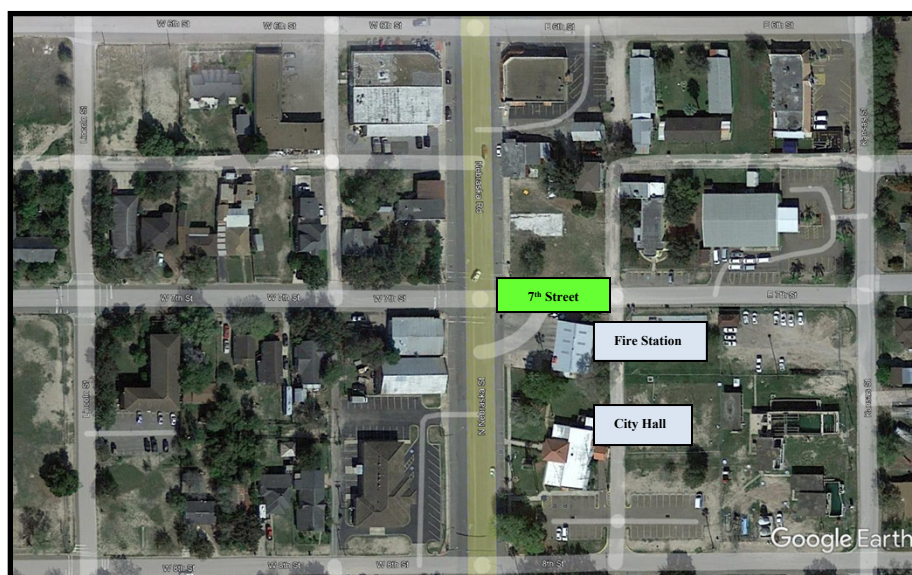
The City of San Juan is requesting a variance to consider the following matters: 1) re-dedicate a 60' x 130' portion of East 7th Street Nebraska Avenue eastward a distance of 130' from a street right of way use to viable city property to construct a portion of a new fire station. 2) the consideration of using this 60' x 130' portion of East 7th Street in such a manner will result in 7th Street being a dead-end street which City Code requires a variance to be considered and awarded. It is noted that this section of 7th Street has no utility lines.

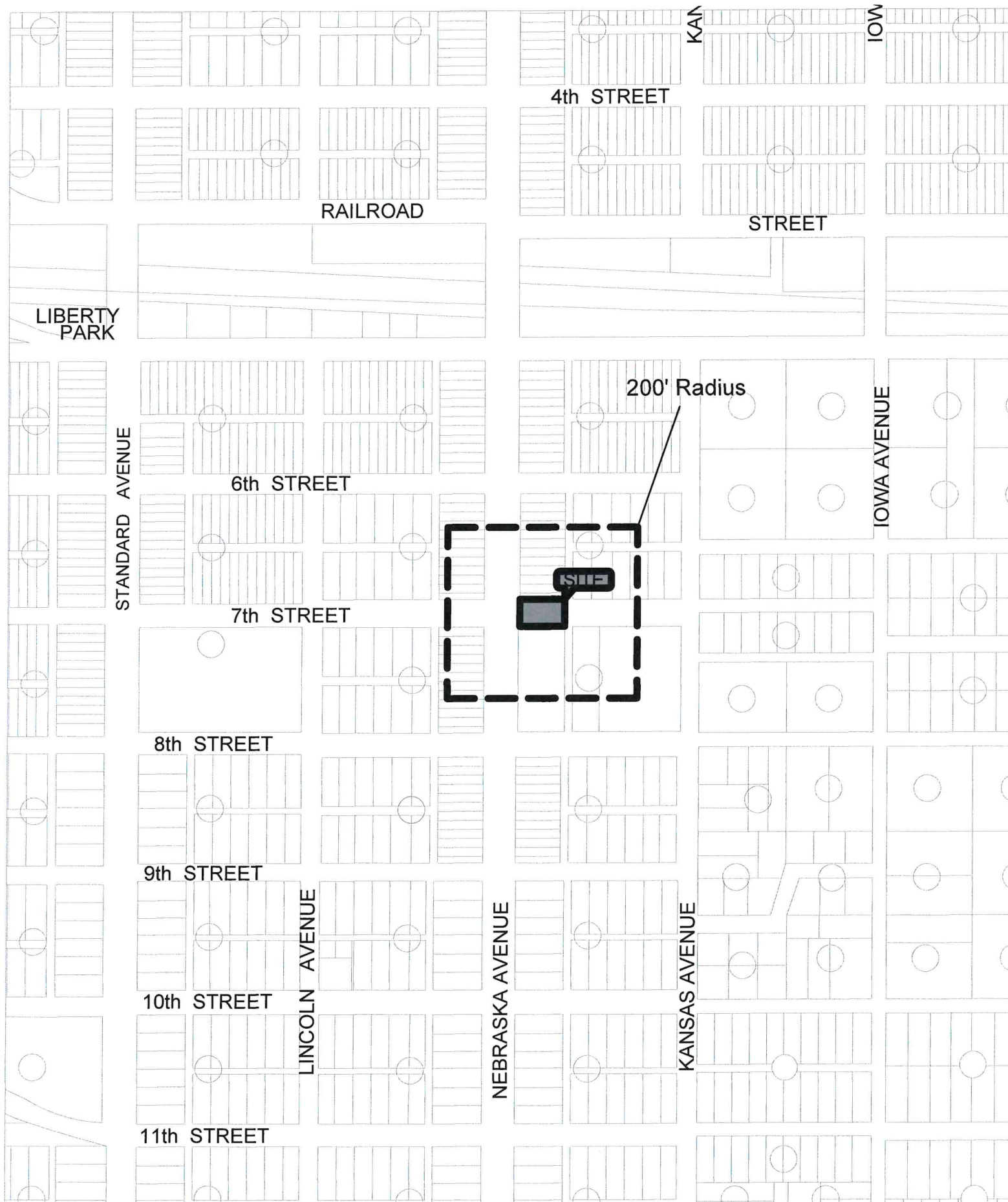
If approved, a re-subdivision of the property shall be filed in order to include this 60' x 130' section of 7th Street as part of the corner lot. In summary, 7th Street shall be a dead-end street in the re-subdivision plat, and the former right-of-way shall be dedicated and recorded as viable property for public facilities.

Staff mailed a notice of this public hearing eleven (11) property owners within a two hundred (200) foot radius and received one comment against the request.

ATTACHMENTS:

Location Map
Aerial Photo
Zoning Map
Letter in opposition
Survey
Site Plan
List of neighboring property owners receiving notice





Legend

- CITY LIMITS
- Proposed area

Consider a Variance Request to 1) re-dedicate a 60' x 130' portion of East 7th Street (from Nebraska Avenue eastward a distance of 130') from a street right-of-way use to viable city property to construct a portion of a new Fire Department Facility and 2) the consideration of using this portion 60' x 130' portion of East 7th Street will result in 'E. 7th Street' being a dead-end street which City Code requires a variance to be considered and awarded, as Requested by the City of San Juan.





Legend

- CITY LIMITS
- Proposed area

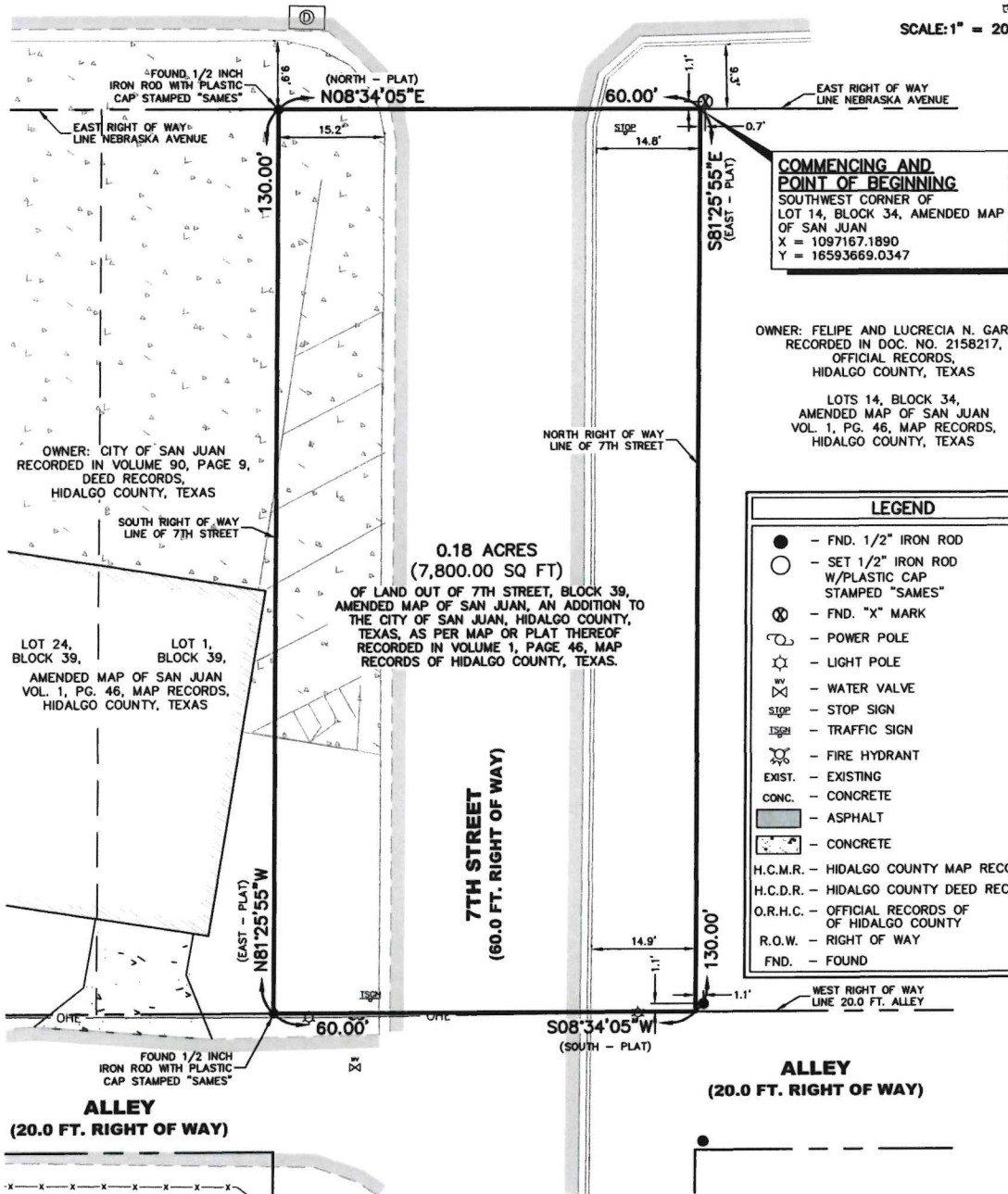
Consider a Variance Request to 1) re-dedicate a 60' x 130' portion of East 7th Street (from Nebraska Avenue eastward a distance of 130') from a street right-of-way use to viable city property to construct a portion of a new Fire Department Facility and 2) the consideration of using this portion 60' x 130' portion of East 7th Street will result in 'E. 7th Street' being a dead-end street which City Code requires a variance to be considered and awarded, as Requested by the City of San Juan.



NEBRASKA AVENUE
(90.0 FT. RIGHT OF WAY)



SCALE: 1" = 20'



COMMENCING AND POINT OF BEGINNING
SOUTHWEST CORNER OF
LOT 14, BLOCK 34, AMENDED MAP
OF SAN JUAN
X = 1097167.1890
Y = 16593669.0347

OWNER: FELIPE AND LUCRECIA N. GARCIA,
RECORDED IN DOC. NO. 2158217,
OFFICIAL RECORDS,
HIDALGO COUNTY, TEXAS

LOTS 14, BLOCK 34,
AMENDED MAP OF SAN JUAN
VOL. 1, PG. 46, MAP RECORDS,
HIDALGO COUNTY, TEXAS

LEGEND

- - FND. 1/2" IRON ROD
- - SET 1/2" IRON ROD
W/PLASTIC CAP
STAMPED "SAMES"
- ⊗ - FND. "X" MARK
- ⊕ - POWER POLE
- ⊙ - LIGHT POLE
- ⊕ - WATER VALVE
- ⊕ - STOP SIGN
- ⊕ - TRAFFIC SIGN
- ⊕ - FIRE HYDRANT
- EXIST. - EXISTING
- CONC. - CONCRETE
- ASPH. - ASPHALT
- CONC. - CONCRETE
- H.C.M.R. - HIDALGO COUNTY MAP RECORDS
- H.C.D.R. - HIDALGO COUNTY DEED RECORDS
- O.R.H.C. - OFFICIAL RECORDS OF
OF HIDALGO COUNTY
- R.O.W. - RIGHT OF WAY
- FND. - FOUND

ALLEY

(20.0 FT. RIGHT OF WAY)

SURVEY NOTES:

1. BASIS OF BEARING AS PER THE NORTH RIGHT OF WAY LINE OF EIGHTH STREET, BLOCK 39, AMENDED MAP OF SAN JUAN, AN ADDITION TO THE CITY OF SAN JUAN, HIDALGO COUNTY, TEXAS, AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 46, MAP RECORDS OF HIDALGO COUNTY, TEXAS.
 2. ALL COORDINATES, BEARINGS, AND DISTANCES, ARE BASED ON THE TEXAS COORDINATE SYSTEM, (NAD 83), TEXAS STATE PLANES, SOUTH ZONE, US SURVEY FEET, GRID. BEARINGS AND DISTANCES SHOWN IN PARENTHESES ARE BASED ON RECORDED DOCUMENT.
 3. ALL HORIZONTAL CONTROL ON THIS PROJECT WAS ESTABLISHED UTILIZING RTK GPS METHODS.
 4. THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THERE MAY BE EASEMENTS OR OTHER MATTERS THAT ARE NOT SHOWN.
- THE FOLLOWING MATTERS AND ALL TERMS OF THE DOCUMENTS CREATING OR OFFERING EVIDENCE OF THE MATTERS:**
5. SUBJECT TO THE SUBDIVISION RULES AND REGULATIONS OF THE COUNTY OF HIDALGO AND/OR ORDINANCES OR GOVERNMENTAL REGULATIONS OF THE CITY IN WHICH THE PROPERTY MAY BE LOCATED OR HOLDING EXTRA TERRITORIAL JURISDICTION OF SAID PROPERTY.

PLAT SHOWING

RIGHT OF WAY ABANDONMENT

0.18 OF AN ACRE (7,800 SQ.FT.) OF LAND OUT OF 7TH STREET, BLOCK 39, AMENDED MAP OF SAN JUAN, AN ADDITION TO THE CITY OF SAN JUAN, HIDALGO COUNTY, TEXAS, AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 46, MAP RECORDS OF HIDALGO COUNTY, TEXAS.

GENERAL NOTES

ADDRESS: 7TH STREET, SAN JUAN, TEXAS
SURVEYED: SEPTEMBER 28, 2021
REQUESTED BY: DANIEL THERINA, PLANNING DIRECTOR,
CITY OF SAN JUAN, TEXAS

FOR: CITY OF SAN JUAN

I, OSCAR HERNANDEZ, R.P.L.S., CERTIFY THAT THIS PLAT REPRESENTS THE FACTS FOUND ON THE GROUND AT THE TIME OF SURVEY AND THAT THERE ARE NO VISIBLE OR APPARENT EASEMENTS, DISCREPANCIES, CONFLICTS, OR SHORTAGES IN AREA OR BOUNDARY LINES, OR ANY ENCROACHMENTS, OR OVERLAPPING OF IMPROVEMENTS OR VISIBLE EASEMENTS EXCEPT AS SHOWN ON THIS PLAT. NO SUBSURFACE UTILITIES OR SERVICE CONNECTIONS ARE SHOWN. © COPYRIGHT 2018 SAM ENGINEERING & SURVEYING. THIS SURVEY WAS PROVIDED IN MULTIPLE ORIGINALS SOLELY FOR THE BORROWER NAMED HEREON, IN CONJUNCTION WITH THE ORIGINAL TRANSACTION WHICH SHALL TAKE PLACE WITHIN 6 MONTHS AFTER THE SURVEY WAS PROVIDED. NO LICENSE HAS BEEN CREATED OR IMPLIED COPY THIS SURVEY. SURVEY VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE.

OSCAR HERNANDEZ, R.P.L.S. DATE 1.13.2022
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5005

JOB NUMBER	DRAWN BY	RYMD BY	DATE
SUR 22.026	E.S.	O.H.	1/13/2022

SHEET 1 OF 1: SURVEY PLAT

SAMES SAM Engineering & Surveying
200 S. 10TH STREET, SUITE 1500 TEL: (956) 702-0880
MCALLEN, TEXAS 78501 FAX: (956) 702-8883
SURVEY FIRM REG. No. 101418-00

SAM Engineering and Surveying



Engineering Firm Reg # 10602 Surveying Firm Reg # 101416-00
200 S. 10TH St. Suite 1500, McAllen, Texas 78501 Phone: (956) 702-8880 Fax: (956) 702-8883

JANUARY 13, 2022

METES AND BOUNDS DESCRIPTION RIGHT OF WAY ABANDONMENT

0.18 OF AN ACRE (7,800 SQ.FT.) OF LAND OUT OF 7TH STREET, BLOCKS 34 AND 39, AMENDED MAP OF SAN JUAN, AN ADDITION TO THE CITY OF SAN JUAN, HIDALGO COUNTY, TEXAS, AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 46, MAP RECORDS OF HIDALGO COUNTY, TEXAS.

BEING 0.18 OF AN ACRE (7,800 SQ.FT.) OF LAND OUT OF 7TH STREET, BLOCKS 34 AND 39, AMENDED MAP OF SAN JUAN, AN ADDITION TO THE CITY OF SAN JUAN, HIDALGO COUNTY, TEXAS, AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 46, MAP RECORDS OF HIDALGO COUNTY, TEXAS, SAID 0.18 OF AN ACRE (7,800 SQ.FT.) OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHWEST CORNER OF LOT 14, BLOCK 34, OF SAID AMENDED MAP OF SAN JUAN, CONVEYED TO FELIPE AND LUCRECIA N. GARCIA, RECORDED IN DOCUMENT NUMBER 2158217, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, AND THE EAST RIGHT OF WAY LINE OF NEBRASKA AVENUE, (HAVING A 90.0 FT. OF RIGHT OF WAY) AND THE NORTH RIGHT OF WAY OF 7TH STREET (HAVING A 60.0 FT. OF RIGHT OF WAY) FROM WHICH A FOUND "X" MARK BEARS NORTH 47 DEG. 14 MIN. 58 SEC. WEST A DISTANCE OF 1.27 FEET FOR THE NORTHWEST CORNER AND **POINT OF BEGINNING** OF THE TRACT HEREIN DESCRIBED; (HAVING A STATE PLANE COORDINATE OF X=1097167.1890, Y=16593669.0347)

- 1) **THENCE, SOUTH 81 DEG. 25 MIN. 55 SEC. EAST, (EAST – PLAT) ALONG THE SOUTH LINE OF LOT 14, BLOCK 34, OF SAID AMENDED MAP OF SAN JUAN, CONVEYED TO FELIPE AND LUCRECIA N. GARCIA, AND THE NORTH RIGHT OF WAY LINE OF SAID 7TH STREET, A DISTANCE OF 130.00 FEET TO A POINT, ON THE WEST RIGHT OF WAY LINE OF A 20.0 FT. ALLEY, BLOCK 34, OF SAID AMENDED MAP OF SAN JUAN, FROM WHICH A FOUND 1/2 INCH IRON ROD BEARS NORTH 37 DEG. 04 MIN. 54 SEC. WEST A DISTANCE OF 1.60 FEET FOR THE SOUTHEAST CORNER OF LOT 14, BLOCK 34, OF SAID AMENDED MAP OF SAN JUAN AND FOR THE NORTHEAST CORNER OF THE TRACT HEREIN DESCRIBED;**
- 2) **THENCE, SOUTH 08 DEG. 34 MIN. 05 SEC. WEST, (SOUTH – PLAT) LEAVING THE NORTH RIGHT OF WAY LINE OF SAID 7TH AND THE WEST RIGHT OF WAY LINE OF SAID 20.0 FT. ALLEY, BLOCK 34, OF SAID AMENDED MAP OF SAN JUAN STREET, A DISTANCE OF 60.00 FEET TO A FOUND 1/2 INCH IRON ROD WITH PLASTIC CAP STAMPED "SAMES" AT THE NORTHEAST CORNER OF LOT 1, BLOCK 39, OF SAID AMENDED MAP OF SAN JUAN, CONVEYED TO CITY OF SAN JUAN RECORDED IN VOLUME 90, PAGE 9, DEED RECORDS, HIDALGO COUNTY, TEXAS, AND THE SOUTH RIGHT OF WAY LINE OF SAID 7TH STREET, AND THE WEST LINE OF THE WEST RIGHT OF WAY LINE OF A 20.0 FT. ALLEY, BLOCK 39, OF SAID AMENDED MAP OF SAN JUAN FOR THE SOUTHEAST CORNER OF THE TRACT HEREIN DESCRIBED;**
- 3) **THENCE, NORTH 81 DEG. 25 MIN. 55 SEC. WEST, (WEST – PLAT) ALONG THE NORTH LINE OF LOT 1, BLOCK 39, OF SAID AMENDED MAP OF SAN JUAN, CONVEYED TO CITY OF SAN JUAN, AND ALONG THE SOUTH RIGHT OF WAY LINE OF SAID 7TH STREET, A DISTANCE OF 130.00 FEET TO A FOUND 1/2 INCH IRON ROD WITH PLASTIC CAP STAMPED "SAMES" FOR THE NORTHWEST CORNER OF LOT 1, BLOCK 39, OF SAID AMENDED MAP OF SAN JUAN, AND THE EAST RIGHT OF WAY LINE OF NEBRASKA AVENUE, FOR THE SOUTHWEST CORNER OF THE TRACT HEREIN DESCRIBED;**
- 4) **THENCE, NORTH 08 DEG. 34 MIN. 05 SEC. EAST, (NORTH – PLAT) LEAVING THE NORTH LINE OF LOT 1, BLOCK 39, OF SAID AMENDED MAP OF SAN JUAN, ALONG THE PROJECTED EAST RIGHT OF WAY LINE OF NEBRASKA AVENUE, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.18 OF AN ACRE (7,800 SQ.FT.) OF LAND WITHIN THIS METES AND BOUNDS DESCRIPTION.**

ALL BEARINGS AND DISTANCES ARE BASED ON THE TEXAS COORDINATE SYSTEM (NAD 83), TEXAS STATE PLANES, SOUTH ZONE, U.S. SURVEY FEET, GRID. BEARINGS AND DISTANCES IN PARENTHESIS ARE BASED ON RECORDED PLAT OR DOCUMENT.

I, OSCAR HERNANDEZ, R.P.L.S. CERTIFY THAT THE ABOVE METES AND BOUNDS ARE TRUE AND IS THE RESULT OF AN ACTUAL SURVEY PERFORMED UNDER MY DIRECTION.

OSCAR HERNANDEZ, R.P.L.S.

DATE 1.13.2022

REGISTERED PROFESSIONAL LAND SURVEYOR No. 5005



Sheet 2 of 2 Metes & Bounds
Job Number: Sur 22.026

CITY OF SAN JUAN FIRE STATION

CITY OF SAN JUAN
 700 E. ALBANY AVENUE, SUITE 100, SAN JUAN, PR 00901

PROJECT No. 2023
 PROJECT Name: City of San Juan Fire Station
 PROJECT Location: San Juan, PR
 PROJECT Date: 08/2023
 PROJECT Status: Schematic Design

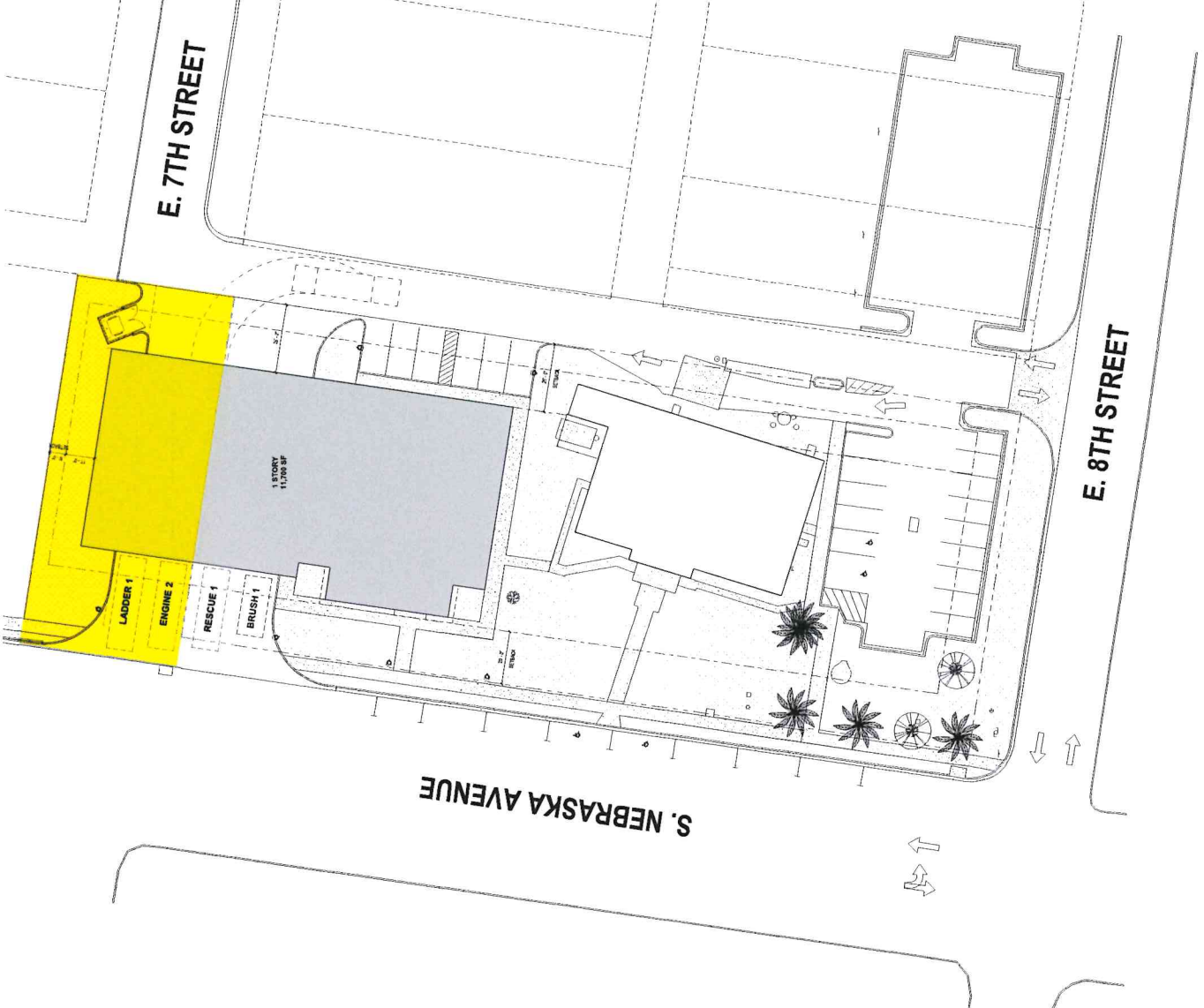
COMPOSITE SITE PLAN

AS101

Project Name:
 Schematic Design

KEYPLAN

KEYPLAN



A1 COMPOSITE SITE PLAN
 1 of 1

SECTION 1.03 STREETS AND PUBLIC PROPERTY; STREET DEVELOPMENT AND IMPROVEMENT:

(A.) The City shall have exclusive dominion, control, and jurisdiction in, upon, over, and under the public squares, and public ways within the corporate limits of the City, and in, upon, over, and under all public property of the City. With respect to each and every public street, sidewalk, alley, highway, public square, or other public way within the corporate limits of the City, the City shall have the power to establish, maintain, alter, abandon, or vacate the same; to regulate, establish, or change the grade thereof; to control and regulate the use, thereof; and to abate and remove in a summary manner any encroachment thereon.

(B.) The City shall have the power to develop and improve, or cause to be developed and improved, any and all public streets, sidewalks, alleys, highways, and other public ways within the corporate limits of the City by laying out, opening, narrowing, widening, straightening, extending, and establishing building lines along the same; by purchasing, condemning, and taking property therefor; by filling, grading, raising, lowering, paving, repaving, and repairing, in a permanent manner, the same; and by constructing, altering, repairing, and realigning curbs, gutters, drains, sidewalks, culverts, and other appurtenances and incidentals in connection with such developments. The City may make or cause to be made any one or more of the kinds of classes of development and improvement authorized hereinabove, or any combination or parts thereof. The cost of such development and improvement shall be paid by the City, or partly by the City and partly by assessments levied against the property abutting thereon and the owners thereof, and such assessments may be levied in any amounts and under any procedure now or hereafter permitted by State law. The City Commission shall have the power to assess a special tax on street railways for improvement of area occupied by said railways in accordance with governing State law. As an alternate and cumulative method of developing, improving, and paving any and all public streets[,] sidewalks, alleys, highways, and other Public ways within the corporate limits, the City shall have the power and authority to proceed in accordance with governing State laws. The City shall likewise have the power to make any such development, improvement or paving with its own forces if, in the opinion of the City Commission, the work can be done more expeditiously or economically, and in such event the City shall have the power to reimburse itself for the cost of such improvement in the same amount and in the same manner as if the work had been performed by a successful bidding contractor.

State law references—Street improvements and assessments in cities having more than 1,000 inhabitants, V.T.C.A., Transportation Code, ch. 313; authority of municipality over and under public highways, streets and alleys, V.T.C.A., Transportation Code, sec. 311.001; authority over sidewalks, V.T.C.A., Transportation Code, sec. 311.004.

Consider a Variance Request to 1) re-dedicate a 60' x 130' portion of East 7th Street (from Nebraska Avenue eastward a distance of 130') from a street right-of-way use to viable city property and 2) the consideration of using this portion 60' x 130' portion of East 7th Street will result in 'E. 7th Street' being a dead-end street which City Code requires a variance to be considered and awarded, as Requested by the City of San Juan.

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

Americo, M. Baca Fam Lmt'd
P.O. Box 4285
McAllen, TX 78502

C A T Enterprises
P.O. Box 2691
San Juan, TX 78589

Garza, Jason
808 E. 15th Street
San Juan, TX 78589

Garcia, Felipe and Lucrecia N.
P.O. Box 356
Hidalgo, TX 78557

Maldonado, Paula A.
601 N. 8th Street
Edinburg, TX 78541

Garcia, Felipe and Lucrecia
700 S. Bridge St. Suite 1
Hidalgo, TX 78557

Jaso, Virginia and Jose A.
505 Star Avenue
Pharr, TX 78589

Rosas, Antonio Jr.
620 S. Nebraska Avenue
San Juan, TX 78589

Glick and B ET AL
1208 N. Main
Paris, IL 61944-5709

Cortez, Juan E.
606 S. Nebraska Avenue
San Juan, TX 78589

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
MARCH 8, 2022

Hold a Public Hearing and Consider an Ordinance for a Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at the proposed Chili's Restaurant to be located at 1411 E. IH 2, legally described as Lot 3, Plaza San Juan Subdivision, as Requested by Brinker International, Inc.

STAFF COMMENTS AND RECOMMENDATIONS:

Brinker International Inc. is applying for a Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at the proposed "Chili's" Restaurant, to be located just West of Denny's Restaurant.

The applicant will need to comply with the Texas Alcoholic Beverages Commission (TABC) requirements. He must agree to pay an annual fee to the City of San Juan to maintain the alcohol license, conditional use, occupational license and health permits.

The proposed operation hours are Sunday through Thursday from 11:00 a.m. to 11:00 p.m., Friday and Saturday from 11:00 a.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) foot radius and received no comments in favor or against the request.

RECOMMENDATION:

Staff recommends approval subject to compliance with the requirements outlined in the attached report.

PREPARED BY:

Brenda Escalante,
Aide

APPROVED BY:

Benjamin Arjona, City
Manager

MEETING DATES:
PLANNING AND ZONING COMMISSION – 02/17/2022
CITY COMMISSION – 03/08/2022
DATE PREPARED – 03/01/2022

PAGE 1

STAFF REPORT
GENERAL INFORMATION

APPLICATION:	Conditional Use Permit for the Sale and On-Premise Consumption of Alcoholic Beverages (wine and beer) at the proposed Chili's Restaurant.
APPLICANT:	Brinker International Inc.
SURVEYOR/ENGINEER:	N/A
LEGAL:	Lot 3, Plaza San Juan Subdivision
LOCATION:	1411 E. IH 2
EXISTING LAND USE/ ADJACENT ZONING:	<i>North</i> – Commercial; Expressway Corridor District (EC) <i>South</i> – Commercial; Expressway Corridor District (EC) <i>East</i> – Commercial; Expressway Corridor District (EC) <i>West</i> – Commercial; Expressway Corridor District (EC)
ACCESS AND CIRCULATION:	This property has access onto Frontage Road.
PUBLIC SERVICES:	Water and sewer services are provided by the City of San Juan.
RECOMMENDATION:	Staff recommends approval subject to compliance with the requirements outlined in the attached report.

EVALUATION AND CONDITIONS FOR APPROVAL

Brinker International Inc. is applying for a Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at the proposed “Chili’s” Restaurant, to be located just West of Denny’s Restaurant.

The applicant will need to comply with the Texas Alcoholic Beverages Commission (TABC) requirements. He must agree to pay an annual fee to the City of San Juan to maintain the alcohol license, conditional use, occupational license and health permits.

The proposed operation hours are Sunday through Thursday from 11:00 a.m. to 11:00 p.m., Friday and Saturday from 11:00 a.m. to 12:00 a.m.

Building area	4,694 square feet
Seats/Dining	208 seats
Parking spaces	60 spaces

The following is the list of requirements:

1. The property line of the lot of any business, especially those having late hours (after 10:00 p.m.) must be a minimum of three hundred (300) feet from the nearest residence, church, school or publicly-owned property or must provide sufficient buffering and sound insulation of the building such that the business is not visible and cannot be heard from the residential areas, and must be designed to prevent disruption of the character of adjacent residential areas.
2. The business must be as close as possible to a major arterial, and shall not allow the traffic it generates onto residential streets, or allow it to exit into and disrupt residential areas;
3. The business must provide parking in accordance with the City off-street parking regulations and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional on-site parking.
4. The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent business or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances. The loading and unloading of equipment to be on premises only.
5. The business should do everything possible and be designed to discourage criminal activities and vandalism, both on site and on adjacent properties. Provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility of as much as possible of the site form a public street;
6. The business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;

**CONDITIONAL USE PERMIT
“CHILI’S RESTAURANT”
MARCH 8, 2022**

PAGE 3

7. The business shall restrict the number of persons within the building to the number determined for occupancy levels by the Fire Department.
8. The applicant will need to comply with the Texas Alcoholic Beverages Commission (TABC) requirements
9. The business must comply with the city’s noise ordinance.
10. The business must comply with the City’s Security Cameras Ordinance.
11. The business must comply with the City to maintain the alcohol license, conditional use, occupational license and health permits.
12. There shall be no smoking inside the premises at any time.
13. No loading or unloading of merchandise in a public street.

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

ATTACHMENTS:

Location Map
Aerial Photo
Zoning Map
Letter from Brinker International, Inc.
Subdivision Plat
Site Plan
List of neighboring property owners receiving notice
Ordinance



Proposed Site



ORDINANCE NO.

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT FOR THE SALE AND ON-SITE CONSUMPTION OF ALCOHOLIC BEVERAGES (WINE AND BEER) AT THE PROPOSED "CHILI'S RESTAURANT" TO BE LOCATED AT 1411 E. IH 2, LEGALLY DESCRIBED AS LOT 3, PLAZA SAN JUAN 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, Brinker International, Inc. has applied for a Conditional Use Permit under Article IV; of the Zoning Ordinance of the City of San Juan for the Sale and On-Site Consumption of Alcoholic Beverages (Wine and Beer) at the proposed Chili's Restaurant to be located at 1411 E. IH 2.

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 Brinker International, Inc. has applied for a Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages at the proposed Chili's Restaurant to be located at 1411 E. IH 2 subject to the following conditions:

1. The property line of the lot of any business, especially those having late hours (after 10:00 p.m.) must be a minimum of three hundred (300) feet from the nearest residence, church, school or publicly-owned property or must provide sufficient buffering and sound insulation of the building such that the business is not visible and cannot be heard from the residential areas, and must be designed to prevent disruption of the character of adjacent residential areas.
2. The business must be as close as possible to a major arterial, and shall not allow the traffic it generates onto residential streets, or allow it to exit into and disrupt residential areas;
3. The business must provide parking in accordance with the City off-street parking regulations and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional on-site parking.
4. The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent business or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances. The loading and unloading of equipment to be on premises only.
5. The business should do everything possible and be designed to discourage criminal activities and vandalism, both on site and on adjacent properties. Provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility of as much as possible of the site from a public street;

6. The business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;
7. The business shall restrict the number of persons within the building to the number determined for occupancy levels by the Fire Department.
8. The applicant will need to comply with the Texas Alcoholic Beverages Commission (TABC) requirements
9. The business must comply with the city's noise ordinance.
10. The business must comply with the City's Security Cameras Ordinance.
11. The business must comply with the City to maintain the alcohol license, conditional use, occupational license and health permits.
12. There shall be no smoking inside the premises at any time.
13. No loading or unloading of merchandise in a public street.

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 8th day of March, 2022.

PASSED and **APPROVED** on second and final reading on the ____ day of _____, 2022.

CITY OF SAN JUAN

MARIO GARZA, MAYOR

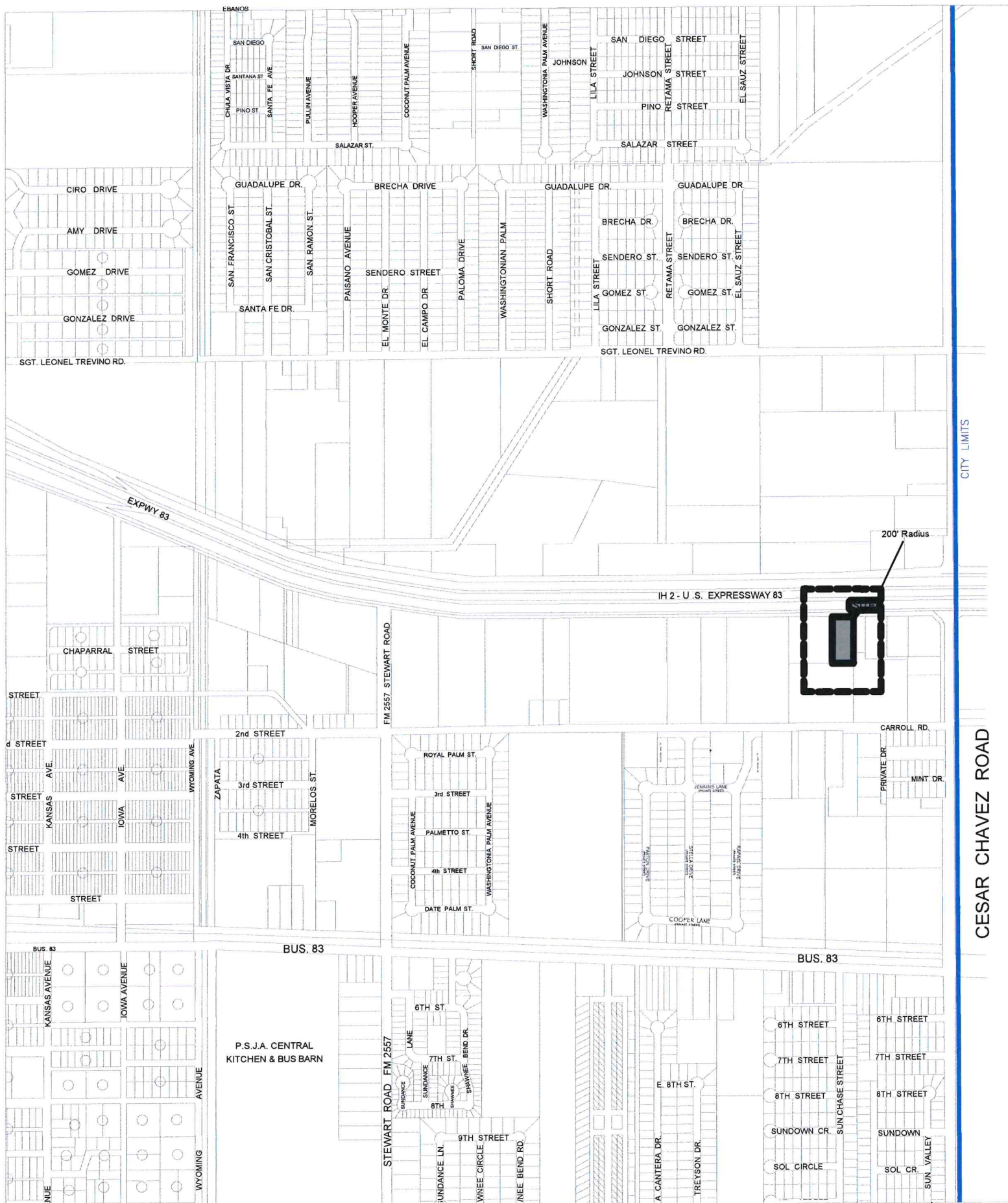
ATTEST:

APPROVED BY:

Palacios, Garza & Thompson, P.C.

BRENDA ESCALANTE
INTERIM CITY SECRETARY

CITY ATTORNEY



Legend

- CITY LIMITS
- Proposed area

Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at the proposed Chili's Restaurant to be located at 1411 E. IH 2, legally described as Lot 3, Plaza San Juan Subdivision, as Requested by Brinker International Inc.

N



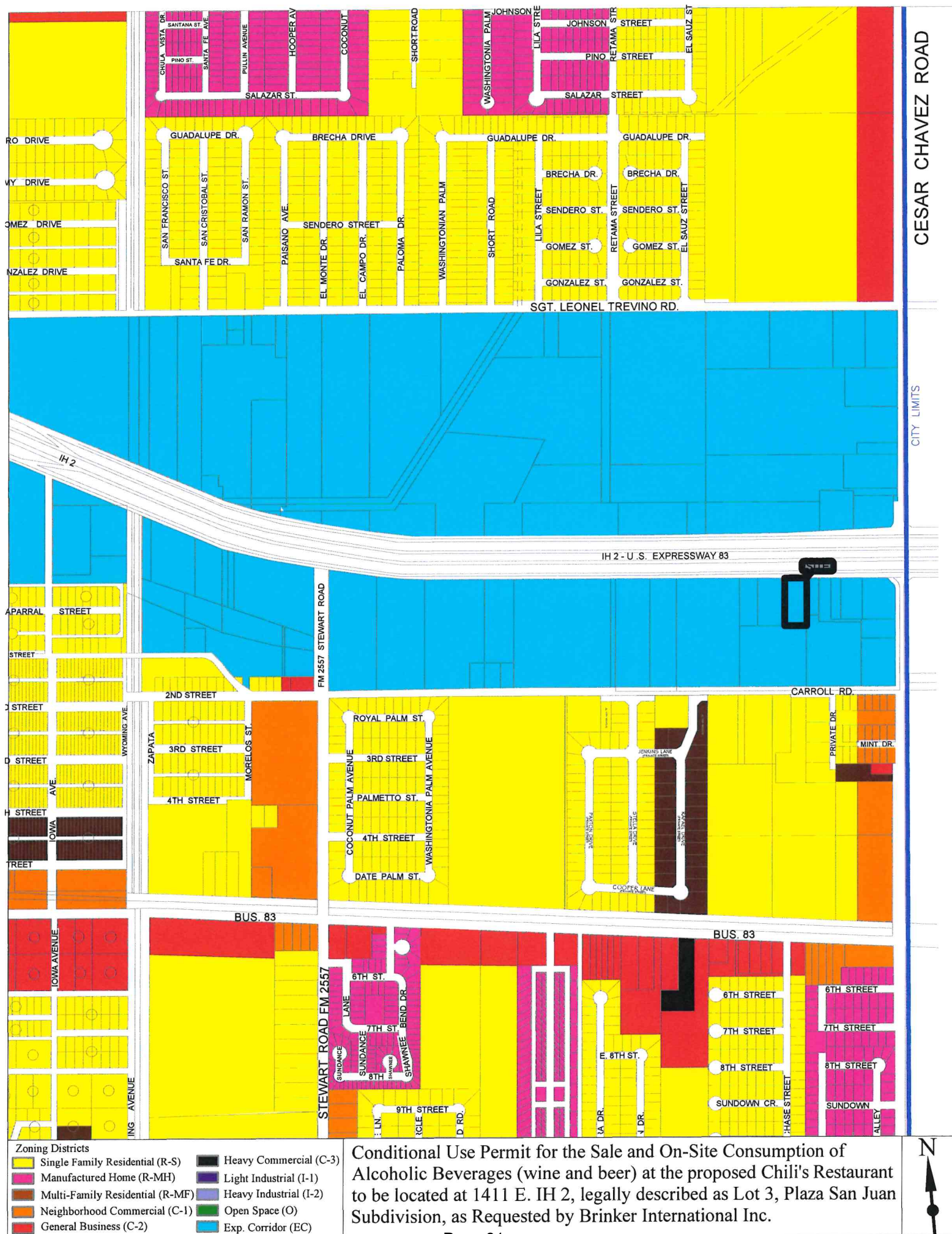


Legend

-  CITY LIMITS
-  Proposed area

Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at the proposed Chili's Restaurant to be located at 1411 E. IH 2, legally described as Lot 3, Plaza San Juan Subdivision, as Requested by Brinker International Inc.







Brinker International, Inc
3000 Olympus Blvd.
Dallas, TX 75019
10/08/2021

City of San Juan
Planning and Commission
709 S. Nebraska Ave.
San Juan, Texas 78589

Dear City of San Juan:

Brinker Texas, Inc., a VA Corporation is applying for an Alcohol Sales Permit with Texas Alcoholic Beverage Commission. The hours of operation for this Chili's Restaurant are Sunday thru Thursday from 11AM-11PM, Friday and Saturday 11AM-12AM. We currently have 13-15 Employees per Shift during these hours. The Restaurant will be located at the Plaza San Juan Subdivision, Lot 3 off Eastbound I-2 Frontage west of Cesar Chavez Blvd., City of San Juan situated in Hidalgo County, TX.

At your Service,

A handwritten signature in black ink, appearing to read 'Ernesto Campos'.

Ernesto Campos | Architecture & Real Estate

Property Development Manager

Brinker International

O: 972.770.1785 | F: 972-628-8790

www.brinker.com

Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at the proposed Chili's Restaurant to be located at 1411 E. IH 2, legally described as Lot 3, Plaza San Juan Subdivision, as Requested by Brinker International, Inc.

Campos, Ernesto
Brinker International
3000 Olympus Blvd.
Dallas, TX 78019

SCC SJP, LLC.
301 Camp Craft Rd. Suite 100
Austin, TX 78746

DJP III LLC.
Attn. Ronald Heller
312 Pearl Parkway #4113
San Antonio, TX 78215

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
MARCH 8, 2022

Hold a Public Hearing and Consider an Ordinance for a Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at Don Marisco Restaurant located 901 N. Raul Longoria Road, Pecan Estates, Block 2, as Requested by Ernesto Lozano.

STAFF COMMENTS AND RECOMMENDATIONS:

Mr. Lozano is taking over the Mariscos Estrella del Mar Restaurant located at the Northeast corner of Raul Longoria and Sgt. Leonel Trevino Road, next to Melrose Store. The restaurant was opened back in 2014 and an alcohol permit was granted at that time. The applicant is requesting a Conditional Use Permit for On-Site Consumption of Alcoholic Beverages (wine and beer).

The applicant will need to comply with the Texas Alcoholic Beverages Commission (TABC) requirements. He must agree to pay an annual fee to the City of San Juan to maintain the alcohol license, conditional use, occupational license and health permits.

The proposed days and hours of operation are Monday to Sunday from 11:00 a.m. to 9:00 p.m. He is proposing to use a drive-thru window to sell food as well.

Staff mailed a notice of the public hearing before the Planning and Zoning Commission to twenty-two (22) property owners within a two hundred (200) foot radius and received no comments in favor or against the request.

RECOMMENDATION:

Staff recommends approval subject to compliance with the conditions outlined on the attached report.

PREPARED BY:

Brenda Escalante,
Aide

APPROVED BY:

Benjamin Arjona, City
Manager

MEETING DATES:
PLANNING AND ZONING COMMISSION – 02/17/2022
CITY COMMISSION – 03/08/2022
DATE PREPARED – 03/01/2022

PAGE 1

STAFF REPORT
GENERAL INFORMATION

APPLICATION: Conditional Use Permit for the Sale and On-Premise Consumption of Alcoholic Beverages at “Don Marisco” Restaurant.

APPLICANT: Ernesto Lozano

AGENT: N/A

LEGAL: Pecan Estates, Block 2

LOCATION: 901 N. Raul Longoria Road, Suite 1

LOT/TRACT SIZE: 250 feet by 300 feet (approximately 78,000 square feet)

PROPOSED USE OF PROPERTY: Restaurant

ADJACENT LAND USE AND ZONING: North – Commercial; General Business District (C-2)
South – Commercial; Expressway Corridor District (EC)
East – Residential; Multi-Family Residence District (R-MF)
West – Commercial; Expressway Corridor District (EC)

ACCESS AND CIRCULATION: This property has access onto Raul Longoria Road and Sgt. Leonel Treviño Road.

PUBLIC SERVICES: Water and sewer services are provided by the City of San Juan.

RECOMMENDATION: Staff recommends approval subject to compliance with the conditions outlined on the attached report.

EVALUATION AND CONDITIONS FOR APPROVAL

Mr. Lozano is taking over the Mariscos Estrella del Mar Restaurant located at the Northeast corner of Raul Longoria and Sgt. Leonel Trevino Road, next to Melrose Store. The restaurant was opened back in 2014 and an alcohol permit was granted at that time. The applicant is requesting a Conditional Use Permit for On-Site Consumption of Alcoholic Beverages (wine and beer).

The applicant will need to comply with the Texas Alcoholic Beverages Commission (TABC) requirements. He must agree to pay an annual fee to the City of San Juan to maintain the alcohol license, conditional use, occupational license and health permits.

The proposed days and hours of operation are Monday to Sunday from 11:00 a.m. to 9:00 p.m. He is proposing to use a drive-thru window to sell food as well.

The following is the list of requirements:

1. The property line of the lot of any business, especially those having late hours (after 10:00 p.m.) must be a minimum of three hundred (300) feet from the nearest residence, church, school or publicly-owned property or must provide sufficient buffering and sound insulation of the building such that the business is not visible and cannot be heard from the residential areas, and must be designed to prevent disruption of the character of adjacent residential areas.
2. The business must be as close as possible to a major arterial, and shall not allow the traffic it generates onto residential streets, or allow it to exit into and disrupt residential areas;
3. The business must provide parking in accordance with the City off-street parking regulations and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional on-site parking.
4. The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent business or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances. The loading and unloading of equipment to be on premises only.
5. The business should do everything possible and be designed to discourage criminal activities and vandalism, both on site and on adjacent properties. Provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility of as much as possible of the site from a public street;
6. The business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;

**CONDITIONAL USE PERMIT
“DON MARISCO RESTAURANT”
MARCH 8, 2022**

PAGE 3

7. The business shall restrict the number of persons within the building to the number determined for occupancy levels by the Fire Department.
8. The applicant will need to comply with the Texas Alcoholic Beverages Commission (TABC) requirements
9. The business must comply with the city’s noise ordinance.
10. The business must comply with the City’s Security Cameras Ordinance.
11. The business must comply with the City to maintain the alcohol license, conditional use, occupational license and health permits.
12. There shall be no smoking inside the premises at any time.
13. No loading or unloading of merchandise in a public street.

Staff mailed a notice of the public hearing before the Planning and Zoning Commission to twenty-two (22) property owners within a two hundred (200) foot radius and received no comments in favor or against the request.

ATTACHMENTS:

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



Proposed Site



ORDINANCE NO.

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT FOR THE SALE AND ON-SITE CONSUMPTION OF ALCOHOLIC BEVERAGES (WINE AND BEER) AT DON MARISCO RESTAURANT LOCATED AT 901 N. RAUL LONGORIA ROAD, LEGALLY DESCRIBED AS PECAN ESTATES, BLOCK 2, 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, Ernesto Lozano has applied for a Conditional Use Permit under Article IV; of the Zoning Ordinance of the City of San Juan for the Sale and On-Site Consumption of Alcoholic Beverages (Wine and Beer) at Don Marisco Restaurant at 901 N. Raul Longoria Road.

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 Brinker International, Inc. has applied for a Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages at the proposed Chili's Restaurant to be located at 901 N. Raul Longoria Road subject to the following conditions:

1. The property line of the lot of any business, especially those having late hours (after 10:00 p.m.) must be a minimum of three hundred (300) feet from the nearest residence, church, school or publicly-owned property or must provide sufficient buffering and sound insulation of the building such that the business is not visible and cannot be heard from the residential areas, and must be designed to prevent disruption of the character of adjacent residential areas.
2. The business must be as close as possible to a major arterial, and shall not allow the traffic it generates onto residential streets, or allow it to exit into and disrupt residential areas;
3. The business must provide parking in accordance with the City off-street parking regulations and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional on-site parking.
4. The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent business or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances. The loading and unloading of equipment to be on premises only.
5. The business should do everything possible and be designed to discourage criminal activities and vandalism, both on site and on adjacent properties. Provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility of as much as possible of the site from a public street;

6. The business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;
7. The business shall restrict the number of persons within the building to the number determined for occupancy levels by the Fire Department.
8. The applicant will need to comply with the Texas Alcoholic Beverages Commission (TABC) requirements
9. The business must comply with the city's noise ordinance.
10. The business must comply with the City's Security Cameras Ordinance.
11. The business must comply with the City to maintain the alcohol license, conditional use, occupational license and health permits.
12. There shall be no smoking inside the premises at any time.
13. No loading or unloading of merchandise in a public street.

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 8th day of March, 2022.

PASSED and **APPROVED** on second and final reading on the ____ day of _____, 2022.

CITY OF SAN JUAN

MARIO GARZA, MAYOR

ATTEST:

APPROVED BY:

Palacios, Garza & Thompson, P.C.

BRENDA ESCALANTE
INTERIM CITY SECRETARY

CITY ATTORNEY



Legend

- CITY LIMITS
- Proposed area

Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at Don Marisco Restaurant located at 901 N. Raul Longoria Road, Pecan Estates, Block 2, as Requested by Ernesto Lozano.





Legend

- CITY LIMITS
- Proposed area

Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at Don Marisco Restaurant located at 901 N. Raul Longoria Road, Pecan Estates, Block 2, as Requested by Ernesto Lozano.



Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at Don Marisco Restaurant located 901 N. Raul Longoria Road, Pecan Estates, Block 2, as Requested by Ernesto Lozano.

Lozano, Ernesto
214 S. 17th Street
McAllen, TX 78501

Suarez, Francisca
103 Gonzalez Dr.
San Juan, TX 78589

Jack in the Box
9357 Spectrum Center Blvd.
San Diego, CA 92123

McAllen Ventures, LLC.
19 Palm Blvd.
Missouri City, TX 77459

Garza, Celso and Lorena E. Hdz.
101 Gonzalez Dr.
San Juan, TX 78589

De Mange, Robert C.
P.O. Box 296
San Juan, TX 78589

2019 San Juan/83 LLC.
5300 Camp Bowie Blvd.
Fort Worth, TX 76107

Quintanilla, Ramiro and Raquel
99 Gonzalez Dr.
San Juan, TX 78589

Zacarias, Jose Cruz and Maria A.
101 E. Sgt. Leonel Trevino Rd.
San Juan, TX 78589

Valencia, M.L. Family LP.
1103 N. Raul Longoria Road
San Juan, TX 78589

Tijerina, Christian
2705 Quamasia Avenue
McAllen, TX 78504

Villarreal, Maria Elena
4716 N. 30th Street
McAllen, TX 78504

Estrada, Jose Isabel
8707 Chukar St.
Edinburg, TX 78542

Suarez, Irene S.
203 E. Gomez Dr.
San Juan, TX 78589

Devora, Oralia F.
104 Gonzalez Dr.
San Juan, TX 78589

Garza, Tomasita
202 E. Gomez Dr.
San Juan, TX 78589

Gonzalez, John J. and Gloria
102 W. Gonzalez Dr.
San Juan, TX 78589

Gomez, Carlos and Carmen
P.O. Box 406
San Juan, TX 78589

Guevara, Jesus U. and Maria
2711 Ponciana St.
Roma, TX 78584

Guajardo, Ramon Jr. and Elizabeth
100 Garfield Avenue
San Juan, TX 78589

Alaniz, Adalgisa
P.O. Box 261
Pharr, TX 78577

Palacios Bros Investments, Inc.
2919 N. Kenyon Rd.
Edinburg, TX 78542

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
MARCH 8, 2022

Hold a Public Hearing and Consider an Ordinance for a Conditional Use Permit to allow a Detail Shop at 1310 Sgt. Leonel Trevino Road, legally described as the East 300 feet of the South 218.2 feet of Lot 13, Block 39, Alamo Land and Sugar Company, located at the Northwest corner of Sgt. Leonel Trevino and Cesar Chavez Road, as Requested by Miguel Angel Aviles.

STAFF COMMENTS AND RECOMMENDATIONS:

Mr. Aviles is requesting a conditional use permit to allow a detail shop at the Northwest corner of Sgt. Leonel Trevino and Cesar Chavez Road. A residence and two commercial buildings were located in the same property. All three (3) structures were built in 1970's when property was located outside the city limits of San Juan. Property was incorporated to the City in 1985 and it is zoned as General Business District (C-2).

The applicant is proposing a detail shop to repair windshields, buff cars and fix dents. He is proposing to have five (5) employees and operation hours are Monday thru Sunday from 8:00 a.m. to 6:00 p.m.

Staff mailed a notice of the public hearing before the Planning and Zoning Commission to eight (8) property owners within a two hundred (200) foot radius and received no comments in favor or against the application.

RECOMMENDATION:

Staff recommends approval subject to compliance with the list of requirements outlined in the report.

PREPARED BY:

Brenda Escalante,
Aide

APPROVED BY:

Benjamin Arjona, City
Manager

MEETING DATES:
PLANNING AND ZONING COMMISSION – 02/17/2022
CITY COMMISSION – 03/08/2022
DATE PREPARED – 03/01/2022

PAGE 1

STAFF REPORT
GENERAL INFORMATION

APPLICATION:	Conditional Use Permit to Allow Detail Shop at 1310 Sgt. Leonel Trevino Road
APPLICANT:	Miguel Angel Aviles
SURVEYOR/ENGINEER:	N/A
LEGAL:	5.0-acre tract of land out of the East 300 feet of the South 218.2 feet of Lot 13, Block 39, Alamo Land and Sugar Company's Subdivision
EXISTING LAND USE/ ADJACENT ZONING:	<i>North</i> – Vacant; General Business District (C-2) <i>South</i> – Vacant; Expressway Corridor District (EC) <i>East</i> – Outside City Limits <i>West</i> – Residential; Single-Family Residence District (R-S)
ACCESS AND CIRCULATION:	This property has access along Cesar Chavez and Sgt. Leonel Trevino Roads.
PUBLIC SERVICES:	Water service is provided by the North Alamo Water Supply Corporation.
RECOMMENDATION:	Staff recommends approval subject to compliance with the list of requirements outlined in to the report.

EVALUATION AND CONDITIONS FOR APPROVAL

Mr. Aviles is requesting a conditional use permit to allow a detail shop at the Northwest corner of Sgt. Leonel Trevino and Cesar Chavez Road. A residence and two commercial buildings were located in the same property. All three (3) structures were built in 1970's when property was located outside the city limits of San Juan. Property was incorporated to the City in 1985 and it is zoned as General Business District (C-2).

The applicant is proposing a detail shop to repair windshields, buff cars and fix dents. He is proposing to have five (5) employees and operation hours are Monday thru Sunday from 8:00 a.m. to 6:00 p.m.

The following is a list of requirements:

- a) All service, repair, maintenance, painting, and other work shall take place within an enclosed area;
- b) There shall be no outside storage of materials;
- c) The building where the proposed work is to take place shall be at least one hundred (100) feet from the nearest residence;
- d) A six-foot wall or opaque fence buffering the proposed use from any residential use of residentially zoned area may be required;
- e) All new buildings and all conversions of existing buildings to such uses shall meet current building and fire code requirements in terms of separation of high hazard uses from other occupancy use classifications, etc.
- f) Owner agrees to pay an annual fee to the City of San Juan to maintain conditional and occupational use permit.
- g) The business must comply with the city's noise ordinance.

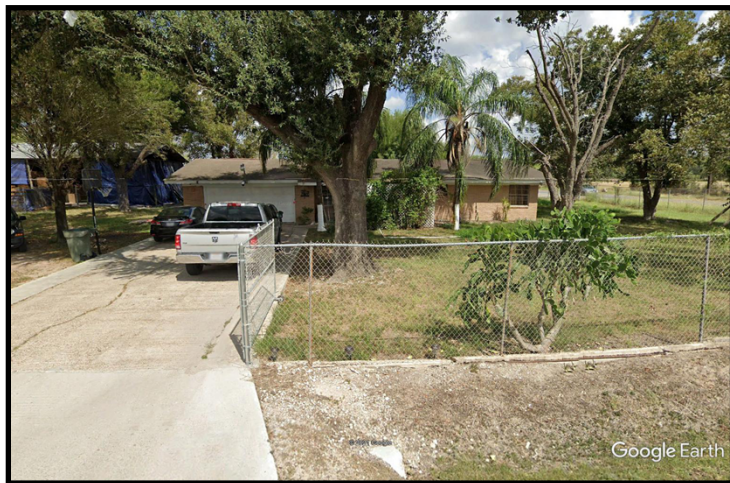
Staff mailed a notice of the public hearing before the Planning and Zoning Commission to eight (8) property owners within a two hundred (200) foot radius and received no comments in favor or against the application.

ATTACHMENTS:

Location Map
Aerial Photo
Zoning Map
Section of the Ordinance
List of neighboring property owners receiving notice
Ordinance



Proposed Detail Shop along Sgt. Leonel Trevino Road



Existing House along Sgt. Leonel Trevino Road



Amaro's Mechanic Shop along Cesar Chavez Road



ORDINANCE NO.

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO ALLOW DETAIL SHOP AT 1310 E. SGT. LEONEL TREVINO ROAD, LEGALLY DESCRIBED AS 1.50-ACRE TRACT OF LAND OUT OF THE EAST 300 FEET OF THE SOUTH 218.20 FEET OF LOT 13, BLOCK 39, ALAMO LAND AND SUGAR COMPANY 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, Miguel Angel Aviles has applied for a Conditional Use Permit under Article IV; of the Zoning Ordinance to allow a Detail Shop at 1310 E. Sgt. Leonel Trevino Road.

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 Miguel Angel Aviles has applied for a Conditional Use Permit to allow a Detail Shop at commercial property.

The following is a list of requirements:

1. All service, repair, maintenance, painting, and other work shall take place within an enclosed area;
2. There shall be no outside storage of materials;
3. The building where the proposed work is to take place shall be at least one hundred (100) feet from the nearest residence;
4. A six-foot wall or opaque fence buffering the proposed use from any residential use of residentially zoned area may be required;
5. All new buildings and all conversions of existing buildings to such uses shall meet current building and fire code requirements in terms of separation of high hazard uses from other occupancy use classifications, etc.
6. Owner agrees to pay an annual fee to the City of San Juan to maintain conditional and occupational use permit.
7. The business must comply with the city's noise ordinance.

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 8th day of March, 2022.

PASSED and **APPROVED** on second and final reading on the ____ day of _____, 2022.

CITY OF SAN JUAN

MARIO GARZA, MAYOR

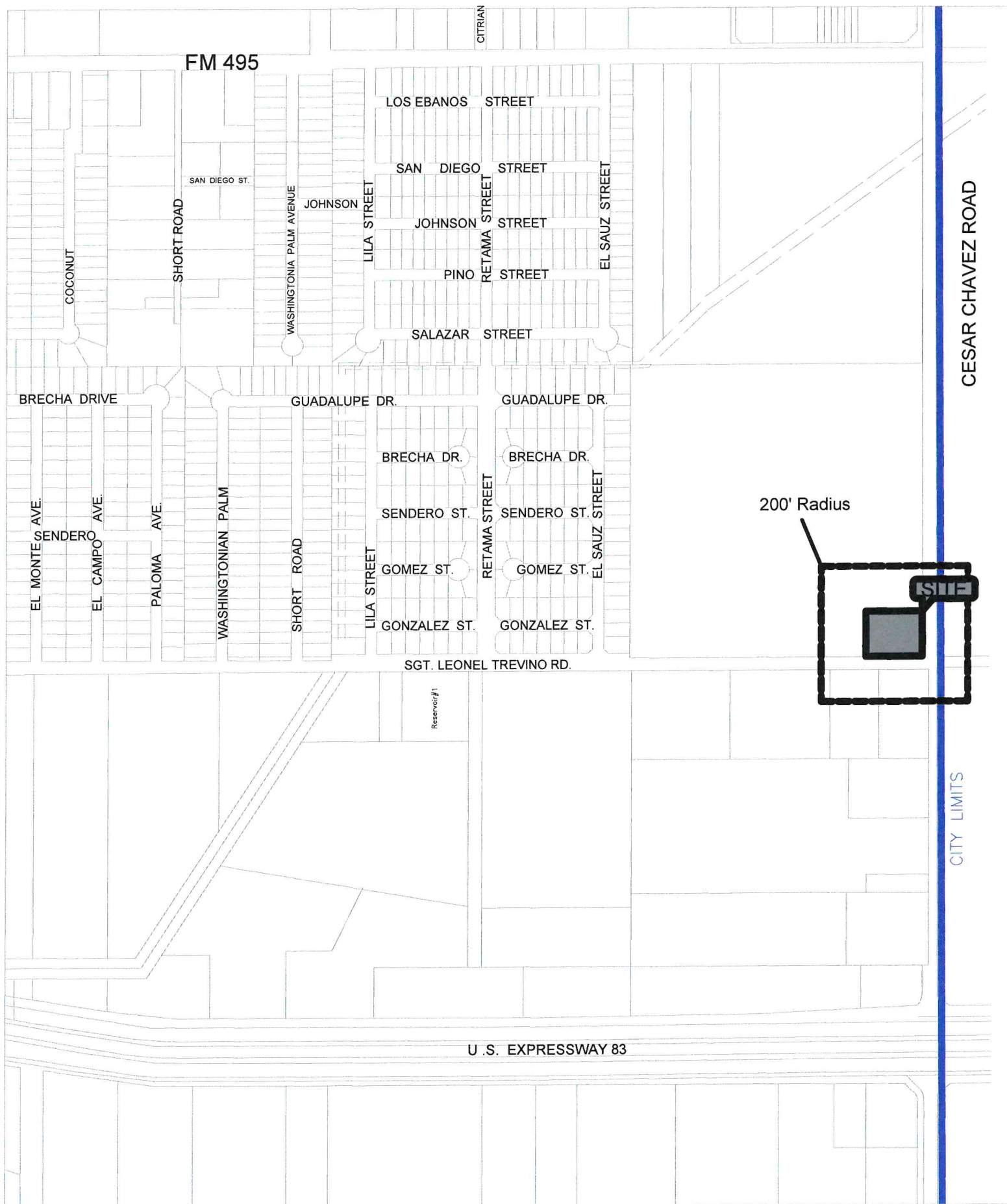
ATTEST:

APPROVED BY:

Palacios, Garza & Thompson, P.C.

**BRENDA ESCALANTE
INTERIM CITY SECRETARY**

CITY ATTORNEY



Conditional Use Permit to Allow a Detail Shop at 1310 Sgt. Leonel Trevino Road, legally described as 1.50 acre tract of land out of the East 300 feet of the South 218.20 feet of Lot 13, Block 39, Alamo Land and Sugar Company Subdivision, as Requested by Miguel Angel Aviles.

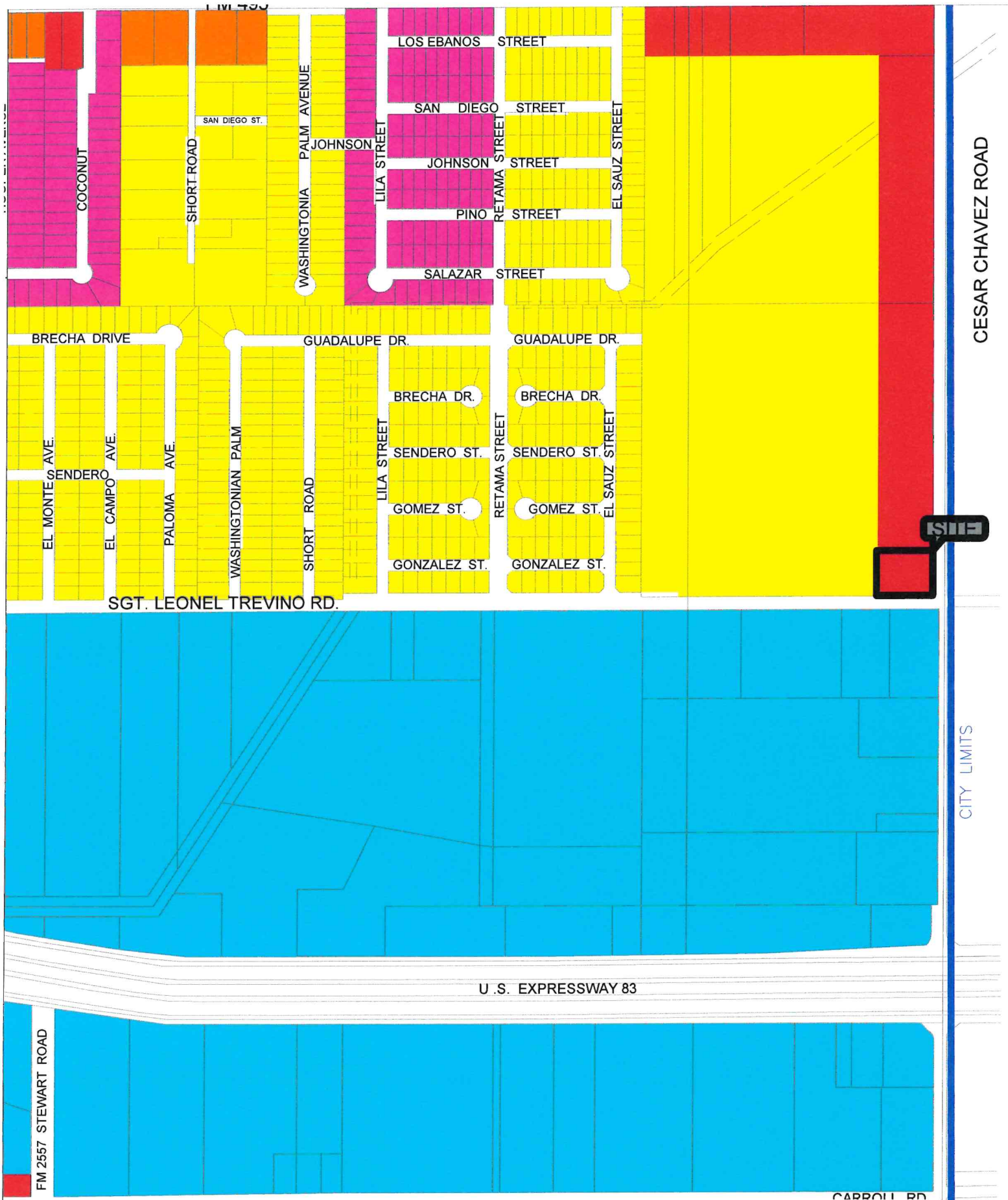


Legend

- CITY LIMITS
- Proposed area

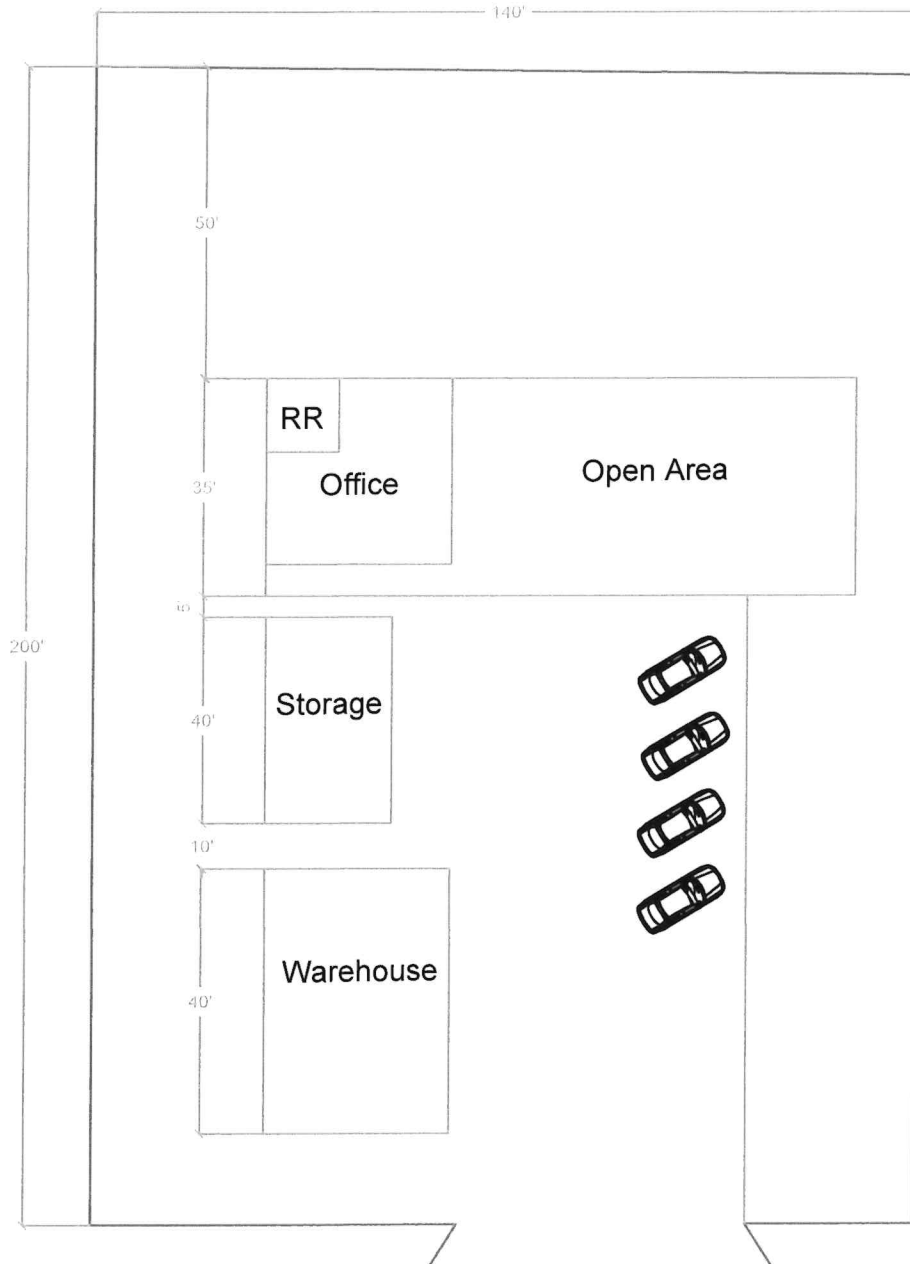
Conditional Use Permit to Allow a Detail Shop at 1310 Sgt. Leonel Trevino Road, legally described as 1.50 acre tract of land out of the East 300 feet of the South 218.20 feet of Lot 13, Block 39, Alamo Land and Sugar Company Subdivision, as Requested by Miguel Angel Aviles





Conditional Use Permit to Allow a Detail Shop at 1310 Sgt. Leonel Trevino Road, legally described as 1.50 acre tract of land out of the East 300 feet of the South 218.20 feet of Lot 13, Block 39, Alamo Land and Sugar Company Subdivision, as Requested by Miguel Angel Aviles.

Miguel Angel Aviles
Site Plan
1310 Sgt. Leonel Trevino Road



Sgt. Leonel Trevino Road

SECTION 5.00: (C-2) GENERAL BUSINESS DISTRICT:

SECTION 5.01: PERMITTED USES:

- (a) All uses listed as permitted uses in C-1 districts;
- (b) Any retail business, personal services, business services except the following: Lumberyards or contractor yards, farm equipment or other heavy equipment sales or service, farm products warehousing and storage or stockyards, general warehousing and storage. Household goods warehousing and storage in individually rented storage units is permitted;
- (c) Hotel, motel and/or eating places;
- (d) Printing, publishing and allied products manufacturing;
- (e) Rail and motor vehicle transportation passenger terminals;
- (f) Telephone, telegraphs, television, radio or similar media stations, centers, studios, but not including public microwave, radio and television towers;
- (g) Any wholesale trade or wholesale trade accessory to any permitted retail operation except the following: Raw cotton, grain, hide, skins and raw furs, tobacco, wool or mohair, livestock, commercial or industrial machinery or supplies, metals and minerals, petroleum bulk stations and terminals, scrap or junk waste materials;
- (h) Signs in accordance with adopted ordinances; or
- (i) Automotive repair as an accessory use to a permitted retail use, such as retail sale of automobiles or retail sale of automotive parts.

SECTION 5.02: CONDITIONAL USES (REQUIRE USE PERMITS):

- (a) Gasoline service stations or retail outlets where gasoline products are sold;
- (b) Drive-in businesses;
- (c) Planned shopping centers;
- (d) Bars, nightclubs and social event centers in accordance with adopted policies;
- (e) Amusement parks, circus or carnival grounds, commercial amusement or recreation developments, or tents or other temporary structures used for temporary purposes, in accordance with all applicable City regulations and ordinances;
- (f) Portable buildings;
- (g) Owner-occupied residence in compliance with the setback requirements of this zoning district;
- (h) Automotive repair and service as a primary use, including auto paint and body work as a primary use, subject to required conditions. (See conditions listed in Section 5.04 hereof).⁽¹⁾

⁽¹⁾ All establishments engaged in automotive repair, services, maintenance, or paint and body work that are under construction or in existence and located in C-2 zone as of the date of adoption of this subsection shall hereby be classified as conforming uses and shall not be denied the right to expand, repair or rebuild such establishments.

SECTION 5.03: REQUIRED CONDITIONS:

Gasoline service stations or retail outlets where gasoline products are sold, drive-in businesses, and veterinary hospitals shall be subject to the same limitations as set forth in the C-1 district for these types of uses. Access lane shall be clearly designated on subdivision plat.

SECTION 5.04: REQUIRED CONDITIONS FOR AUTOMOTIVE REPAIR AS A PRIMARY USE:

- (a) Such establishments shall be located on a lot or tract of land of sufficient size to accommodate the proposed use. In no case shall the building site be less than twenty thousand (20,000) square feet;
- (b) All service, repair, maintenance, painting, and other work shall take place within an enclosed area;
- (c) There shall be no outside storage of materials;
- (d) The building where the proposed work is to take place shall be at least one hundred (100) feet from the nearest residence;
- (e) A six-foot wall or opaque fence buffering the proposed use from any residential use of residentially zoned area may be required; and
- (f) All new buildings and all conversions of existing buildings to such uses shall meet current building code and fire code requirements in terms of separation of high hazard uses from other occupancy use classifications, etc.

SECTION 5.05: PROHIBITED USES:

- (a) Any building erected or land used for other than one or more of the preceding specified uses; or
- (b) Any use of property that does not meet the required minimum lot size; front, side and rear yard dimension; and/or lot width; or exceeds the maximum height, building coverage or density per gross acre as required in [Article VI](#).

Conditional Use Permit to allow a Detail Shop at 1310 Sgt. Leonel Trevino Road, legally described as the East 300 feet of the South 218.2 feet of Lot 13, Block 39, Alamo Land and Sugar Company, located at the Northwest corner of Sgt. Leonel Trevino and Cesar Chavez Road, as Requested by Miguel Angel Aviles.

Aviles, Miguel Angel Mendoza
309 Sandy Street
San Juan, TX 78589

Hernandez, Alma M.
32710 Altas Cedar Dr.
Waller, TX 77484

Tovar, Sanjuana
8921 Heartwood Dr.
Keller, TX 76244

Garcia, Juan Jesus and Fermina
1210 E. Sgt. Leonel Trevino Road
San Juan, TX 78589

Hernandez, Andres and Alma M.
30611 Waller Spring Creek
Waller, TX 77484

Unico Enterprises LP.
817 S. Alamo Rd.
Alamo, TX 78516

Briones, Benvento & Benbenuto Jr.
1714 E. Alberta Rd.
Edinburg, TX 78542

La Palabra Viviente Ministries
171 N. Deanna Dr.
San Juan, TX 78589

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
MARCH 8, 2022

Consider an Ordinance for a Voluntary Annexation Petition for a 13.41-acre tract of land out of Lot 14, Block 47, Alamo Land and Sugar Company's Subdivision, as per map recorded in Volume 1, Pages 24 thru 26, Map Records, Hidalgo County, Texas, as Requested by AAAR Family, LTD.

STAFF COMMENTS AND RECOMMENDATIONS:

The Planning Department is processing La Paloma Subdivision, a residential subdivision, located approximately half of a mile West of Cesar Chavez Road, along the North side of Nolana Avenue. Part of the subdivision is outside the city limits but within the City of San Juan Extraterritorial Jurisdiction (ETJ). It is the City's policy to annex subdivisions processed and approved within the city's ETJ. On November 9, 2021, the City Commission approved Resolution 21-27 accepting petition for voluntary annexation and setting dates and times for public hearings.

The property owner of the subject property has submitted a petition for a voluntary annexation to the City of San Juan. Upon annexation, recording of the subdivision plat, building permits and inspections will be processed by City for proposed residences. Annexation of this property is being undertaken in accordance with the provisions of the Texas Local Government Code, Chapter 43, Municipal Annexation, Section 43.028 and the City Charter.

RECOMMENDATION:

Staff recommends approval of the First Reading of the Ordinance.

PREPARED BY:

Brenda Escalante,
Aide

APPROVED BY:

Benjamin Arjona, City
Manager



ORDINANCE NO.

AN ORDINANCE PROVIDING FOR THE EXTENSION ON CERTAIN BOUNDARY LIMITS OF THE CITY OF SAN JUAN, TEXAS; AND THE VOLUNTARY ANNEXATION OF A 13.41-ACRE TRACT OF LAND OUT OF LOT 14, BLOCK 47, ALAMO LAND AND SUGAR COMPANY'S SUBDIVISION, AS PER VOLUME 1, PAGES 24-26, MAP RECORDS OF HIDALGO COUNTY, TEXAS, AND ACCORDING TO WARRANTY DEED RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 2486644, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.

WHEREAS, Section 43.067 of the Texas Local Government Code provides for an alternate to the standard annexation proceedings where the property owner petitions for annexation; and

WHEREAS, the City Commission of the City of San Juan has decided to extend the corporate limits to include tracts of land adjacent to our present corporate limits as shown in **Exhibit "A"**; and

WHEREAS, the hereinafter described territory lies within the extraterritorial of the City of San Juan, Texas; and

WHEREAS, the territory hereinafter described contains approximately **13.41** acres of land; and

WHEREAS, a notice of the City of San Juan proposed annexation was published in a newspaper having general circulation in the City of San Juan, Texas on December 29, 2021 and January 26, 2021 and was published between 11th day and 20th day before the public hearing dates; and

WHEREAS, the first public hearing was held at 6:00 pm on January 11, 2022 at the San Juan Memorial Library, located at 1010 S. Standard Avenue, in San Juan, Texas and second public hearing was held at 6:00 pm on February 8, 2022 at San Juan Memorial Library, located at 1010 S. Standard Avenue, in San Juan, Texas so that all interested parties were provided the opportunity to be heard regarding the proposed annexation of those tracts hereinafter described; and

WHEREAS, the enclosed municipal service plan for the proposed annexation was available for public inspection and explained in response to questions asked; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF SAN JUAN, THAT;

Exhibit "B"

SECTION I: The following described in **Exhibit "B"** land and territory adjacent to and adjoining the City of San Juan, Texas is hereby added and annexed to the City of San Juan, Texas, and the property herein described is altered and amended so as to include such areas within the corporate limits of the City of San Juan. The description of the property to be annexed is as follows:

A 13.41 acre tract of land, more or less, being out of Lot 14, Block 47, Alamo Land and Sugar Company Subdivision, Hidalgo County, Texas according to the map or plat thereof recorded in Volume 1 Pages 24-26 Map Records, Hidalgo County, Texas, and said 13.41 acres being more particularly described as follow:

COMMENCING for reference at the southeast corner of said Lot 14, THENCE N 08°25'08" E, along the East line of said Lot 14, a distance of 500.00 feet to the North line of the existing city limits of THE CITY OF SAN JUAN, TEXAS, as per ORDINANCE NO. 94-029, THENCE N 81°25'08" W, along the existing North line of said CITY OF SAN JUAN, TEXAS, city limits a distance of 114.42 feet to the West line of Hidalgo County Irrigation District Number 2 right-of-way, recorded in Volume 25, Page 312, Deed Records, Hidalgo County, Texas for the POINT OF BEGINNING and the southeast corner of this tract;

THENCE N 81°25'08" W continuing along the existing North line of said CITY OF SAN JUAN, TEXAS, city limits a distance of 709.49 feet, to the East line of a tract of land deeded to Juan Maldonado, recorded in Document Number 625572, Deed Records, Hidalgo County, Texas for the southwest corner hereof;

THENCE N 08°33'16" E, along the East line of said Maldonado tract, a distance of 820.42 feet to the North line of said Lot 14, for the northwest corner hereof;

THENCE S 81°26'12" E, along the North line of said Lot 14, a distance of 714.25 feet to the West line of said Hidalgo County Irrigation District Number 2 right-of-way, for the northeast corner hereof;

THENCE S 08°51'59" W, along the West right-of-way line of said Hidalgo County Irrigation District Number 2 right-of-way, a distance of 820.61 feet to the POINT OF BEGINNING, containing 13.41 acres of land, more or less.

SECTION II: The service plan attached to this ordinance as **Exhibit “C”** and being the same service plan presented at the public hearing held regarding this annexation, is hereby approved by the City Commission of the City of San Juan, Texas provided that’s such service plan may be amended or repealed in accordance with Section 43.0672 of the Local Government Code, when in the opinion of the City Commission, changed conditions or subsequent occurrences make the plan unworkable or obsolete.

SECTION III: The herein above described property and the area so annexed shall be a part of the City of San Juan, Texas and the property so added hereby shall bear its pro rata share of taxes levied by the City of San Juan, Texas, and inhabitants thereof shall be entitled to all of the rights and privileges of the citizens of San Juan, Texas, in areas having similar characteristics of topography, land utilization and population density, and shall be bound by the acts ordinances, resolutions and regulations of the City of San Juan, Texas.

SECTION IV: The zoning of the property shall be classified as Single-Family Residence District (R-S).

SECTION V: Upon annexation of the herein above described property, the acreage within the city limits of San Juan after annexation will be increased in an amount which does not exceed the statutory limitation as set out in Chapter 43 of the Texas Local Government Code.

SECTION VI: Upon the approval of the second and final reading hereof, the City Secretary of the City of San Juan is hereby authorized and directed to cause a true and correct copy of the caption of this ordinance, including the general description of the property annexed to be published in a newspaper of general circulation in San Juan, Texas.

SECTION VII: If any part, phrase or sentence of this Ordinance is held void or unconstitutional by a Court or competent jurisdiction, or if any tract of land or portion of any tract of land hereby annexed shall be held to be ineligible for annexation or wrongfully annexed, the remaining portions of this Ordinance and the remaining tracts so annexed shall be considered severable and shall remain in full force and effect.

SECTION VIII: In accomplishing the annexation of the territory annexed by this Ordinance, the City of San Juan has strictly followed the provisions of State Law and the cases as they apply to annexations and any possible deviation from special provisions was unintentional and not material to the accomplishment of this annexation.

PASSED and **APPROVED** on first reading on the 8th day of March, 2022.

PASSED and **APPROVED** on second reading on the ____ day of _____, 2022.

CITY OF SAN JUAN

MARIO GARZA, Mayor

ATTEST:

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

BRENDA ESCALANTE,
Interim City Secretary

City Attorney



 CITY LIMITS
 Proposed area

Page 115



**LOT 11, BLOCK 47
ALAMO LAND AND SUGAR
COMPANY'S SUBDIVISION**
(VOL. 1, PGS. 24-26, H.C.M.R.)

APPARENT CENTER LINE
OF GAS LINE
AS PER GAS MARKERS
REI GAS COMPANY, LLC
(DOCUMENT No. 1039880, H.C.D.R.)

S 81°26'12" E 714.25'

N.E. CORNER
LOT 14

50.0' MAGIC VALLEY
ELECTRIC COOP. INC. EASEMENT
(DOCUMENT No. 706163, H.C.D.R.)



SCALE: 1" = 200.0'

N 08°33'16" E 820.42'

FLOOD ZONE 'B'

13.41 ACRES

H.C.I.D. No. 2
CANAL & DRAINAGE DITCH R.O.W.
(VOL. 25, PG. 312, H.C.M.R.)
(25.0' FROM TOP OF BANK)

JUAN MALDONADO
DOCUMENT No. 625572, H.C.D.R.

**LOT 13, BLOCK 47
ALAMO LAND AND SUGAR
COMPANY'S SUBDIVISION**
(VOL. 1, PGS. 24-26, H.C.M.R.)

P.O.B.

**N 81°25'08" W
114.42'**

N 81°25'08" W 709.49'

**LOT 14, BLOCK 47
ALAMO LAND AND SUGAR
COMPANY'S SUBDIVISION**
(VOL. 1, PGS. 24-26, H.C.M.R.)

EXISTING
CITY LIMITS

500.0'

CONCRETE
HEADWALL

P.O.C.

**S.E. COR.
LOT 14**

NORTH
R.O.W.
LINE

E. EARLING ROAD (NOLANA LOOP)

(R.O.W. VARIES - 22.9' E-E)
(DOCUMENT No. 1242707, H.C.D.R.)
(DOCUMENT No. 1242708, H.C.D.R.)

LEGEND

- Z = COMMON OWNER
- L = LOT LINE
- HP = HIGH VOLTAGE OVERHEAD POWER LINE
- G = GAS LINE
- X = HOG WIRE FENCE
- E-E = EDGE OF PAVEMENT TO
EDGE OF PAVEMENT DISTANCE
- R.O.W. = RIGHT OF WAY
- H.C.D.R. = HIDALGO COUNTY DEED RECORDS
- H.C.M.R. = HIDALGO COUNTY MAP RECORDS
- H.C.I.D. = HIDALGO COUNTY IRRIGATION DISTRICT
- EOP = EDGE OF PAVEMENT
- BFE = BASE FLOOD ELEVATION
- P.O.C. = POINT OF COMMENCING
- P.O.B. = POINT OF BEGINNING

**13.41 ACRES
OUT OF LOT 14, BLOCK 47,
ALAMO LAND AND SUGAR
COMPANY'S SUBDIVISION**

PROJECT INFORMATION

JOB NO.: 191011
DRAWN BY: GTG
CHECKED BY: C.V.
REVISIONS:

JH JAVIER HINOJOSA ENGINEERING
CONSULTING ENGINEERS
444 E. 10th Street, Suite 1000
McAllen, TX 78501
(956) 618-1551



517 BEAUMONT AVE.
McALLEN, TEXAS 78501
Ph. (956) 618-1551
FAX (956) 618-1547
www.jhece.com
TBPES FIRM No. 10119600

**METES AND BOUNDS DESCRIPTION
13.41 ACRES OF LAND
ALAMO LAND AND SUGAR
COMPANY SUBDIVISION
HIDALGO COUNTY, TEXAS**



(Proposed Annexation)

A 13.41 acre tract of land, more or less, being out of **LOT 14, BLOCK 47, ALAMO LAND AND SUGAR COMPANY SUBDIVISION**, Hidalgo County, Texas according to the map or plat thereof recorded in Volume 1 Pages 24-26 Map Records, Hidalgo County, Texas, and said 13.41 acres being more particularly describe as follows:

COMMENCING for reference at the southeast corner of said Lot 14, **THENCE** N 08° 34' 52" E, along the East line of said Lot 14, a distance of 500.00 feet to the North line of the existing city limits of **THE CITY OF SAN JUAN, TEXAS**, as per **ORDINANCE NO. 94-029**, **THENCE** N 81° 25' 08" W, along the existing North line of said **CITY OF SAN JUAN, TEXAS**, city limits a distance of 114.42 feet to the West line of Hidalgo County Irrigation District Number 2 right-of-way, recorded in Volume 25, Page 312, Deed Records, Hidalgo County, Texas for the **POINT OF BEGINNING** and the southeast corner of this tract;

THENCE N 81° 25' 08" W continuing along the existing North line of said **CITY OF SAN JUAN, TEXAS**, city limits a distance of 709.49 feet, to the East line of a tract of land deeded to Juan Maldonado, recorded in Document Number 625572, Deed Records, Hidalgo County, Texas for the southwest corner hereof;

THENCE N 08°33'16" E, along the East line of said Maldonado tract, a distance of 820.42 feet to the North line of said Lot 14, for the northwest corner hereof;

THENCE S 81° 26' 12" E, along the North line of said Lot 14, a distance of 714.25 feet to the West line of said Hidalgo County Irrigation District Number 2 right-of-way, for the northeast corner hereof;

THENCE S 08°51'59" W, along the West right-of-way line of said Hidalgo County Irrigation District Number 2 right-of-way, a distance of 820.61 feet to the **POINT OF BEGINNING**, containing 13.41 acres of land, more or less.

Bearing basis as per TEXAS STATE PLANE COORDINATES SYSTEM NAD 1983, South Zone.

EXHIBIT C

ANNEXATION MUNICIPAL SERVICE PLAN AGREEMENT

POLICE

Existing Services: None by the City of San Juan

Services to be provided: Currently, the area is under the jurisdiction of the Hidalgo County Sheriff's Office. However, upon annexation, the City of San Juan Police Department will extend regular and routine patrols to the area. It is anticipated that the implementation of police patrol activities can be effectively accommodated within the current budget and staff appropriation.

FIRE PROTECTION & AMBULANCE SERVICE

Existing Services: None by the City of San Juan

Services to be provided: Fire protection will be available to the area upon annexation. Primary fire response will be provided by the San Juan Fire Department staff and personnel located at 709 S. Nebraska Avenue, San Juan, Texas and 2301 N. Raul Longoria Road, San Juan, Texas. Adequate fire protection activities can be afforded to the annexed area within current budget appropriation. Fire prevention activities will be provided by the Fire Inspector's office as needed. Ambulance service will be provided with response to all dispatched calls and request for service on assistance within the newly annexed areas.

BUILDING INSPECTION & CODE ENFORCEMENT DIVISION

Existing Services: None by the City of San Juan

Services to be provided: The Building Inspection Department will provide Code Enforcement Services upon annexation. This includes issuing building, electrical and plumbing permit for any new construction and remodeling, and enforcing all other applicable codes with regulated building construction within the City of San Juan.

PLANNING AND ZONING

Existing Services: None by the City of San Juan

Services to be provided: The Planning and Zoning Department's responsibility for regulating development and land use through the administration of the City of San Juan Zoning Ordinance will extend to this area on the effective date of the annexation. The property will also continue to be regulated under the requirements of the City of San Juan Subdivision Ordinance. These services can be provided within the department's current budget.

LIBRARY

Existing Services: Areas are currently being serviced by the City of San Juan.

Services to be provided: Library use privileges are currently available to anyone residing in this area. These privileges can be provided within the current budget appropriation.

The San Juan Memorial Library serves as a community resource to the citizens of San Juan and surrounding communities. The library has a collection of over 34,000 books along with a variety of DVD movies available for check out. We also provide fifty personal computers with internet access as well as MS Office and four children's computers with many fun and educational programs.

STREET

Existing Services: County Street Maintenance

Services to be provided: Maintenance to the street facilities will be provided by the City of San Juan upon the effective date of the annexation. This service can be provided within the current budget appropriation. For streets that will require major improvements the service plan will address those concerns within two and a half (2 ½) years and complete the work within four and a half (4 ½) years.

STORM WATER MANAGEMENT

Existing Services: None by the City of San Juan

Services to be provided: For new areas to be developed, developers will provide storm water drainage at their own expense and will be inspected by the City Engineers at time of completions. The City of San Juan will then maintain the drainage upon approval. For existing development the City will conduct public awareness and education activities on **Storm Water Management Plan** (MS4 Permit) and the **Clean Water Act**.

STREET LIGHTING

Existing Services: None by the City of San Juan

Services to be provided: The City of San Juan will coordinate any request for improved street lighting with the local electric provider in accordance with standard policy. The city will be installing additional street lighting in areas that are below standards.

TRAFFIC ENGINEERING

Existing Services: None by the City of San Juan

Services to be provided: The City Engineer will work with Texas Department of Transportation (TxDOT) to provide, after the effective date of annexation, any additional traffic control devices, such as traffic lights and stop signs to improve the safety of traffic in the area.

WATER SERVICE

Existing Services: Areas are currently being serviced by the North Alamo Water Supply Corporation.

Services to be provided: Water service is currently provided to the area in accordance with the applicable codes and department policy. When other property develops in the adjacent area, water service shall be provided in accordance with extension ordinance. Extension of service shall comply with City codes and ordinances.

SANITARY SEWER SERVICES

Existing Services: Sewer services currently being provided by on site sewer facilities (OSSF).

Service to be provided: Sanitary sewer service to the area of proposed annexation will be provided in accordance with applicable codes and departmental policy. When property develops in the adjacent areas, sanitary sewer service shall be provided in accordance with the present extension ordinance. Extension of service shall be provided in accordance with the present extension ordinance. Extension of service shall comply with applicable codes and ordinances.

SOLID WASTE SERVICE

Existing Services: None

Service to be provided: Solid Waste Collection shall be provided to the area of annexation in accordance with the present ordinance. Service shall comply with existing City policies, beginning with occupancy of structures. Such Service will be required no later than expiration of any current contract citizen has in effect at the time of annexation.

MISCELLANEOUS

All other applicable municipal services will be provided to the area in accordance with the City of San Juan established policies governing extension of municipal services to newly annexed areas.

Furthermore, the City of San Juan, Texas, finds and determines the rural nature of the area is characteristically different from other more highly developed areas within the corporate limits of the City of San Juan, Texas. Consequently, because of the differing characteristics of topography, land utilization and population density, the service levels which may ultimately be provided in the newly annexed area may differ somewhat from series provided in other areas of the City of San Juan, Texas. These differences are specifically dictated because of differing characteristics of the property and the City of San Juan, Texas, will undertake to perform consistent with the contract so as to provide this newly annexed area the same type, kind and quality of service presently enjoyed by the citizens of the City of San Juan, Texas, who reside in areas of similar topography, land utilization and population.

Legal Description: Being a 13.41-acre tract of land out of Lot 14, Block 47, Alamo Land and Sugar Subdivision, as per Volume 1, Page 24-26, Map Records of Hidalgo County, Texas.

EXECUTED this 13 day of December A.D. 2021.



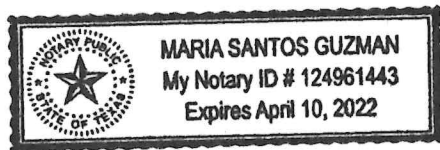
AAA Family, LTD.
Alberto Treviño
901 West 13th Street
San Juan, TX 78589

Acknowledgment

STATE OF TEXAS §

COUNTY OF HIDALGO §

This instrument was acknowledged before me on the 13 day of December, 2021.

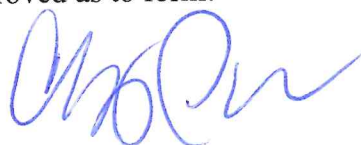

Notary Public – State of Texas

Accepted by:

CITY OF SAN JUAN

By: Ben Arjona
Benjamin Arjona, City Manager

Approved as to form:


By: _____
City Attorney

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
MARCH 8, 2022

Consider an Ordinance for a Voluntary Annexation Petition of the 24.85-acre tract of land out of Lot 7, Stewart's Addition to the Conway Gardens Subdivision, as per map recorded in Volume 0, Pages 43, Map Records, Hidalgo County, Texas, as Requested by Escon Development.

STAFF COMMENTS AND RECOMMENDATIONS:

The Planning Department is processing The Orchards of San Juan, a residential subdivision, located at the Southwest corner of Stewart and Moore Road. Part of the subdivision is outside the city limits but within the City of San Juan Extraterritorial Jurisdiction (ETJ). It is the City's policy to annex subdivisions processed and approved within the city's ETJ. In November 23, 2021, the City Commission approved a Resolution 21-29 accepting petition for voluntary annexation and setting dates and times for public hearings.

The property owner of the subject property has submitted a petition of a voluntary annexation to the City of San Juan. Upon annexation, recording of the subdivision plat, building permits and inspections will be processed by City for proposed residences. Annexation of this property is being undertaken in accordance with the provisions of the Texas Local Government Code, Chapter 43, Municipal Annexation, Section 43.028 and the City Charter.

RECOMMENDATION:

Staff recommends approval of the First Reading of the Ordinance as presented.

PREPARED BY:

Brenda Escalante,
Aide

APPROVED BY:

Benjamin Arjona, City
Manager

P.O. BOX 476

WESLACO, TEXAS 78599-0476

PHONE (956) 968 - 2422

FAX (956) 969 - 2011

DESCRIPTION OF 24.85 ACRES OF LAND
OUT OF LOT 7, STEWART'S ADDITION TO CONWAY GARDENS SUBDIVISION
HIDALGO COUNTY, TEXAS

Being 24.85 acres of land situated in Hidalgo County, Texas, and being out of Lot 7, Stewart's Addition to Conway Gardens Subdivision, per map recorded in Volume 0, Page 43, Hidalgo County Map Records, and said 24.85 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a nail found for the northwest corner of said Lot 7 and the northwest corner of said tract herein described;

THENCE, South 81°26'18" East, 820.06 feet, with the north line of said Lot 7, the south line of Lot 6, and the centerline of Moore Road to a point for the northeast corner of said tract herein described;

THENCE, South 8°36'24" West, with a line that is parallel to the east line of said Lot 7, at a distance of 20.00 feet pass the south right of way line of said Moore Road and continuing for a total distance of 1319.84 feet to a point for the southeast corner of said tract herein described;

THENCE, North 81°26'12" West, 820.06 feet, with the south line of said Lot 7, the north line of Castillo Subdivision as per map recorded in Volume 40, Page 114, Hidalgo County Map Records to a ½-inch iron rod found for the southwest corner of said Lot 7 and the southwest corner of said tract herein described;

THENCE, North 8°36'24" East, with the west line of said Lot 7, at a distance of 1299.82 feet pass a ½-inch iron rod with a plastic cap found for reference on the south right of way line of said Moore Road and continuing for a total distance of 1319.82 feet (map 1320.00 feet) to the POINT OF BEGINNING and containing 24.85 acres of land more or less.

Surveyed: July 27, 2021

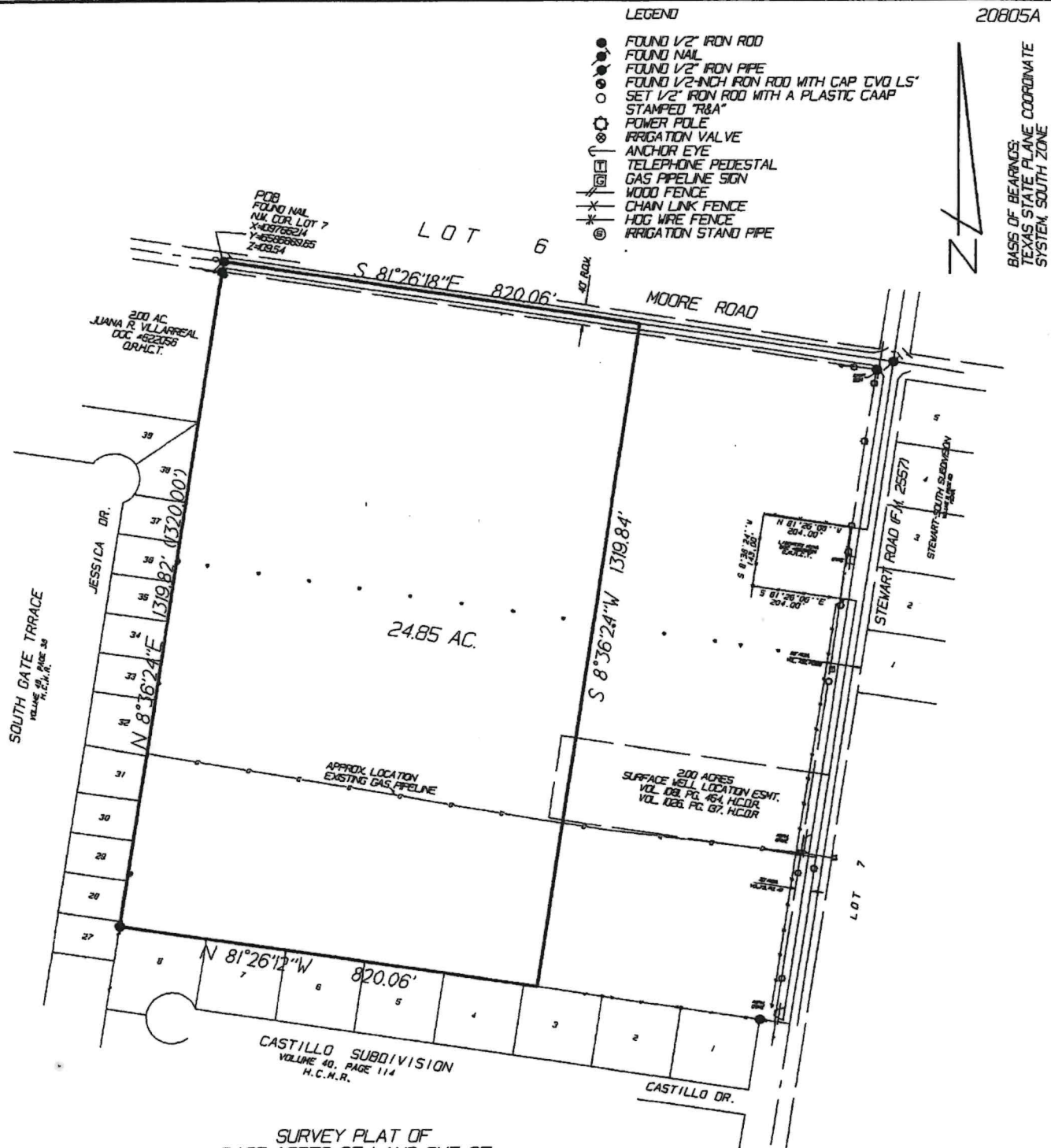
Basis of bearings: Texas State Plane Coordinate System, South Zone

20805A
11/02/2021




Reynaldo Robles, R.P.L.S. #4032

THIS SURVEY WAS PREPARED WITH THE USE OF A TITLE COMMITMENT PREPARED BY OTHERS ROBLES & ASSOCIATES, NOR THE SURVEYOR OF RECORD RESEARCHED OR PREPARED A TITLE REPORT OR ABSTRACT OF TITLE ON THE ABOVE PROPERTY.



SURVEY PLAT OF
24.85 ACRES OF LAND OUT OF
LOT 7, STEWART'S ADDITION TO CONWAY GARDENS SUBDIVISION
HIDALGO COUNTY, TEXAS
PER MAP RECORDED IN VOLUME 0, PAGE 43, H.C.M.R.

I, REYNALDO ROBLES, REGISTERED PROFESSIONAL
LAND SURVEYOR OF THE STATE OF TEXAS, DO HEREBY
CERTIFY THAT THE ABOVE PLAT REPRESENTS A
SURVEY AS MADE ON THE GROUND UNDER MY SUPERVISION,
THAT THERE ARE NO VISIBLE ENCROACHMENTS, NOR VISIBLE
AND APPARENT EASEMENTS AT THE TIME OF SURVEY EXCEPT
AS SHOWN AND BY GRAPHIC PLOTTING ONLY THIS PROPERTY
LIES IN FLOOD ZONE "B" (AREAS BETWEEN LIMITS OF THE 100
YEAR FLOOD AND 500-YEAR FLOOD; OR CERTAIN AREAS SUBJECT
TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE
FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS
THAN ONE SQUARE MILE; OR AREAS PROTECTED BY LEVEES
FROM THE BASEFLOOD OF FIRM COMMUNITY PANEL No.
480334 0425 C, DATED NOVEMBER 16, 1992.

Reynaldo Robles
REYNALDO ROBLES, R.P.L.S. #4032

PREPARED FOR: CRUZ-HOGAN

RA ROBLES &
ASSOCIATES, PLLC

PROFESSIONAL LAND SURVEYORS

P.O. BOX 476
107 W. HUISACHE ST.
WESLACO, TEXAS 78596

PHONE (956) 969-2422
FAX (956) 969-2011
FIRM No. 10096700

SURVEYED: 7-27-2021

DRAWN BY: RR/8-05-2021

SCALE: 1"=300'

JOB No. 20805A

TITLE
COMMITMENT No. 2009872

REVISED:

SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL
EMBOSSED SEAL OF SURVEYOR OF RECORD.

COPYRIGHT 2021

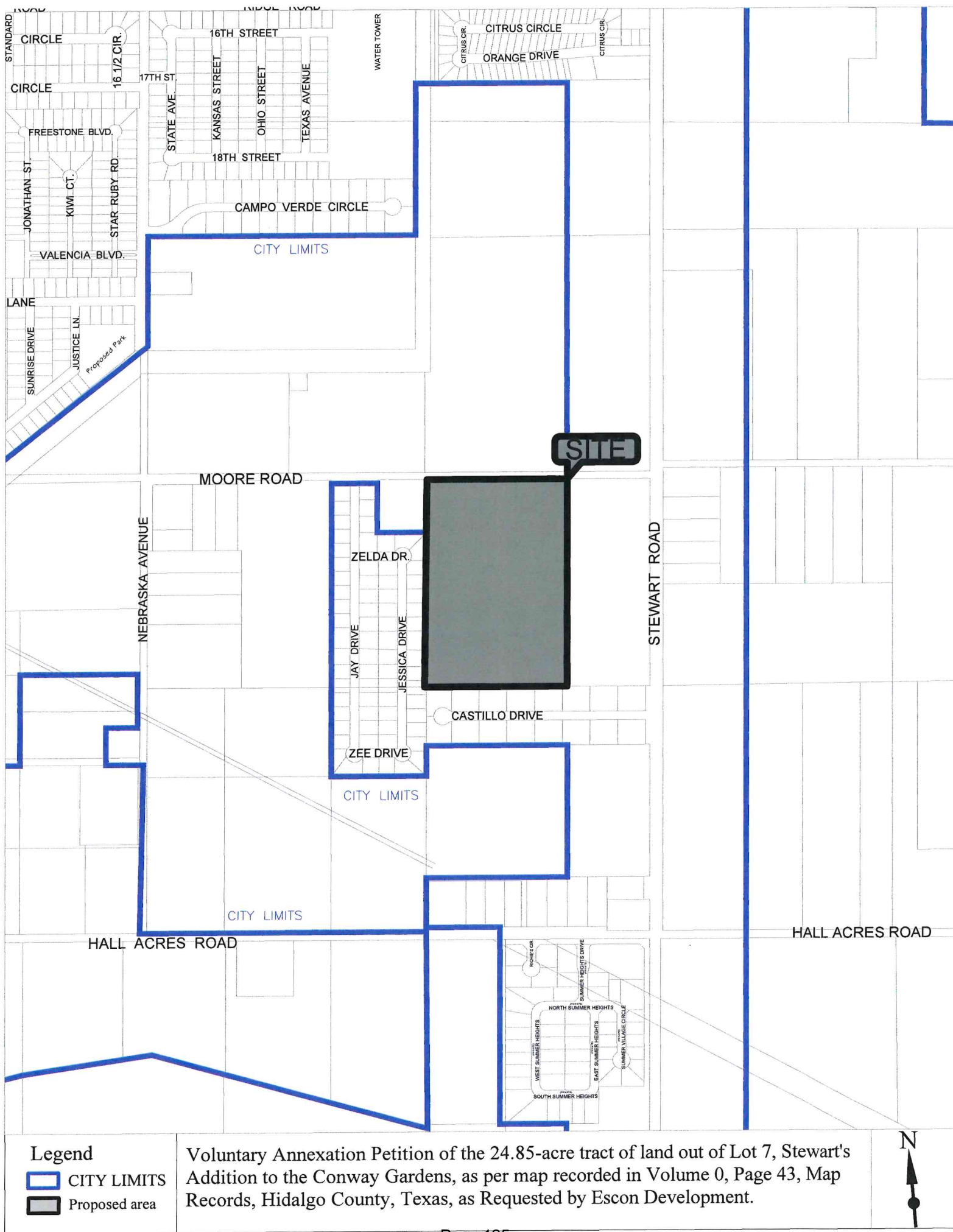


EXHIBIT C

ANNEXATION MUNICIPAL SERVICE PLAN AGREEMENT

POLICE

Existing Services: None by the City of San Juan

Services to be provided: Currently, the area is under the jurisdiction of the Hidalgo County Sheriff's Office. However, upon annexation, the City of San Juan Police Department will extend regular and routine patrols to the area. It is anticipated that the implementation of police patrol activities can be effectively accommodated within the current budget and staff appropriation.

FIRE PROTECTION & AMBULANCE SERVICE

Existing Services: None by the City of San Juan

Services to be provided: Fire protection will be available to the area upon annexation. Primary fire response will be provided by the San Juan Fire Department staff and personnel located at 709 S. Nebraska Avenue, San Juan, Texas and 2301 N. Raul Longoria Road, San Juan, Texas. Adequate fire protection activities can be afforded to the annexed area within current budget appropriation. Fire prevention activities will be provided by the Fire Inspector's office as needed. Ambulance service will be provided with response to all dispatched calls and request for service on assistance within the newly annexed areas.

BUILDING INSPECTION & CODE ENFORCEMENT DIVISION

Existing Services: None by the City of San Juan

Services to be provided: The Building Inspection Department will provide Code Enforcement Services upon annexation. This includes issuing building, electrical and plumbing permit for any new construction and remodeling, and enforcing all other applicable codes with regulated building construction within the City of San Juan.

PLANNING AND ZONING

Existing Services: None by the City of San Juan

Services to be provided: The Planning and Zoning Department's responsibility for regulating development and land use through the administration of the City of San Juan Zoning Ordinance will extend to this area on the effective date of the annexation. The property will also continue to be regulated under the requirements of the City of San Juan Subdivision Ordinance. These services can be provided within the department's current budget.

LIBRARY

Existing Services: Areas are currently being serviced by the City of San Juan.

Services to be provided: Library use privileges are currently available to anyone residing in this area. These privileges can be provided within the current budget appropriation.

The San Juan Memorial Library serves as a community resource to the citizens of San Juan and surrounding communities. The library has a collection of over 34,000 books along with a variety of DVD movies available for check out. We also provide fifty personal computers with internet access as well as MS Office and four children's computers with many fun and educational programs.

STREET

Existing Services: County Street Maintenance

Services to be provided: Maintenance to the street facilities will be provided by the City of San Juan upon the effective date of the annexation. This service can be provided within the current budget appropriation. For streets that will require major improvements the service plan will address those concerns within two and a half (2 ½) years and complete the work within four and a half (4 ½) years.

STORM WATER MANAGEMENT

Existing Services: None by the City of San Juan

Services to be provided: For new areas to be developed, developers will provide storm water drainage at their own expense and will be inspected by the City Engineers at time of completions. The City of San Juan will then maintain the drainage upon approval. For existing development the City will conduct public awareness and education activities on **Storm Water Management Plan** (MS4 Permit) and the **Clean Water Act**.

STREET LIGHTING

Existing Services: None by the City of San Juan

Services to be provided: The City of San Juan will coordinate any request for improved street lighting with the local electric provider in accordance with standard policy. The city will be installing additional street lighting in areas that are below standards.

TRAFFIC ENGINEERING

Existing Services: None by the City of San Juan

Services to be provided: The City Engineer will work with Texas Department of Transportation (TxDOT) to provide, after the effective date of annexation, any additional traffic control devices, such as traffic lights and stop signs to improve the safety of traffic in the area.

WATER SERVICE

Existing Services: Areas are currently being serviced by the Military Highway Water Supply Corporation.

Services to be provided: Water service is currently provided to the area in accordance with the applicable codes and department policy. When other property develops in the adjacent area, water service shall be provided in accordance with extension ordinance. Extension of service shall comply with City codes and ordinances.

SANITARY SEWER SERVICES

Existing Services: Sewer services currently being provided by on site sewer facilities (OSSF).

Service to be provided: Sanitary sewer service to the area of proposed annexation will be provided in accordance with applicable codes and departmental policy. When property develops in the adjacent areas, sanitary sewer service shall be provided in accordance with the present extension ordinance. Extension of service shall be provided in accordance with the present extension ordinance. Extension of service shall comply with applicable codes and ordinances.

SOLID WASTE SERVICE

Existing Services: None

Service to be provided: Solid Waste Collection shall be provided to the area of annexation in accordance with the present ordinance. Service shall comply with existing City policies, beginning with occupancy of structures. Such Service will be required no later than expiration of any current contract citizen has in effect at the time of annexation.

MISCELLANEOUS

All other applicable municipal services will be provided to the area in accordance with the City of San Juan established policies governing extension of municipal services to newly annexed areas.

Furthermore, the City of San Juan, Texas, finds and determines the rural nature of the area is characteristically different from other more highly developed areas within the corporate limits of the City of San Juan, Texas. Consequently, because of the differing characteristics of topography, land utilization and population density, the service levels which may ultimately be provided in the newly annexed area may differ somewhat from series provided in other areas of the City of San Juan, Texas. These differences are specifically dictated because of differing characteristics of the property and the City of San Juan, Texas, will undertake to perform consistent with the contract so as to provide this newly annexed area the same type, kind and quality of service presently enjoyed by the citizens of the City of San Juan, Texas, who reside in areas of similar topography, land utilization and population.

Legal Description: Being a 24.85-acre tract of land out of Lot 7, Stewart's Addition to the Conway Gardens Subdivision, as per Volume 0, Page 43, Map Records of Hidalgo County, Texas.

EXECUTED this _____ day of _____, A.D. 2021.

ESCON Development
Jonathan Arthur
5319 S. McColl Road
Edinburg, TX 78539

Acknowledgment

STATE OF TEXAS §

COUNTY OF HIDALGO §

This instrument was acknowledged before me on the _____ day of _____, 2021.

Notary Public – State of Texas

Accepted by:

CITY OF SAN JUAN

By: _____
Benjamin Arjona, City Manager

Approved as to form:

By: _____
City Attorney



ORDINANCE NO.

AN ORDINANCE PROVIDING FOR THE EXTENSION ON CERTAIN BOUNDARY LIMITS OF THE CITY OF SAN JUAN, TEXAS; AND THE VOLUNTARY ANNEXATION OF A 24.85-ACRE TRACT OF LAND OUT OF LOT 7, STEWARTS ADDITION TO CONWAY GARDENS SUBDIVISION, AS PER VOLUME 0, PAGES 43, MAP RECORDS OF HIDALGO COUNTY, TEXAS, AND ACCORDING TO WARRANTY DEED RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 3231259, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.

WHEREAS, Section 43.067 of the Texas Local Government Code provides for an alternate to the standard annexation proceedings where the property owner petitions for annexation; and

WHEREAS, the City Commission of the City of San Juan has decided to extend the corporate limits to include tracts of land adjacent to our present corporate limits as shown in **Exhibit "A"**; and

WHEREAS, the hereinafter described territory lies within the extraterritorial of the City of San Juan, Texas; and

WHEREAS, the territory hereinafter described contains approximately **24.85** acres of land; and

WHEREAS, a notice of the City of San Juan proposed annexation was published in a newspaper having general circulation in the City of San Juan, Texas on December 29, 2021 and January 25, 2021 and was published between 11th day and 20th day before the public hearing dates; and

WHEREAS, the first public hearing was held at 6:00 pm on January 11, 2022 at the San Juan Memorial Library, located at 1010 S. Standard Avenue, in San Juan, Texas and second public hearing was held at 6:00 pm on February 8, 2022 at San Juan Memorial Library, located at 1010 S. Standard Avenue, in San Juan, Texas so that all interested parties were provided the opportunity to be heard regarding the proposed annexation of those tracts hereinafter described; and

WHEREAS, the enclosed municipal service plan for the proposed annexation was available for public inspection and explained in response to questions asked; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF SAN JUAN, THAT;

Exhibit "B"

SECTION I: The following described in **Exhibit "B"** land and territory adjacent to and adjoining the City of San Juan, Texas is hereby added and annexed to the City of San Juan, Texas, and the property herein described is altered and amended so as to include such areas within the corporate limits of the City of San Juan. The description of the property to be annexed is as follows:

Being 24.85 acres of land situated in Hidalgo County, Texas, and being out of Lot 7, Stewart's Addition to Conway Gardens Subdivision, per map recorded in Volume 0, Page 43, Hidalgo County Map Records, and said 24.85 acre tract being more particularly described by metes and bounds as follows;

BEGINNING at a nail found for the northwest corner of said Lot 7 and the northwest corner of said tract herein described;

THENCE, South 81°26'18" East, 820.00 feet, with the north line of said Lot 7, the south line of Lot 6, and the centerline of Moore Road to point for the northeast corner of said tract herein described.

THENCE, South 8°36'24" West, with a line a that is parallel to the east line of said Lot 7, at a distance of 20.00 feet pass the south right of way line of said Moore Road and continuing for a total distance of 1319.84 feet to a point for the southeast corner of said tract herein described;

THENCE, North 81°26'12" West, 820.06 feet, with the south line of said Lot 7, the north line of Castillo Subdivision as per map recorded in Volume 40, Page 114, Hidalgo county Map Records to a 1/2-inch iron rod found for the southwest corner of said Lot 7 and the southwest corner of said tract herein described;

THENCE, North 8°36'24" East, with the west line of said Lot 7, at a distance of 1299.82 feet pass a 1/2-inch iron rod with a plastic cap found for reference on the south right of way line of said Moore Road and continuing for a total distance of 1319.82 feet (map 1320.00 feet) to the POINT OF BEGINNING and containing 24.85 acres of land more or less.

SECTION II: The service plan attached to this ordinance as **Exhibit "C"** and being the same service plan presented at the public hearing held regarding this annexation, is hereby approved by the City Commission of the City of San Juan, Texas provided that's such service plan may be amended or repealed in accordance with Section 43.0672 of the Local Government Code, when in the opinion of the City Commission, changed conditions or subsequent occurrences make the plan unworkable or obsolete.

SECTION III: The herein above described property and the area so annexed shall be a part of the City of San Juan, Texas and the property so added hereby shall bear its pro rata share of taxes levied by the City of San Juan, Texas, and inhabitants thereof shall be entitled to all of the rights and privileges of the citizens of San Juan, Texas, in areas having similar characteristics of topography, land utilization and population density, and shall be bound by the acts ordinances, resolutions and regulations of the City of San Juan, Texas.

SECTION IV: The zoning of the property shall be classified as Single-Family Residence District (R-S).

SECTION V: Upon annexation of the herein above described property, the acreage within the city limits of San Juan after annexation will be increased in an amount which does not exceed the statutory limitation as set out in Chapter 43 of the Texas Local Government Code.

SECTION VI: Upon the approval of the second and final reading hereof, the City Secretary of the City of San Juan is hereby authorized and directed to cause a true and correct copy of the caption of this ordinance, including the general description of the property annexed to be published in a newspaper of general circulation in San Juan, Texas.

SECTION VII: If any part, phrase or sentence of this Ordinance is held void or unconstitutional by a Court or competent jurisdiction, or if any tract of land or portion of any tract of land hereby annexed shall be held to be ineligible for annexation or wrongfully annexed, the remaining portions of this Ordinance and the remaining tracts so annexed shall be considered severable and shall remain in full force and effect.

SECTION VIII: In accomplishing the annexation of the territory annexed by this Ordinance, the City of San Juan has strictly followed the provisions of State Law and the cases as they apply to annexations and any possible deviation from special provisions was unintentional and not material to the accomplishment of this annexation.

PASSED and APPROVED on first reading on the 8th day of March, 2022.

PASSED and APPROVED on second reading on the ____ day of _____, 2022.

CITY OF SAN JUAN

MARIO GARZA, Mayor

ATTEST:

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

BRENDA ESCALANTE,
Interim City Secretary

City Attorney

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
MARCH 8, 2022

Hold a Public Hearing for a Conditional Use Permit to Allow Enterprise Car Sales and Rent-A-Car at 701 E. IH 2, legally described as the South 753.40 feet of the East 330 feet of the West 660 feet of Lot 7, Block 35, Alamo Land and Sugar Company, as Requested by Ples E. Schnitz.

STAFF COMMENTS AND RECOMMENDATIONS:

The applicant is requesting a Conditional Use Permit to allow Enterprise Car Sales and Rent-A-Car at the Expressway Corridor District area. The property is located in between the Jaguar/Land Rover Dealership and Gilsa. The applicant is proposing a 9,679 square feet building with entrance/exit along Frontage Road. They are proposing to sell used vehicles, car rentals, box truck rentals, car and truck wash building, fueling station and office. (See attached site plan) A subdivision plat will be required in order to do any improvements to the property.

The following is a list of requirements:

1. All service, repair, maintenance, painting, and other work shall take place within an enclosed area;
2. There shall be no outside storage of materials;
3. All new buildings and all conversions of existing buildings to such uses shall meet current building and fire code requirements in terms of separation of high hazard uses from other occupancy use classifications, etc.
4. Owner agrees to pay an annual fee to the City of San Juan to maintain conditional and occupational use permit.
5. The business must comply with the city's noise ordinance.
6. The business must comply with the City's Security Cameras Ordinance.

Staff mailed a notice of the public hearing before the Planning and Zoning Commission to sixteen (16) property owners within a two hundred (200) foot radius and received no comments in favor or against the request.

RECOMMENDATION:

Staff recommends approval subject to compliance with the requirements outlined in the attached report.

PREPARED BY:

Daniel Tijerina,
Planning Director

APPROVED BY:

Benjamin Arjona, City
Manager

MEETING DATES:
PLANNING AND ZONING COMMISSION – 03/03/2022
CITY COMMISSION – 03/08/2022
DATE PREPARED – 02/25/2022

PAGE 1

STAFF REPORT
GENERAL INFORMATION

APPLICATION:	Conditional Use Permit to allow Enterprise Car Sales and Rent-A-Car
APPLICANT:	Ples E. Schnitz
SURVEYOR/ENGINEER:	N/A
LEGAL:	The South 753.40 feet of the East 330 feet of the West 660 feet of Lot 7, Block 35, Alamo Land and Sugar Company
LOCATION:	701 E. IH 2
EXISTING LAND USE/ ADJACENT ZONING:	<i>North</i> – Commercial; Expressway Corridor District (EC) <i>South</i> – Residential; Single-Family Residence District (R-S) <i>East</i> – Commercial; Expressway Corridor District (EC) <i>West</i> – Commercial; Expressway Corridor District (EC)
ACCESS AND CIRCULATION:	This property has access onto Frontage Road.
PUBLIC SERVICES:	Water and sewer services are provided by the City of San Juan.
RECOMMENDATION:	Staff recommends approval subject to compliance with the requirements outlined in the attached report.

EVALUATION AND CONDITIONS FOR APPROVAL

The applicant is requesting a Conditional Use Permit to allow Enterprise Car Sales and Rent-A-Car at the Expressway Corridor District area. The property is located in between the Jaguar/Land Rover Dealership and Gilsa. The applicant is proposing a 9,679 square feet building with entrance/exit along Frontage Road. They are proposing to sell used vehicles, car rentals, box truck rentals, car and truck wash building, fueling station and office. (See attached site plan) A subdivision plat will be required in order to do any improvements to the property.

The following is a list of requirements:

1. All service, repair, maintenance, painting, and other work shall take place within an enclosed area;
2. There shall be no outside storage of materials;
3. All new buildings and all conversions of existing buildings to such uses shall meet current building and fire code requirements in terms of separation of high hazard uses from other occupancy use classifications, etc.
4. Owner agrees to pay an annual fee to the City of San Juan to maintain conditional and occupational use permit.
5. The business must comply with the city’s noise ordinance.
6. The business must comply with the City’s Security Cameras Ordinance.

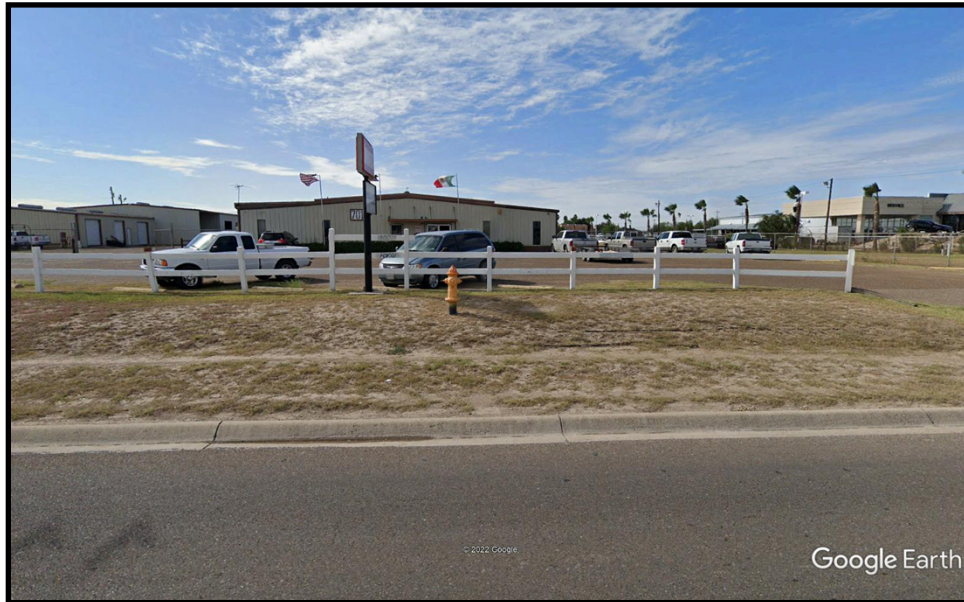
The proposed operation hours are the following:

Used Car Sales	Monday - Saturday 9:00 am to 8:00 pm
Car Rentals	Monday - Friday 7:30 am to 6:00 pm
	Saturday – Sunday 8:00 am to 5:00 pm
Van/Pick –up Rentals	Monday – Friday 7:30 am to 6:00 pm
	Saturday – Sunday 8:00 am to 5:00 pm
Box Truck Rentals	Monday – Friday 7:00 am to 5:30 pm
	Saturday 9:00 am to 1:00 pm
Wash Facility	Will be open during the above operation hours

Staff mailed a notice of the public hearing before the Planning and Zoning Commission to sixteen (16) property owners within a two hundred (200) foot radius and received no comments in favor or against the request.

ATTACHMENTS:

Location Map
Aerial Photo
Zoning Map
Letter from the applicant
Affidavit with operation hours
Site Plan
List of neighboring property owners receiving notice



Proposed Site



ORDINANCE NO. 2021-45

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO ALLOW ENTERPRISE CAR SALES AND RENT-A-CAR AT 701 E. IH 2, LEGALLY DESCRIBED AS THE SOUTH 753.40 FEET OF THE EAST 330 FEET OF THE WEST 660 FEET OF LOT 7, BLOCK 35, ALAMO LAND AND SUGAR COMPANY, 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, Ples E. Schnitz has applied for a Conditional Use Permit under Article IV; of the Zoning Ordinance of the City of San Juan to allow Enterprise Car Sales and Rent-A-Car.

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 Ples E. Schnitz that has applied for a Conditional Use Permit to allow "Enterprise" Car Sales and Rent-A-Car at 701 E. IH 2, subject to the following conditions:

1. All service, repair, maintenance, painting, and other work shall take place within an enclosed area;
2. There shall be no outside storage of materials;
3. All new buildings and all conversions of existing buildings to such uses shall meet current building and fire code requirements in terms of separation of high hazard uses from other occupancy use classifications, etc.
4. Owner agrees to pay an annual fee to the City of San Juan to maintain conditional and occupational use permit.
5. The business must comply with the city's noise ordinance.
6. The business must comply with the City's Security Cameras Ordinance.

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 8th day of March, 2022.

PASSED and **APPROVED** on second and final reading on the _____ day of _____, 2022.

CITY OF SAN JUAN

MARIO GARZA, MAYOR

ATTEST:

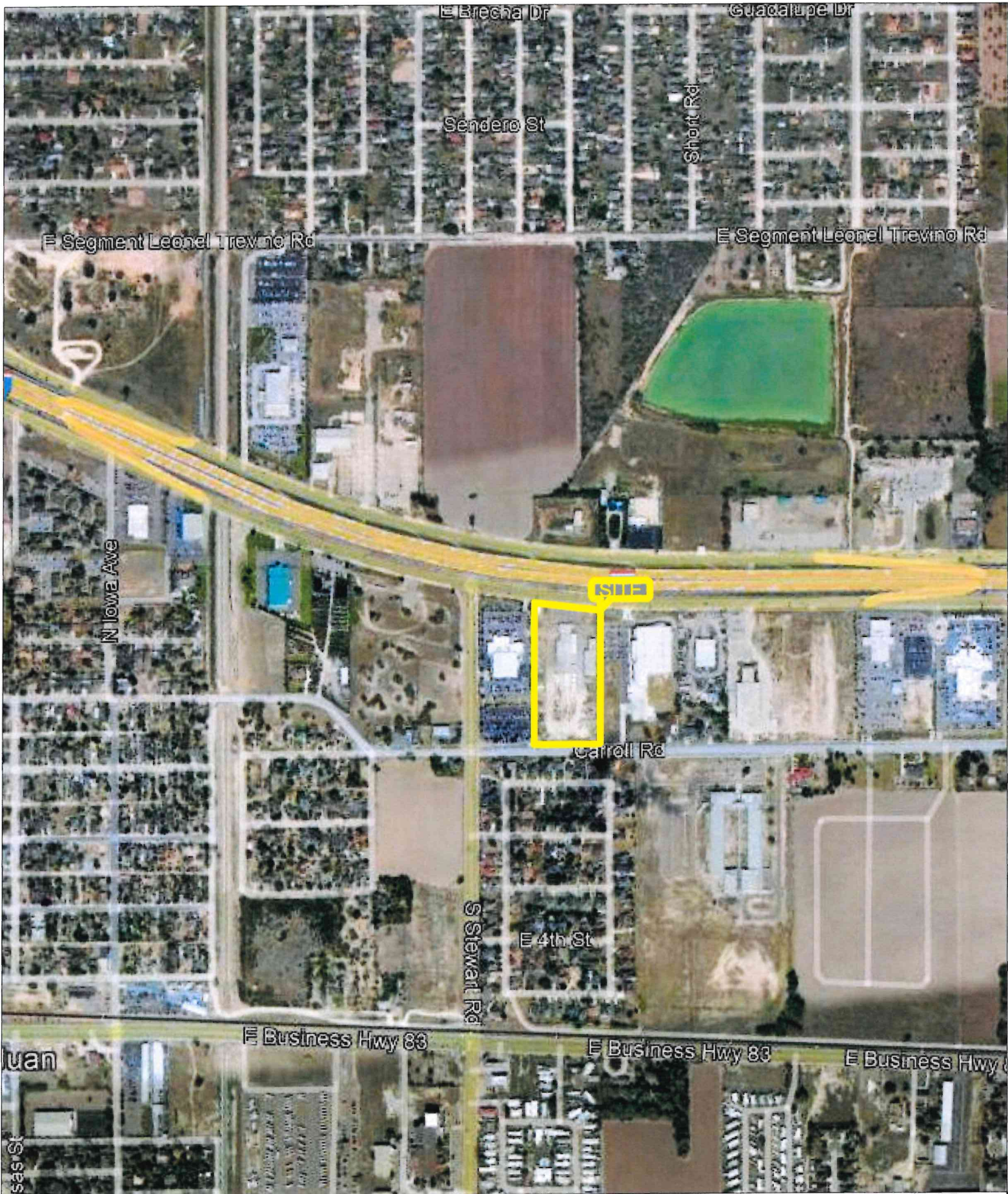
APPROVED BY:

Palacios, Garza & Thompson, P.C.

BRENDA ESCALANTE
INTERIM CITY SECRETARY

CITY ATTORNEY



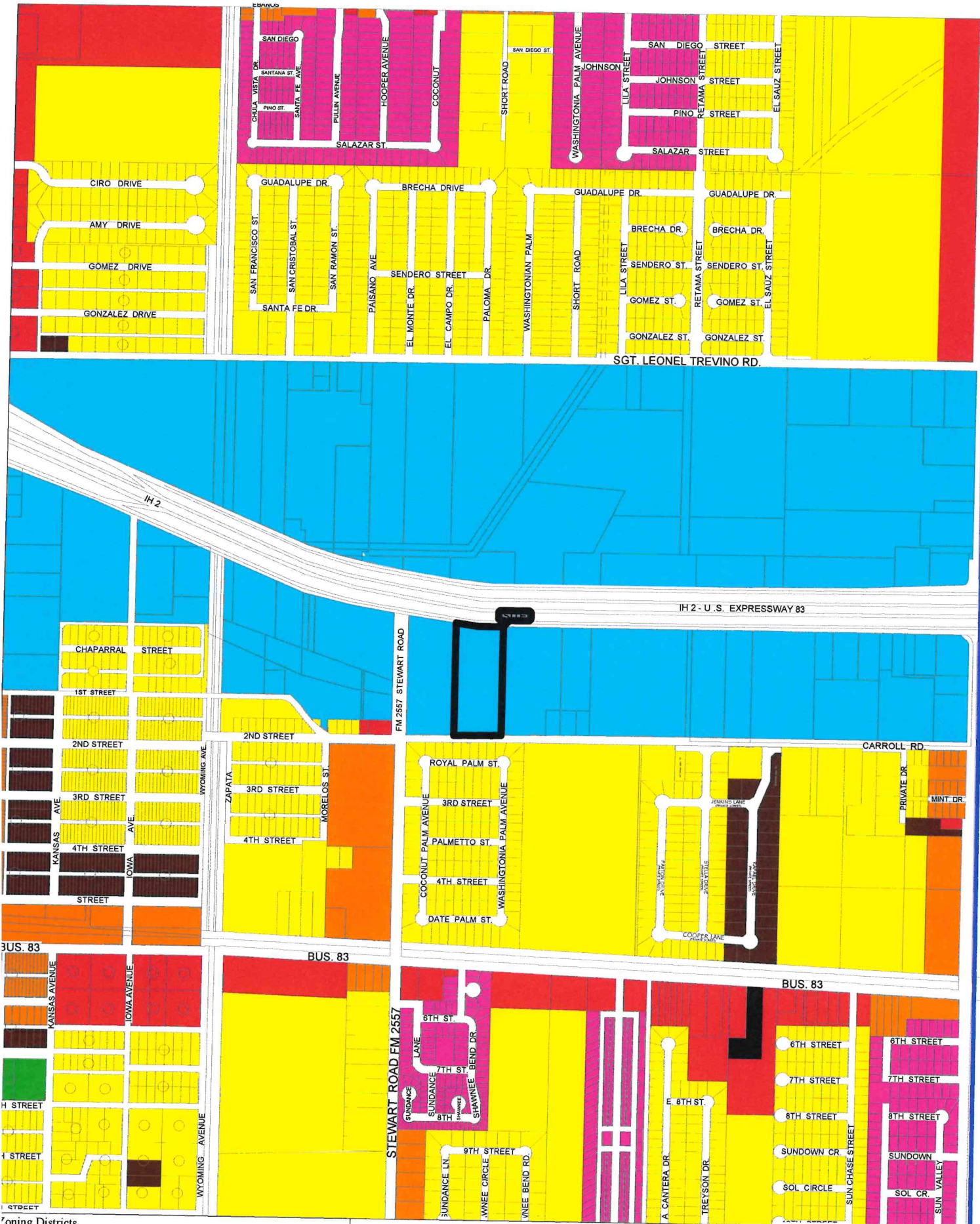


Legend

- CITY LIMITS
- Proposed area

Conditional Use Permit to Allow Enterprise Car Sales and Rent-A-Car at 701 E. IH 2, legally described as the South 753.40 feet of the East 330 feet of the West 660 feet of Lot 7, Block 35, Alamo Land Sugar Company, as Requested by Ples E. Shnitz.





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 to Allow Enterprise Car Sales and Rent-A-Car at 701 E. IH 2, legally described as the South 753.40 feet of the East 330 feet of the West 660 feet of Lot 7, Block 35, Alamo Land Sugar Company, as Requested by Ples E. Shnitz.



STATEMENT OF INTENT

ARCHITECTURE &

15 February, 2022

Planning & Development
 City San Juan, Texas
 709 S. Nebraska Ave.
 San Juan, Texas 78589

INTERIOR DESIGN

re: Enterprise C.U.P. application
 701 E. I-2, San Juan, Texas

Ms. Monica Gomez:

Enterprise has entered into a purchase agreement for the above referenced site with a due diligence period to allow them to verify that the site may be used for their intended purposes. Appendix "A", Section 11.04 "Zoning Use Chart" of the San Juan UDC, EC (Expressway Corridor zoning) requires all uses Enterprise is contemplating to operate under a Conditional Use Permit and Enterprise must be assured that the uses will be permitted under a CUP before they can move forward with the purchase. The business intent is as follows:



11700 PRESTON ROAD
 SUITES 660-639

DALLAS, TX 75230

Phone: 972.741.4200

Fax: email

Email: ples.schnitz@akstexas.com

1. Enterprise will be completely razing the property and the facility will be all new construction
2. USED CAR SALES: Enterprise rotates newly purchased cars out of the rental cycle every two to three years and it keeps the best of those cars for sale by the company, wholesaling the less desirable cars. All cars will be late models, in excellent condition and carry limited warranties. They will also only be cars that Enterprise has been maintaining. As the attached plan shows there are 133 spaces dedicated to car sales inventory.
3. CAR, VAN, PICKUP RENTALS: In addition to used car sales, Enterprise will operate its daily rentals branch for this area leasing cars, vans and pickup trucks on a daily rental basis. There are reserved area to either park or stack 239 vehicles for this business line.
4. BOX TRUCK RENTALS: Enterprise leases small to medium box trucks on a daily basis for DIY movers and on a monthly basis for fleet users. This site will have an inventory of 29 box trucks for this purpose.
5. CAR AND TRUCK WASH BUILDING (ACCESSORY BLDG.): The wash building indicated on the plan is for the proprietary use of Enterprise personnel to provide the required cleaning and sanitizing for returned rental vehicles before they are allowed to be placed back into service. This is not a public car wash facility.
6. FUELING STATION (ACCESSORY): The fueling station indicated immediately behind the wash facility is a combined 2,000 gallon diesel and 4,000 gallon gasoline fueling system for rental cars and trucks. It will be an above ground UL 2085 self-containment and puncture resistant tank with all required UL and NFPA safety devices.
7. MISCELLANEOUS OFFICE SPACE: In addition to personnel for the business lines stated above there is a small administration area planned for three people and a small training room for twenty to support training and vendor presentations. General parking for the building and guests is 51 as required by the San Juan UDC.

8. Enterprise and ALEXANDER+KIENAST+SCHNITZ, LLC, along with its engineers, will comply with all other ordinances relative to the development of the property as outlined in the UDC and any reasonable modification of those requested by the City of San Juan.

Please call me if you have any questions regarding this Statement of Intent or regarding any of the other attached items to the application.

Sincerely,

Ples E Schnitz Digitally signed by Ples E Schnitz
Date: 2022.02.14 15:40:02 -06'00'

Ples E Schnitz, President and Principal

AFFIDAVIT OF HOURS OF OPERATION

STATE OF TEXAS §
 §
COUNTY OF HIDALGO §

I, Steven A. Overgaard, on behalf of Enterprise Holdings, Inc., make this affidavit and hereby on oath state the following:

Enterprise is seeking a Conditional Use Permit, as required under the Expressway Corridor (EC) zoning of the San Juan UDC, to allow used car sales, car, van and pick-up rentals as well as box truck rentals at a proposed new facility located at 701 Interstate 2, San Juan, Texas 78589. This facility will also include a non-public car and truck wash facility to support sales and rental activities as an accessory use.

The established hours of operation for the various business lines stated above are as follows:

Used car sales	9:00 AM	to	8:00 PM	Monday-Saturday
Car Rentals	7:30 AM	to	6:00 PM	Monday-Friday
	8:00 AM	to	5:00 PM	Saturday-Sunday
Van/pick-up Rentals	7:30 AM	to	6:00 PM	Monday-Friday
	8:00 AM	to	5:00 PM	Saturday-Sunday
Box truck rentals	7:00 AM	to	5:30 PM	Monday-Friday
	9:00 AM	to	1:00 PM	Saturday
Wash facility	will be open during the above stated hours of operation.			

Signed this 9th day of February, 2022

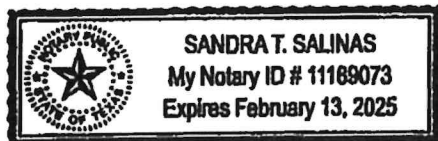


Signature of Affiant

Steven A. Overgaard, Group Property Development
& Facility Management, Enterprise Holdings, Inc.

BEFORE ME, the undersigned authority, this day personally appeared Steven Overgaard and by oath affirmed that the facts herein stated are true and correct.

SWORN TO AND SUBSCRIBED BEFORE ME on this 9 day of February, 2022





Notary Public in and for the State of Texas
February 13, 2025
My commission expires



ENTERPRISE CAR SALES & RENT-A-CAR

701 I-2

SAN JUAN, TEXAS, 78589

CONDITIONAL USE PERMIT APPLICATION

ARCHITECT



ALEXANDER
KIENAST
SCHNITZ

ALEXANDER + KIENAST + SCHNITZ

ARCHITECTURE & INTERIOR DESIGN
13401 PRESTON ROAD SUITE 101 WEST DALLAS, TX 75240
P: 772.741.4200 F: 772.414.0000 E: alex@akschultz.com



MAY TAMI RAMIREZ ENGINEERS, LLC
1177 CONCORDIA DRIVE, SUITE 100
HOUSTON, TEXAS 77057
P: 281.333.1100 F: 281.333.1101
MAYTAMI@MTR-LLC.COM



JAMES F. TURNER ENGINEERS, LP
Consulting Engineers
19355 Gleneagle Drive, Suite 200
San Antonio, TX 78258
P: 214.725.0200 F: 214.725.0200

CONSULTANTS

PROJECT INFORMATION

ENTERPRISE CAR SALES AND RENT-A-CAR
701 I-2 (US 83)
SAN JUAN, TEXAS 78589

C.U.P APPLICATION REVIEW-CITY OF
SAN JUAN, TEXAS

Project Number: 3118
Date: 2022.02.15
Revised:

[illegible]

IF.1 THERE ARE NO EXISTING TREES ON SITE.

Conditional Use Permit to allow Enterprise Car Sales and Rent-A-Car at 701 E. IH 2, legally described as the South 753.40 feet of the East 330 feet of the West 660 feet of Lot 7, Block 35, Alamo Land and Sugar Company, as Requested by Ples E. Schnitz.

Ples E. Schnitz
11700 Preston Rd. Suite 660-639
Dallas, TX 75230

Garza, Belisario and Aida
615 Royal Palm St.
San Juan, TX 78589

HI-TECH Irrigation Inc.
P.O. Box 146
San Juan, TX 78589

Banuelos, Jorge and Zenaida
3824 Mclean Rd.
Baytown, TX 77521

DJP III LLC.
Attn: Ronald Heller
312 Pearl Parkway #4113
San Antonio, TX 78215

Salinas, Elida
619 Royal Palm St.
San Juan, TX 78589

Galvan, Alejandra
110 Sylvia Circle
San Juan, TX 78589

Sanchez, Alan and Tatiana E.
Palacios
621 Royal Palm St.
San Juan, TX 78589

Reyes, Jose A. de Leon & Magda
603 Royal Palm St.
San Juan, TX 78589

Elder Gene I III and Brenda Darlen
Burleson
201 Washingtonia Palm Ave.
San Juan, TX 78589

Cruz, Cynthia and Victor Cruz
605 Royal Palm St.
San Juan, TX 78589

Morelos, Federico
203 Washingtonia Palm Ave.
San Juan, TX 78589

Sanchez, Joaquin
607 Royal Palm St.
San Juan, TX 78589

Rodriguez, Jaime J. Maria T.
609 Royal Palm St.
San Juan, TX 78589

Garza, Edward
611 Royal Palm St.
San Juan, TX 78589

Flores, Sergio and Nora E.
613 Royal Palm St.
San Juan, TX 78589

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
MARCH 8, 2022

Discussion and Possible Action to Authorize the City Manager to Declare a 2001 Ford Crown Victoria and 2010 Chevrolet Malibu as Surplus and for Final Disposal for Auction.

STAFF COMMENTS AND RECOMMENDATIONS:

Staff is recommending the following fixed assets in the Department to be declared Suplus/Salvage for Final Disposal at Auction or Salvage.

- Unit #132 - 2001 Ford LTD Crown Victoria 2FAFP71W91X122009
- Unit #148 - 2010 Chevrolet Malibu 1G1ZB5EB4AF159278

RECOMMENDATION:

Staff recommends approval.

PREPARED BY:

Brenda Escalante,
Aide

APPROVED BY:

Benjamin Arjona, City
Manager

ASSESTS ADDED/DELETED/TRANSFER TO INSURANCE

PLANNING

AUTOMOBILE

											UPDATED 1/11/22	
DEPARTMENT	EFFECTIVE DATE	ADD	DELETE	TRANSFER	TRANSFER TO	YEAR	MAKE	MODEL	VIN NUMBER	TAG ID	COST	TML ID#
Community Development						2005	Ford	F150 1/2T	1FTRF12W25NA96205	Null		Auto - ID#13
Community Development						2001	Ford	LTD Crown Victoria	2FAFP71W91X122009	Null		Auto - ID#132
Community Development Association						2001	Ford	F150 1/2T	1FTPF17W12NA68075	Insp. Dept.		Auto - ID#4
Community Development						2005	Ford	Ranger 1/2T	1FTYR10U25PA87190	Null		Auto - ID#18
Planning	11/19/2020	X				2021	Chevrolet	Silverado 2WD Crew Cab	1GCPWAEH9MZ101346	5216	\$24,811.20	Auto - ID#221
Planning	11/19/2020	X				2021	Chevrolet	Silverado 2WD Crew Cab	1GCPWAEH6MZ103751	5217	\$24,811.20	Auto - ID#222
Planning						2010	Chevrolet	Malibu	1G1ZB5EB4AF159278	Null		Auto - ID#148
Planning						2014	Chevrolet	Sonic	1G1JC5SH7E4206307	Null		Auto - ID#117
Planning						2012	Chevrolet	Cruze	1G1PC5SH8C7188583	Null		Auto - ID#118
Inspection						2055	Ford	Ranger 1/2T	1FTYR10U75PA58560	Null		Auto - ID#17

MOBILE EQUIPMENT

DEPARTMENT	ADD	DELETE	YEAR	MAKE/MODEL	DESCRIPTION	SERIAL/VIN NUMBER	TAG ID	TML ID #

REAL & PERSONAL PROPERTY

													UPDATED 1/11/2022
DEPARTMENT	ADDRESS	EFFECTIVE DATE	BUILDING VALUE	CONTENT VALUE	ADD	DELETE	TML ID#	TAG NUMBER	SQUARE FT.	YEAR	DESCRIPTION	SERIAL NUMBER	MANUFACTURER

**Planning & Zoning/Animal Control
Inventory of Vehicle**

Unit #	License Plates	Vin# Number	Manufacturer	Model	Milage	Old Unit#
CE 500	887756	1FTRF12W25NA96205	Ford	Ranger	121920	82
CE 501	898005	1FTYR10U25PA87190	Ford	F-150	131574	80
CE 507	1386481	1G1JC5SH7E4206307	Chevy	Sonic	93050	
CE 508	1387992	1G1PC5SH8C7188583	Chevy	Cruze	18683	
CE 509	1428791	1GCPWAEH6MZ103751	Chevy	Silverado-1500	12617	
CE 510	1428793	1GCPWAEH9MZ101346	Chevy	Silverado-1500	12690	
CE 504	1061987	2FAP71W91X122009	Ford	Crown Victoria		85
CE 503	888694	1FTYR10U75PA58560	Ford	Ranger		83
CE 502	1276	1FTRF17W12NA6805	Ford	F-150		81

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
MARCH 8, 2022

Consider Preliminary and Final Plat Approval of La Paloma Subdivision being a 20.83 acre tract of land out of Lot 14, Block 47, Alamo Land and Sugar Company Subdivision, located approximately a quarter of a mile West of Cesar Chavez Road, along the North side of Nolana Avenue, as Requested by Javier Hinojosa Engineering.

STAFF COMMENTS AND RECOMMENDATIONS:

The developer is proposing to subdivide 20.83 acres located approximately a quarter of a mile West of Cesar Chavez Road, along the North side of Nolana Avenue. He is proposing an eighty-seven (87) lot subdivision with six (6) internal streets. The subdivision will have two access existing onto Nolana Avenue. The seven (7) lots facing Nolana Avenue will be for commercial use and the rest of the properties for residential use. The flood zone for this subdivision is "AH", which is considered a flood zone, according to the FEMA Map.

It is noted, that part of the subdivision is located outside the city limits of San Juan, but in the ETJ. A voluntary annexation petition was submitted to the city and staff has initiated the annexation process.

Additional right-of-way shall be dedicated as per city's comprehensive plan, 120 feet of right-of-way along Nolana Avenue.

Water service will be provided by the North Alamo Water Supply Corporation; sewer will be provided by the City of San Juan. Additional fire hydrants shall be located every 300 feet of the existing fire hydrant. Water line shall be looped to the 8-inch water line as per San Juan Fire Department requirements. All entrances/exits must be 26 feet wide.

The project engineer is requesting the following variances:

1. To not comply with the required setbacks, they are proposing 5' side setback for interior lots, 15' rear setback for all lots and 15' front setback for curl de sac lots.
2. To not comply with the 65 feet minimum width lot requirements for corner lots. They are proposing 64 feet.
3. To not comply with the 15 foot utility easement on the rear of all properties. They are proposing a 10 foot.
4. To not comply with the Park Fee. They are requesting to pay 50% during the subdivision phase and 50% at the building permit stage.
5. To not comply with the commercial lot sizes for Lots 1, 2, 41 and 42

RECOMMENDATION:

Staff recommends approval subject to compliance with the list of requirements in the attached report and denial of all variances requested.

PREPARED BY:

Brenda Escalante,
Aide

APPROVED BY:

Benjamin Arjona, City
Manager

MEETING DATES:
PLANNING AND ZONING COMMISSION – 02/03/2022
CITY COMMISSION – 03/08/2022
DATE PREPARED – 03/01/2022

PAGE 1

STAFF REPORT
GENERAL INFORMATION

APPLICATION: Preliminary and Final Plat Approval of La Paloma Subdivision

APPLICANT: AAAR Family, Ltd.

AGENT: Javier Hinojosa Engineering

LEGAL: Being a 20.83 acre tract of land out of Lot 14, Block 47, Alamo Land and Sugar Company Subdivision

LOCATION: The property is located approximately a quarter of a mile West of Cesar Chavez Road, along the North side of Nolana Avenue

LOT/TRACT SIZE: 20.83 acre tract

CURRENT USE OF PROPERTY: Vacant

**EXISTING LAND USE/
ADJACENT ZONING:** North – Outside City Limits
South – Residential; Single-Family Residence District (R-S)
East – Residential; Single-Family Residence District (R-S)
West – Vacant; General Business District (C-2)

PUBLIC SERVICES: Water service will be provided by the North Alamo Water Supply Corporation and sewer by the City of San Juan.

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

1. To not comply with the required setbacks, they are proposing 5' side setback for interior lots, 15' rear setback for all lots and 15' front setback for curl de sac lots.
2. To not comply with the 65 feet minimum width lot requirements for corner lots. They are proposing 64 feet.
3. To not comply with the 15 foot utility easement on the rear of all properties. They are proposing a 10 foot.
4. To not comply with the Park Fee. They are requesting to pay 50% during subdivision process and 50% at building permit stage.
5. To not comply with the commercial lot sizes for Lots 1, 2, 41 and 42.

RECOMMENDATION: Staff recommends approval subject to comply with the list of requirements in the attached report and denial of all variances requested.

EVALUATION AND CONDITIONS FOR APPROVAL

The developer is proposing to subdivide 20.83 acres located approximately a quarter of a mile West of Cesar Chavez Road, along the North side of Nolana Avenue. He is proposing an eighty-seven (87) lot subdivision with six (6) internal streets. The subdivision will have two access roads along Nolana Avenue. The seven (7) lots facing Nolana Avenue will be for commercial use and the rest of the properties for residential use. The flood zone for this subdivision is “AH”, which is considered a flood zone, according to the FEMA Map.

It is noted, that part of the subdivision is located outside the city limits of San Juan, but in the ETJ. A voluntary annexation petition was submitted to the city and staff has initiated the annexation process.

Additional right-of-way shall be dedicated as per city’s comprehensive plan, 120 feet of right-of-way along Nolana Avenue.

Water service will be provided by the North Alamo Water Supply Corporation; sewer will be provided by the City of San Juan. Additional fire hydrants shall be located every 300 feet of the existing fire hydrant. Water line shall be looped to the 8-inch water line as per San Juan Fire Department requirements. All entrance/exit must be a 26 feet wide.

The project engineer is requesting the following variances:

1. To not comply with the required setbacks, they are proposing 5’ side setback for interior lots, 15’ rear setback for all lots and 15’ front setback for curl de sac lots.
2. To not comply with the 65 feet minimum width lot requirements for corner lots. They are proposing 64 feet.
3. To not comply with the 15 foot utility easement on the rear of all properties. They are proposing a 10 foot.
4. To not comply with the Park Fee. They are requesting to pay 50% during subdivision process and 50% at building permit stage.
5. To not comply with the commercial lot sizes for Lots 1, 2, 41 and 42.

Park Fees:

1. \$700.00 per lot being platted for single-family residential purposes.

Additional Fees:

1. \$106.00 Recording Fee
2. \$250.00 Hidalgo County Drainage District Fee
3. 4% Inspection Fee based on cost estimate submitted by project engineer

ATTACHMENTS:

Location Map
Aerial Photo
Zoning Map
Variance Request Letter
Comments from City Engineer, Fire and Utilities Departments
Subdivision Plat

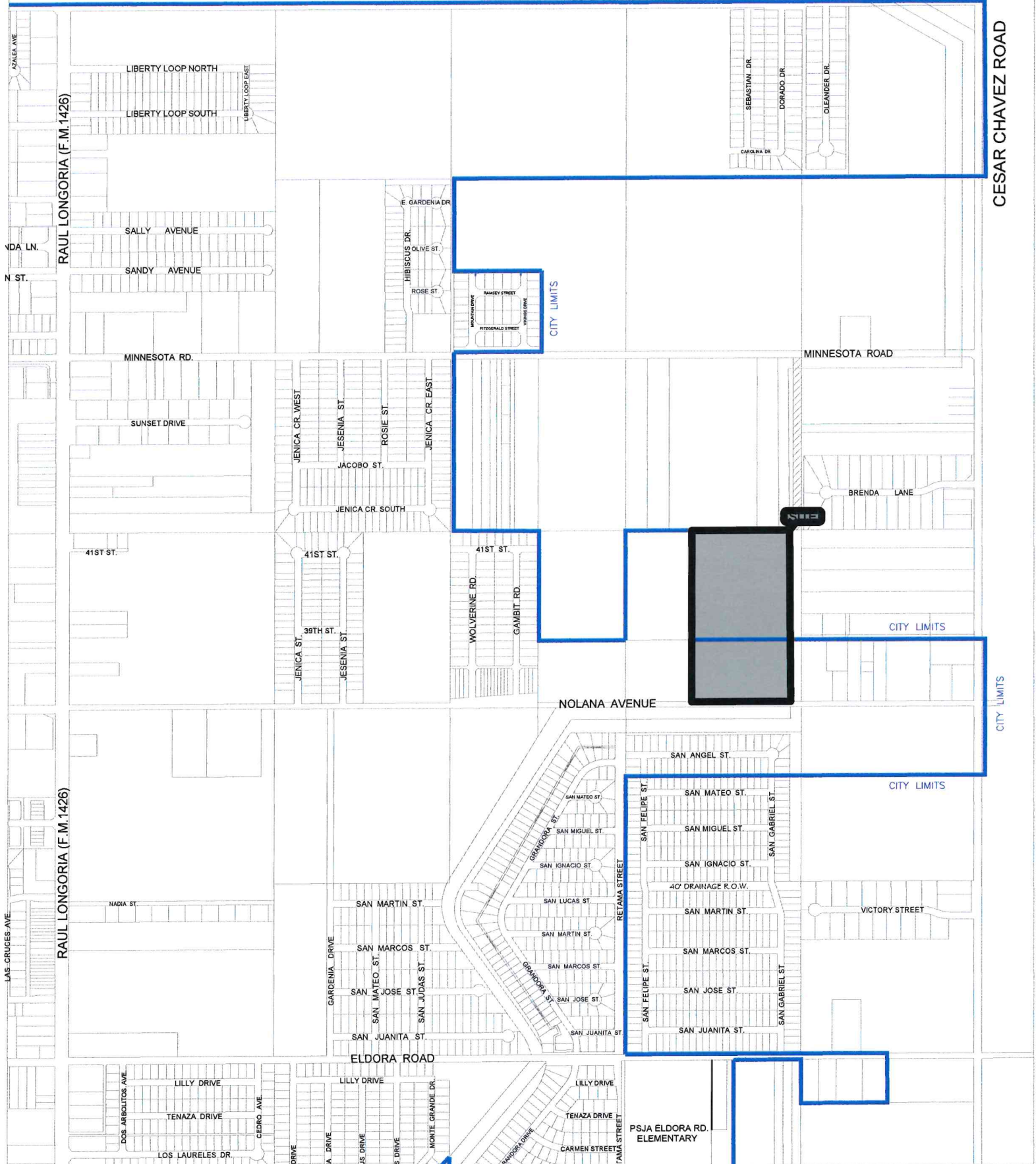


Proposed Site

CITY LIMITS

OWASSA ROAD

CESAR CHAVEZ ROAD



Legend

- CITY LIMITS
- Proposed area

Preliminary and Final Plat Approval of La Paloma Subdivision being a 20.83 acre tract of land out of Lot 14, Block 47, Alamo Land and Sugar Company, as Requested by Javier Hinojosa Engineering.





- Legend
-  CITY LIMITS
 -  Proposed area

Preliminary and Final Plat Approval of La Paloma Subdivision being a 20.83 acre tract of land out of Lot 14, Block 47, Alamo Land and Sugar Company, as Requested by Javier Hinojosa Engineering.





JAVIER HINOJOSA ENGINEERING/Consulting Engineers

416 E. Dove Avenue • McAllen, Texas 78504

Tel: (956) 668-1588

javier@javierhinojosaeng.com

TBPELS FIRM NO. F-1295

December 13, 2021

Ms. Monica Gomez, Planner II
City of San Juan
709 S. Nebraska Ave.
San Juan, TX 78589

Re: La Paloma Subdivision

Dear Ms. Gomez,

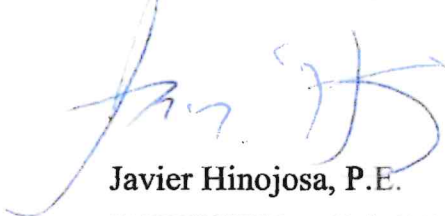
Please accept this letter as our request on behalf of the Developer of the La Paloma Subdivision for the following variance requests:

1. Requesting a 5' side interior setback for all interior lots, 15' rear setback for all lots and a 15' front setback for cul de sac lots.
2. Requesting a variance to the minimum width sizes for the corner lots.
Requesting a lot width of 64' in lieu of 65'.
3. Requesting a 10' utility easements on the rear for all lots.
4. Requesting 50% payment of park fees during subdivision process by Developer and 50% payment at building permit stage.
5. Requesting a variance for commercial lot sizes for Lots 1, 2, 41 and 42.

Please process this variance request as part of the subdivision approval at your earliest convenience. Your assistance in this matter is greatly appreciated. If you have any questions, please feel free to contact me at your convenience.

Sincerely,

JAVIER HINOJOSA ENGINEERING



Javier Hinojosa, P.E.

E:\JHE2021\LETTERS\Gomez-Monica-12-13-21.docx

SAM Engineering and Surveying



Engineering Firm Reg # 10602 Surveying Firm Reg # 101416-00
200 S. 10th Street, Suite 1500, McAllen, Texas 78501 Phone: (956) 702-8880 Fax: (956) 702-8883

December 1, 2021

To: City of San Juan Planning Dept.
Attn: Monica Gomez, Planner II
709 S. Nebraska
San Juan, Texas 78589

Re: La Paloma Subdivision (Preliminary) Review

Ms. Gomez,

We are in receipt of the Subdivision Plat submittals for the La Paloma Subdivision. SAM Engineering & Surveying, in its capacity acting as the City's Engineer for this project, has reviewed the subdivision plat, proposed water and sewer plan, proposed offsite sanitary sewer plan, and paving and drainage for the referenced project. The following are our comments and will need to be addressed before we can recommend approval of this subdivision:

Subdivision Plat

1. Missing name of owner on adjacent tract southwest of property with doc #A1800-00-047-0014-01 (Sec.2.00(a)(5))
2. Adjacent zoning missing on property to west (Sec.2.00(a)(11))
3. Verify that no trees are over eight (8") inches in diameter (Sec.2.00(a)(13))
4. Missing block numbers (Sec.2.00(a)(6)(B))
5. Is this subdivision wholly or partially within the City limits? If partially, please show city limits boundary.
6. Corner lots are shown as 64' wide. Minimum corner lot width for R-S is 65' (Sec.3.00(c)(10))
7. Address park dedication or fees-in-lieu-of requirements as per Sec.3.00(i)
8. Plat certifications are not word for word as noted on Sec.2.00(d)(9) and (10). Verify with city staff if this is acceptable.
9. All corner lots at street intersections shall be corner clipped as per Sec.3.00(c)(10)
10. Note #16 states that no curb cuts, access are permitted along E. Earling Rd. Will there be an access agreement then?
11. As per city's major thoroughfare plan, Nolana is considered a principal arterial roadway with 120' ROW. Verify with city staff if additional right of way dedication is required.
12. Lot #63 is noted twice.
13. Street names will need to be approved by City prior to final approval of plat.
14. As per Sec.3.00(f)(1) and (3), utility easements must be 15 ft. wide.
15. Drainage report not provided to SAMES, Inc., therefore, note #5 could not be verified.

Proposed Water & Sewer Plan (Sheet 3)

1. Lot #17 is missing a water service
2. Easements are not labeled
3. The increased flow demand to be created upon 25 percent, 50 percent, 75 percent and full development of the subdivision required (Sec.2.00(b)(1)). Not provided to SAMES.

Proposed Offsite San. Sewer Plan (Sheet 4)

1. Provide property owner information adjacent to offsite easement.
2. Will off-site easement be obtained by separate instrument?

Proposed Paving and Drainage Plan (Sheet 5)

1. Typical cross-sections of streets need to be provided. (Sec.2.00(a)(8))
2. Show proposed sidewalks

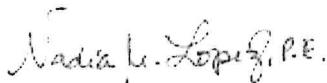
Additional Comments:

1. Street signs, traffic control and street lighting plan required (Sec.2.00(a)(17) and Sec.3.00(n)). Not provided to SAMES
2. Letter stipulating any proposed protective and/or restrictive covenants, conditions and limitations whereby the subdivision proposed to regulate land use in the subdivision (Sec.2.00(a)(15)), not provided to SAMES

Please be advised that additional comments may be generated upon reviewal of updated information provided.

Should you have any questions, please do not hesitate to call our office.

Respectfully,



Nadia M. Lopez, P.E.
Project Manager
SAMÉS, Inc.



Mayor: Mario Garza
Mayor Pro-Tem: Leonardo "Lenny" Sanchez
Commissioners: Adina "Dina" Santillan
Ernesto "Neto" Guajardo
Marco "Markie" Villegas

MEMORANDUM

TO: Monica Gomez, Interim Planning & Zoning Director
FROM: David Salinas, Director of Utilities *ds*
DATE: December 2, 2021
SUBJECT: La Paloma - Review #1

Water Distribution

- All domestic water systems shall be designed in conformance with the most current revision of TCEQ's Drinking Water Rules (30 TAC Chapter 290) and the **City of San Juan Standard Details and Specifications**. The most stringent requirements shall apply where the standards conflict.
- NAWSC Service Area
- **Set of Construction Plans and specifications must be submitted to the City for review and approval prior to construction.**
- Additional Comments will be provided at the time of construction plan review

Wastewater Collection System

- All sanitary sewers shall be designed in conformance with the most current revision of TCEQ's Design Criteria for Sewerage Systems (30 TAC Chapter 217) and the City of San Juan standards. The most stringent requirements shall apply where the standards conflict.
- **Additional Connections to Sewer are on Hold**
- Sewer must be extended west along Earling Road
- No Service connection to manholes
- All lots must have single service (lots 41 and 42)
- Minimum 15" UE
- Water & Sewer Plans and Specifications require TCEQ submittal and approval prior to construction.
- Additional comments will be provided at the time of construction plan review.
- **Set of Construction plans and specifications must be submitted to the City for review and approval prior to construction.**

The Fire Department and City Engineers May Have Additional Comments.

709 S. Nebraska Ave. • San Juan, Texas 78589-2649
Phone: (956)223-2200 • Fax: (956) 787-5978



Tirso Garza,
Fire Chief

Carlos Alaniz,
Assistant Chief

Jose J. Salinas,
Fire Inspector

Sandra Guajardo,
Adm. Assistant

Station #1
707 S. Nebraska
San Juan, TX 78589

Station #2
2301 N. Raul Longoria Rd.
San Juan, TX 78589

Ph: (956) 223-2470
Fax: (956) 783-3441

BUILDING PLAN REVIEW COMMENTS

Building Plan Name: La Paloma Subdivision

Address: _____

Date Reviewed: 12/16/2021

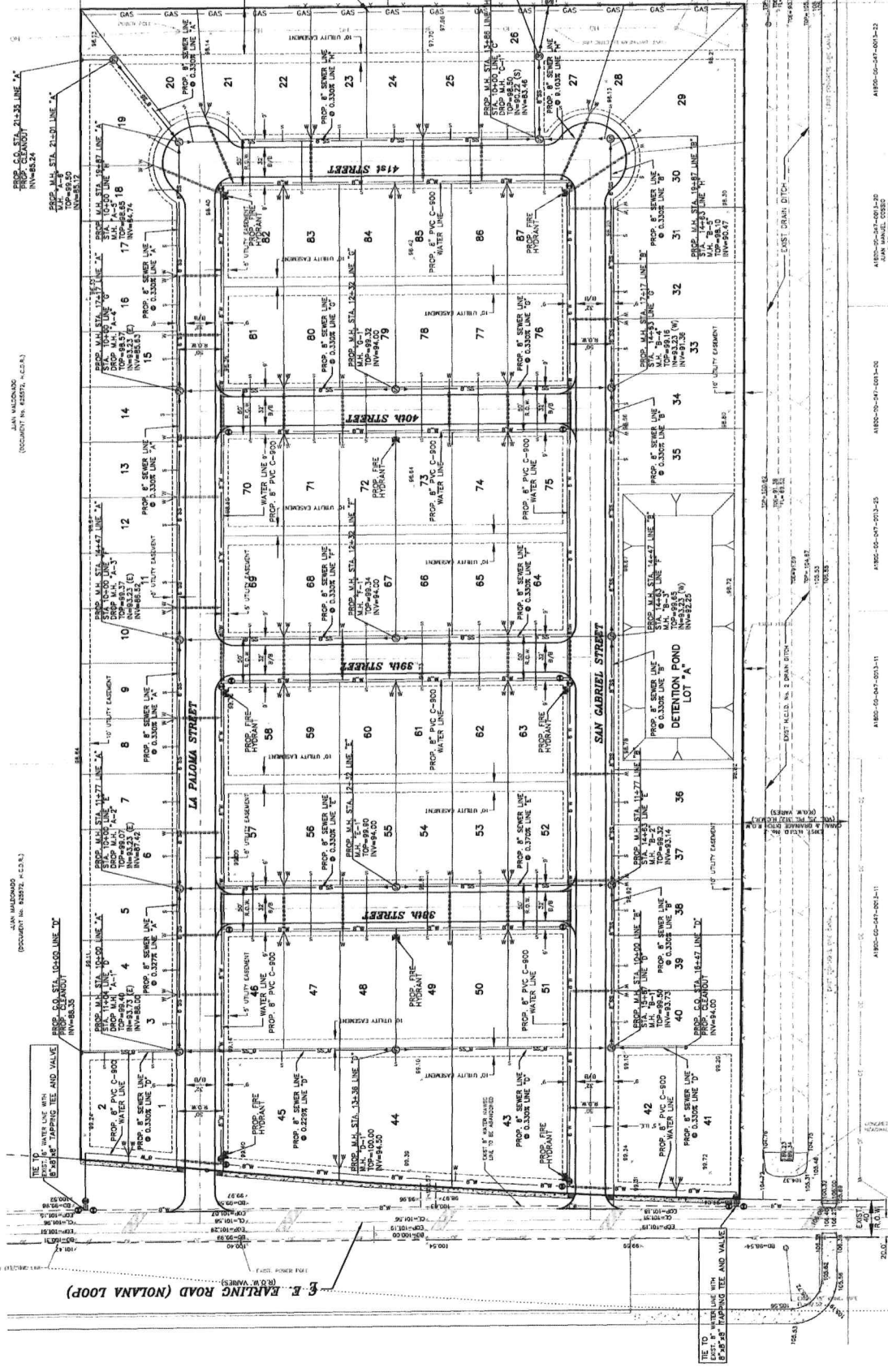
After reviewing plans the following requirements shall be needed as per the Fire Protection System per IFC 2012:

1. The hydrant shall be looped to the 8" waterline. (Recommended Mueller Safety Yellow Barrel without the anti-theft device.)
2. The Developer shall install reflective blue markers in front of all hydrants.
3. Curb shall be painted RED with WHITE lettering reading NO PARKING 30 feet from the center of hydrant and 15 feet to each side.
4. A fire hydrant must be placed within 500 feet of existing fire hydrant.
5. All entrance and exits must be 26 feet.



SCALE: 1" = 50'

FRANCOIS DAPLA
(REG. ME. NO. 10,000)



REVISIONS

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	NOVEMBER 2021
2	REVISED	NOVEMBER 2021
3	REVISED	NOVEMBER 2021

PROPOSED WATER AND SEWER PLAN
LA PALOMA SUBDIVISION
SAN JUAN, TEXAS

JAVIER HINOJOSA ENGINEERING
CONSULTING ENGINEERS
418 E. DOW AVENUE, SUITE 100
PHOENIX, ARIZONA 85004
PHONE (602) 958-1500
FAX (602) 958-1501
WWW.JHE-ENG.COM

211002

NOVEMBER 2021

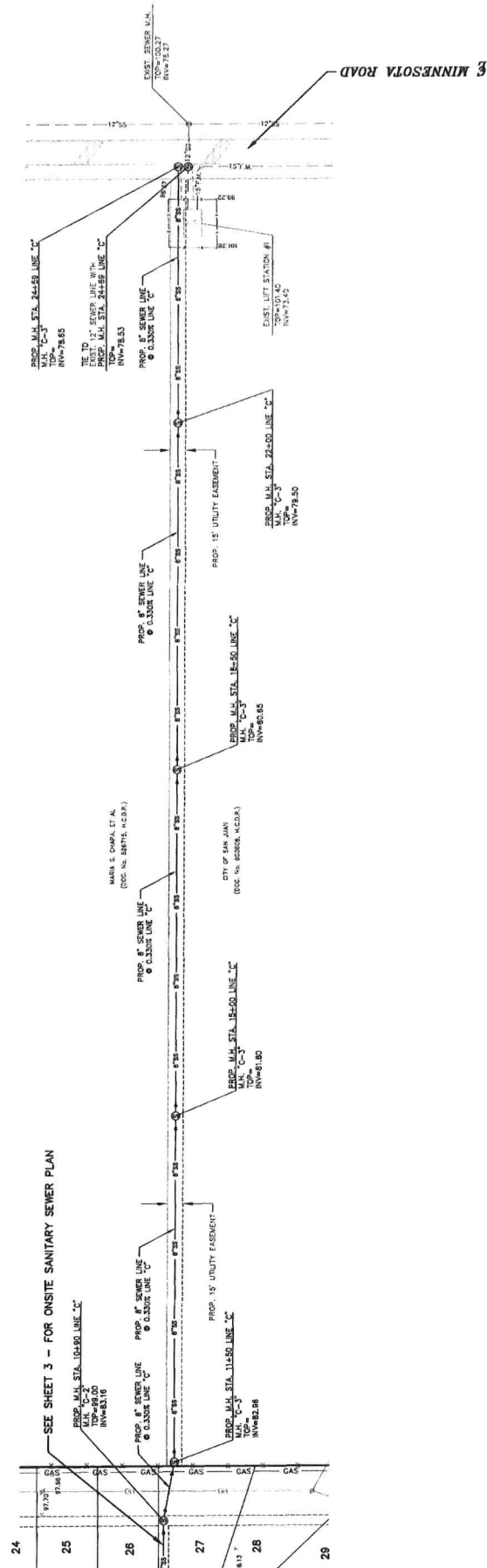
SAUL T. & A.D.

DESIGNED BY J.H.

CHECKED BY

SHEET 3
OF 23 SHEETS

Page 167



SCALE: 1" = 50'

JG H

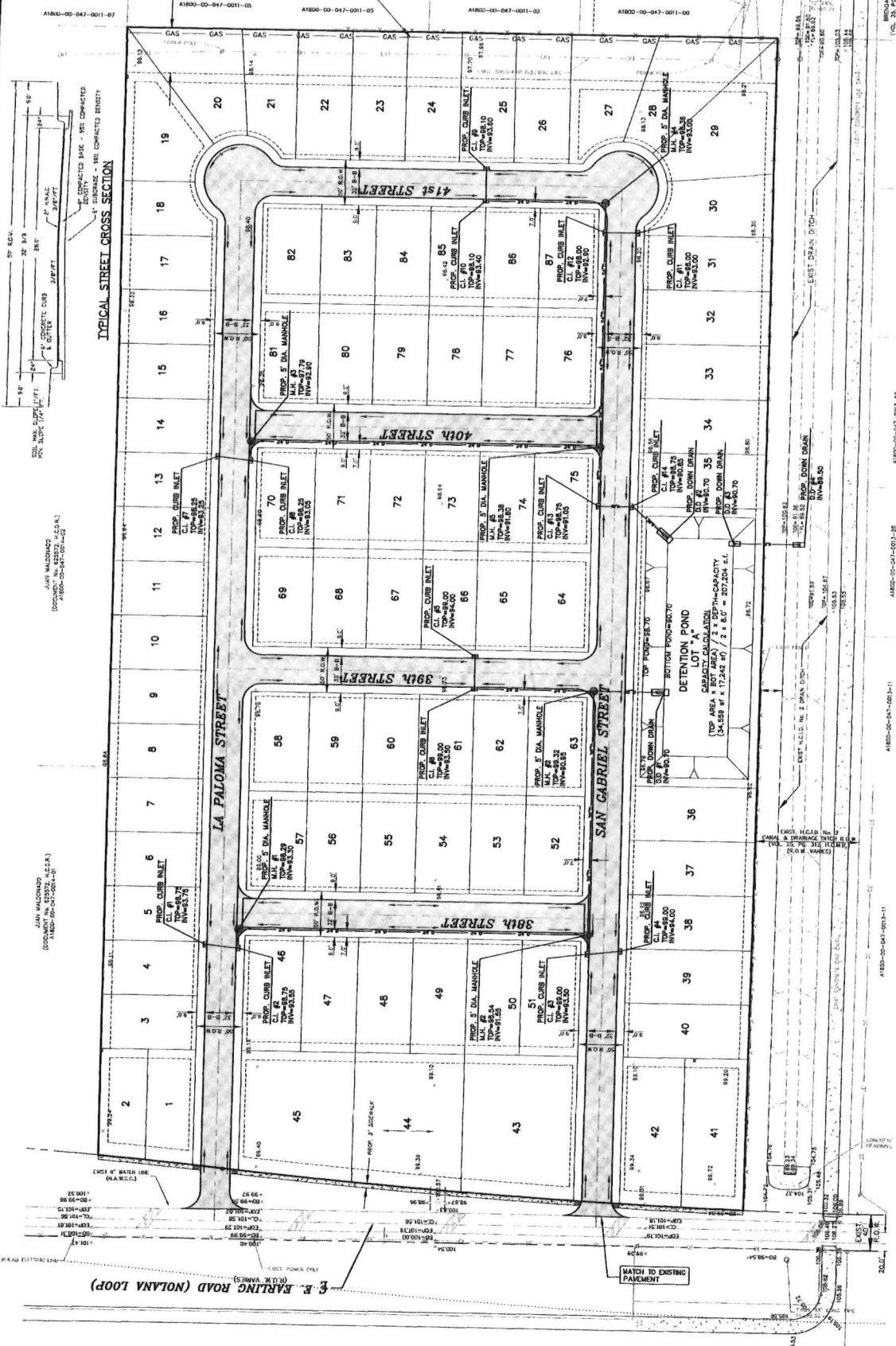
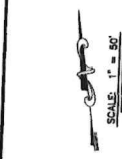
JAVIER HINOJOSA ENGINEERING
CONSULTING ENGINEERS
418 E. DOVE AVENUE, MALLEN, TEXAS 76854
PHONE (817) 869-1508
javier@javierhinojosaeng.com
TELEFAX (817) 869-1295

PROPOSED OFFSITE SANITARY SEWER PLAN
LA PALOMA SUBDIVISION
SAN JUAN, TEXAS

SHEET 4 OF 23 SHEETS

211002

REVISIONS	211002
	PROJECT NO.
	NOVEMBER, 2021
	DRAWN BY
	G.T. & A.G.
	CHECKED BY
	J.H.
	DATE
	BY



JAVIER HINOJOSA ENGINEERING
CONSULTING ENGINEERS
418 E. DOWE AVENUE, MALLIN, TEXAS 75004
JAVIER@JHE-ENG.COM (940) 688-1588
TXPELLETS FIRM No. T-1588

SHEET 5
OF 23 SHEETS

PROPOSED PAVING AND DRAINAGE PLAN
LA PALOMA SUBDIVISION
SAN JUAN, TEXAS

211002
NOVEMBER, 2021
C.E.T. & A.C.
JAVIER HINOJOSA
C.E.T. & A.C.

1: San Juan Subdivision Paloma Subdivision (B&B Tract) 211002.dwg, 12/9/2021 11:05:09 AM, Javier H.

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
MARCH 8, 2022

Consider Resolution to Approve a Waterline Access Agreement between the North Alamo Water Supply Corporation (NAWSC), City of San Juan and OC Development, LTD. for Christian Estates Subdivision.

STAFF COMMENTS AND RECOMMENDATIONS:

The proposed property is within the North Alamo Water Supply Corporation (NAWSC) water service area. The NAWSC requires an agreement between the corporation, the City of San Juan and the property owner to be signed and executed before the corporation will allow the installation of fire hydrants and water lines.

The format of the agreement is consistent with previous agreements approved by the City Commission in the past years.

RECOMMENDATION:

Adopt a Resolution to Approve the Waterline Access Agreement as presented by staff.

PREPARED BY:

Daniel Tijerina,
Planning Director

APPROVED BY:

Benjamin Arjona, City
Manager

STATE OF TEXAS

COUNTY OF HIDALGO

§ BETWEEN:
§ NORTH ALAMO WATER SUPPLY
§ CORPORATION AND CITY OF SAN
§ JUAN
§

**WATERLINE ACCESS AGREEMENT
(with City)**

WHEREAS, North Alamo Water Supply Corporation ("NAWSC") has a water distribution system which was designed for potable water distribution to rural communities, such system not designed specifically with the intent to provide water for fire protection purposes;

WHEREAS, the City of San Juan ("City") through its own forces or through the forces of those subject to a contract to provide services, may provide fire protection services to its citizens, some of which fall within the area of the Certificate of Convenience and Necessity granted to NAWSC;

WHEREAS, NAWSC and City are mindful of the benefits that can be received by the citizens of the City and the members of NAWSC with the availability of water for use in controlling fires and thereby for the protection of life and property;

WHEREAS, OC Development, Ltd. ("**Owner**") is constructing a subdivision on the property described in **Exhibit "A"**, Christian Estates Subdivision (the "**Subdivision**") and the City requires fire protection for the Subdivision as part of the Subdivision process.

THEREFORE, in exchange for the recitals herein made, the consideration exchanged and the goodwill generated, NAWSC and City agree as follows:

1. This agreement pertains only to those areas in the Subdivision which also are within the boundaries of the Certificate of Convenience and Necessity granted to NAWSC in HIDALGO County, Texas and only **with respect to those areas specifically listed in Exhibit "A"**. No other parts of NAWSC lines shall be affected by this agreement unless specifically set forth in writing by the parties and adopted by official acts of their respective governing bodies.
2. City shall have access to NAWSC lines with no less than six inches (6") in diameter for the purpose of operating and maintaining a fire hydrant system in accordance with industry standards and all federal, state and local codes and as shown in **Exhibit "B" ("Fire Hydrants")**. Such Fire Hydrants to be used solely for the governmental purpose of fire-fighting filling stations. No other use of water shall be made under this agreement. City shall determine if the pressure and volume available on such lines are suitable and

sufficient. NAWSC shall gratuitously furnish to City's designated engineer, such waterline modeling information as it may have to the extent such information affects the lines and hydrants shown in Exhibit "A"; such information does not constitute any representation or warranty of any condition and is subject to all limitations, disclaimers, etc. found in this agreement.

3. Except as otherwise provided in this paragraph, all City fire hydrants on NAWSC waterlines or any part of NAWSC's system, shall be used for the governmental purposes of fire-fighting filling stations and shall be painted black with a white bonnet (cap) so as to be designated that they may be available for that limited use in a fire emergency and shall be operated by City such that a positive pressure of no less than 30 p.s.i. is maintained in NAWSC's water line at the point of connection between the water line and the fire hydrant. Should City perform annual testing of each hydrants subject to this agreement so as to determine the color coding attributable to each hydrant under City's fire hydrant coding scheme, City may paint the tested hydrants the appropriate color under that color coding scheme for a period of one (1) year following the test, after which a new test must be done or the hydrant shall be painted black with a white bonnet (cap) until the appropriate test is done. Should a tested and color coded hydrant's condition change after being tested and its condition be such that a different color code is appropriate, City will immediately repaint the hydrant accordingly or should a year expire without a hydrant being re-tested, City will immediately paint it black with a white bonnet (cap) and if City fails to so test and paint City's fire hydrants, NAWSC may (but is not required to) do so at City's expense, such expense to be paid by City to NAWSC upon demand. By allowing a hydrant subject to this agreement to be painted any color other than black with a white bonnet (cap), NAWSC is not representing or warranting that the hydrant is available and suitable for use in a fire emergency.
4. The Fire Hydrants will be constructed by Owner and owned and maintained by City as set out in Exhibit "B." If concrete is used for additional stability, the hydrant weep holes should not be covered.
5. All water used from NAWSC system will be reported monthly to NAWSC by City. This report will state the estimated amount of water used, the date of use, the location of use and any problems encountered with the Fire Hydrants. Forms will be provided by City.
6. There may be an annual charge by NAWSC for water used in fire protection. Such charge will be established annually by the Board of Directors. However, in no case will water be used for any domestic use, equipment wash-downs or construction purposes or any other purpose other than the actual use in controlling fires and maintaining the Fire Hydrants.
7. Because NAWSC is a rural system that cannot patrol all locations daily, a problem may arise as to the abuse of Fire Hydrants by the taking of water for uses other than fire protection. If this becomes a problem, NAWSC reserves the right to install security devices

on all hydrants at the cost of City. Sufficient special wrenches, or keys, will be provided to NAWSC by City at no cost to NAWSC. Should City fail to install the required security devices, NAWSC may install such devices as it deems appropriate at a cost to the City.

8. All Fire Hydrants maintenance, inspection and flushing will be done by City personnel, or those under contract to City, for which City will retain responsibility. A schedule will be set up by City to perform flushing no less frequently than once every six (6) months; maintenance, inspection and testing according to National Fire Protection Association 291 shall be performed by City no less frequently than every twelve (12) months. Such schedule shall be provided to NAWSC in writing no later than thirty (30) days prior to any date shown on the schedule. City will maintain the Fire Hydrants such that they may be used as a temporary water sales point and as a flush valve by NAWSC and if City fails to so maintain the Fire Hydrants, NAWSC may (but is not required to) do so at City's expense, such expense to be paid by City to NAWSC upon demand. NAWSC may use the Fire Hydrants as temporary water sales point and as flush valves in order to assure the sanitary conditions of the potable water. In order to assure the integrity of its system and to maintain the sanitary conditions of the potable water, NAWSC personnel will be present at the times of Fire Hydrants maintenance, inspection and flushing and no such activity will occur without such presence. All Fire Hydrants maintenance, inspection and flushing will be done at City's expense. NAWSC may require such maintenance, inspection, and/or flushing to be made at any time, and after notice of such is given to City, such will be conducted as soon as reasonably possible.
9. All installation and replacement of Fire Hydrants and appurtenances will be performed by those personnel approved by NAWSC and under City's authority and responsibility, but only under NAWSC's inspection for defects in construction that may affect water quality. No installation or replacement of Fire Hydrants and appurtenances may occur without the presence of NAWSC personnel. All expenses involved in the installation and replacement of Fire Hydrants and appurtenances will be borne by City, including a reasonable fee for the presence and administration of NAWSC's personnel.
10. CITY ACKNOWLEDGES AND AGREES THAT NAWSC, BY ALLOWING ACCESS TO ITS SYSTEM, ASSUMES A DUTY TO NOT INJURE A PERSON EMPLOYED BY OR OTHERWISE AUTHORIZED BY CITY TO USE, ACCESS, OR IN ANY WAY BENEFIT FROM THE FIRE HYDRANTS, THE WATER THEREIN OR ANY APPURTENANCES THERETO (THE "USER") BY WILLFUL OR WANTON CONDUCT OR BY GROSS NEGLIGENCE, AND THAT NAWSC ASSUMES NO OTHER DUTY OR STANDARD OF CARE. CITY UNDERSTANDS THAT THE STANDARD OF CARE ASSUMED UNDER THIS AGREEMENT DOES NOT REQUIRE NAWSC TO WARN THE USER OF AN UNSAFE CONDITION OR TO MAKE AN UNSAFE CONDITION SAFE SHOULD NAWSC BECOME AWARE, EITHER ACTUALLY OR CONSTRUCTIVELY, OF A CONDITION WHICH

RESULTS IN AN UNREASONABLE RISK TO THE USER. FURTHER, CITY UNDERSTANDS THAT NAWSC MAY CHANGE THE CONDITION OF ITS SYSTEM IN A MANNER THAT MIGHT RENDER THE SYSTEM UNSAFE FOR A USER WITHOUT INCURRING LIABILITY FOR SUBSEQUENT INJURY TO USER BY THE NEW DANGER. CITY AGREES TO USE THE WATER AND SYSTEM AT ITS OWN RISK AND AS IT IS FOUND. NAWSC, WITHOUT ACCEPTING ANY DUTY, GRATUITOUSLY WILL ENDEAVOR TO NOTIFY CITY OF ANY CONDITION THAT MIGHT RENDER THE SYSTEM UNSAFE FOR USE BY CITY SHOULD ITS MANAGER BECOME CONSCIOUSLY AWARE OF SUCH A CONDITION. NAWSC HEREBY SPECIFICALLY DISCLAIMS ANY WARRANTY, GUARANTY, OR REPRESENTATION, ORAL OR WRITTEN, PAST, PRESENT OR FUTURE, OF, AS TO, OR CONCERNING (A) THE NATURE AND CONDITION OF THE SYSTEM INCLUDING, WITHOUT LIMITATION, THE PIPELINES, HYDRANTS, FLUSH VALVES, APPURTENANCES, WATER AND REAL PROPERTY, THE SUITABILITY THEREOF FOR ANY AND ALL ACTIVITIES AND USES WHICH CITY MAY ELECT TO CONDUCT OR THE EXISTENCE OF ANY HAZARD OR CONDITION; (B) THE NATURE AND EXTENT OF ANY RIGHT-OF-WAY, LEASE, POSSESSION, LICENSE, RESERVATION, CONDITION OR OTHERWISE; AND (C) THE COMPLIANCE OF THE SYSTEM OR ITS OPERATION WITH ANY LAWS, ORDINANCES OR REGULATIONS OF ANY GOVERNMENTAL ENTITY OR BODY. CITY ACKNOWLEDGES BY USE OF THE SYSTEM THAT IT HAS AND WILL INSPECT THE SYSTEM AND CITY WILL RELY SOLELY ON ITS OWN INVESTIGATION OF THE SYSTEM AND NOT ON ANY INFORMATION PROVIDED OR TO BE PROVIDED BY OR ON BEHALF OF NAWSC. CITY FURTHER ACKNOWLEDGES THAT THE INFORMATION PROVIDED AND TO BE PROVIDED WITH RESPECT TO THE SYSTEM WAS OBTAINED WITHOUT CONSIDERATION BEING GIVEN AND NAWSC (1) HAS NOT MADE ANY INVESTIGATION OR VERIFICATION OF SUCH INFORMATION; (2) DOES NOT MAKE ANY REPRESENTATION AS TO THE ACCURACY OR COMPLETENESS OF SUCH INFORMATION. ACCESS TO THE SYSTEM IS ALLOWED ON AN "AS IS", "WHERE IS", AND "WITH ALL FAULTS" BASIS, AND CITY EXPRESSLY ACKNOWLEDGES THAT, IN CONSIDERATION OF THIS ACCESS, NAWSC MAKES NO WARRANTY OR REPRESENTATION, EXPRESSED OR IMPLIED, OR ARISING BY OPERATION OF LAW, INCLUDING, BUT NOT LIMITED TO, ANY WARRANTY OF CONDITION OR FITNESS FOR PARTICULAR PURPOSE WITH RESPECT TO THE SYSTEM OR ANY PORTION THEREOF.

CITY AGREES BY ITS USE OF THE SYSTEM, DIRECTLY OR THROUGH OTHERS, THAT NAWSC SHALL NOT BE RESPONSIBLE OR LIABLE TO THE CITY FOR ANY DEFECT, ERRORS, OMISSIONS, OR ON ACCOUNT OF ANY OTHER CONDITIONS AFFECTING THE SUBDIVISION, AS CITY MAKES USE OF THE SYSTEM "AS-IS", "WHERE-IS", AND "WITH ALL FAULTS". CITY OR ANYONE

CLAIMING BY, THROUGH, OR UNDER CITY, HEREBY FULLY RELEASES NAWSC, ITS EMPLOYEES, OFFICERS, DIRECTORS, REPRESENTATIVES, ATTORNEY AND AGENTS FROM ANY COST, LOSS LIABILITY, DAMAGE, EXPENSE, DEMAND, ACTION OR CAUSE OF ACTION ARISING FROM OR RELATED TO ANY DEFECTS, ERRORS, OMISSIONS, OR OTHER CONDITIONS AFFECTING THE SYSTEM. CITY BY THEIR USE OF THE SYSTEM, FURTHER ACKNOWLEDGES AND AGREES THAT THIS RELEASE SHALL BE GIVEN FULL FORCE AND EFFECT ACCORDING TO EACH OF THE EXPRESSED TERMS AND PROVISIONS.

TO THE EXTENT APPLICABLE AND PERMITTED BY LAW, CITY, IN CONSIDERATION FOR USING THE SYSTEM AND AS A MATERIAL INDUCEMENT TO NAWSC FOR ALLOWING SUCH USE, WAIVES THE PROVISIONS OF THE TEXAS DECEPTIVE TRADE PRACTICES-CONSUMER PROTECTION ACT, AS WELL AS ALL OTHER STATUTORY PROVISIONS WHICH MIGHT CREATE A CLAIM AGAINST NAWSC AS A RESULT OF THE USE OF NAWSC'S SYSTEM. ACCORDINGLY, CITY BY AND THROUGH THE BELOW SIGNING REPRESENTATIVES WHO HAVE BEEN GIVEN THE APPROPRIATE AUTHORITY BY THEIR GOVERNING BODIES STATE:

I WAIVE MY RIGHTS UNDER THE DECEPTIVE TRADE PRACTICES CONSUMER PROTECTION ACT, SECTION 17.41 ET SEQ, BUSINESS AND COMMERCE CODE, A LAW THAT GIVES CONSUMERS SPECIAL RIGHTS AND PROTECTIONS. AFTER CONSULTATION WITH AN ATTORNEY OF MY OWN SELECTION, I VOLUNTARILY CONSENT TO THIS WAIVER.

TO THE EXTENT APPLICABLE AND PERMITTED BY LAW, CITY, BY ITS USE OF THE SYSTEM, DIRECTLY OR THROUGH OTHERS, AGREES TO INDEMNIFY, PROTECT, DEFEND, SAVE AND HOLD HARMLESS NAWSC, ITS EMPLOYEES, OFFICERS, DIRECTORS, REPRESENTATIVES, ATTORNEYS AND AGENTS FROM AND AGAINST ANY AND ALL DEBTS, DUTIES, OBLIGATIONS, LIABILITIES, SUITS, CLAIMS, DEMANDS, CAUSES OF ACTION, LOSSES, COST AND EXPENSES AND TO PAY ALL EXPERTS' AND ATTORNEYS' FEES AND EXPENSES AND COURT COSTS ASSERTED OR INCURRED BY NAWSC AT ANY TIME AND IN ANY WAY RELATING TO, CONNECTED WITH, OR ARISING OUT OF THE CONDITION OF NAWSC'S SYSTEM AND THE USE OF THE FIRE HYDRANTS OR THE OPERATION, MAINTENANCE AND MANAGEMENT THEREOF, INCLUDING ANY CLAIMS, SUITS, OR CAUSES OF ACTION ARISING FROM ANY NEGLIGENCE, INCLUDING GROSS NEGLIGENCE OF NAWSC AND ITS AGENTS, OFFICERS AND EMPLOYEES AS THEY RELATE TO THE PROVISION OF WATER AND ACCESS TO NAWSC'S SYSTEM UNDER THIS

AGREEMENT.

IT IS THE EXPRESS INTENTION OF THE PARTIES THAT THE INDEMNITY PROVIDED FOR IN THIS AGREEMENT IS TO INDEMNIFY AND PROTECT NAWSC FROM THE CONSEQUENCES OF ITS OWN NEGLIGENCE AND GROSS NEGLIGENCE, EVEN WHEN THAT NEGLIGENCE AND GROSS NEGLIGENCE IS FOUND TO BE THE SOLE CAUSE OF THE INJURY, DEATH OR DAMAGES. CITY ALSO WAIVES ALL RIGHTS TO SUBROGATION AGAINST NAWSC.

11. This Agreement is intended to provide NAWSC with all the protections and limitations from liability allowed by the laws as they exist and will exist, including, but not limited to, Texas Water Code §67.0105, and the common law and all the terms and conditions hereof shall be liberally construed to effectuate this purpose and to sustain the validity of this Agreement. The parties agree that this Agreement shall not be construed in favor of or against either party on the basis that the party did or did not author the Agreement. This Agreement constitutes the entire agreement between the parties.
12. This agreement is effective upon execution by the parties and the recordation of Exhibit "A", with the official records of Hidalgo County and continues until terminated by either party in writing, such termination to occur only after written notice by the terminating party at least two (2) months prior to the termination date. All parties may terminate in the event of a default if such default is left uncured for 30 days after giving written notice.
13. Each person, signing below, warrants and represents to the parties to this Agreement, that he has been given full authority to execute this Agreement, such that it binds the party for which he signs to fully fulfill the terms of this Agreement.
14. This Agreement is not executed for the benefit of any third party and its terms shall not be enforceable by or in favor of any person or entity other than the express parties to the Agreement.
15. NAWSC shall have the right to locate the pipe and accessories necessary to provide water for the Fire Hydrants on the Subdivision at a point to be chosen by NAWSC, and shall have access to the Subdivision and equipment constructed by Owner and/or City at all reasonable and necessary times for any purpose with or in the furtherance of its business operations, and upon discontinuance of service, NAWSC shall have the right to remove any of its equipment from the Subdivision. NAWSC may inspect its valves, piping, and appurtenances to the supply line as well as the Fire Hydrants on an annual basis for a reasonable fee to be set by NAWSC (initially \$200.00), which may be increased based on future costs increases to provide this service. Where applicable, and upon notice, City shall have personnel present as necessary to assist in the inspection. NAWSC shall also have access to the Subdivision for purpose of inspecting for possible illegal connections, cross-

connections, potential contamination hazards, and illegal lead materials, and City agrees to annual inspections of its own facilities for these conditions.

16. City shall enforce the following restrictions to ensure the public health and welfare. The following undesirable practices are prohibited by State regulations and by this Agreement:
 - a. No direct connection between the public drinking water supply and a potential source of contamination is permitted. Potential sources of contaminations shall be isolated from the Fire Hydrants by an air gap or an appropriate backflow prevention assembly in accordance with state regulations.
 - b. No cross-connection between the Fire Hydrants and a private water system is permitted. Potential threats to the public drinking water supply shall be eliminated at the service connection by the proper installation of an air gap or an appropriate backflow prevention assembly. Backflow assemblies require annual inspections and testing by a certified backflow prevention assembly tester and documentation of the inspections reflecting proper installation, maintenance, and operation must be provided to NAWSC no later than 30 days after the inspection.
 - c. No connection which allows condensing, cooling, industrial process water, or any water of unknown quality to be returned to the Fire Hydrants or the public drinking water supply is permitted.
 - d. No pipe or pipe fitting which contains more than 8.0% lead may be used for the installation or repair of the plumbing in the Fire Hydrants.
 - e. No solder or flux which contains more than 0.2% lead may be used for the installation or repair of the plumbing in the Fire Hydrants.
17. NAWSC may notify City, as applicable, of any cross-connection or other undesirable practices which have been identified during the initial or subsequent inspection. City shall immediately correct any undesirable practice on the Subdivision. City shall, at its expense, properly install, test and maintain any backflow prevention device required by NAWSC. Copies of all testing and maintenance records shall be provided to NAWSC. Failure to comply with the terms of this Agreement shall cause NAWSC to terminate services or to install, test, and maintain an appropriate backflow prevention device at the service connection at the sole expense of City. Any expenses associated with the enforcement of this Agreement shall be paid to NAWSC upon presentation to City, as applicable.
18. City agrees that the maximum amount of liability to City that may be incurred by NAWSC by virtue of any noncompliance with the terms of this Agreement is limited to the amount of fees paid by City to NAWSC for services provided under this Agreement during the

calendar year in which the noncompliance occurs.

19. Any expenses associated with the enforcement of the Agreement shall be paid to NAWSC upon presentation to City, and in compliance with the Texas Prompt Payment Act.
20. Should any amounts to be paid by any party hereto, remain unpaid after the date the payment is due, such unpaid amount shall accrue interest in compliance with the Texas Prompt Payment Act.
21. In the event any litigation arises out of this Agreement between the parties hereto, the non-prevailing party shall pay the prevailing party all reasonable and necessary attorney's fees, expert fees, expenses and costs of court expended or incurred in connection with the litigation pursuant to Section 271.153 of the Texas Local Government Code or similar authority effective at the time of the execution of this Agreement.
22. If any part, term, or provision of this Agreement is held by the courts to be illegal, invalid, or otherwise unenforceable, such illegality, invalidity, or enforceability shall not affect the validity of any other part, term, or provision, and the rights of the parties will be construed as if the part, term, or provision was never part of this Agreement.
23. The Agreement may be supplemented, amended, or modified only by the mutual agreement of the parties. No supplement, amendment, or modification of this Agreement shall be binding unless it is in writing and signed by all parties.

By signing and delivering this Agreement to the appropriate official of NAWSC, the City authorizes completion of this Agreement by filling in the Effective Date below.

IN WITNESS WHEREOF, EXECUTED by NAWSC, Owner and City, acting under the authority of their respective governing bodies in multiple originals on the date indicated below.

SIGNED this day of _____, 201____.

ATTEST:

THE CITY OF SAN JUAN
709 S. Nebraska Ave.
San Juan, Texas 78589

By: _____,
Diana Cavazos, City Secretary

By: _____,
Benjamin Arjona, City Manager

APPROVED AS TO FORM:

By: _____,
Rick Palacios, City Attorney

STATE OF TEXAS §
 §
COUNTY OF HIDALGO §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Benjamin Arjona, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he is Manager of City of San Juan, that he executed the same as the act of City of San Juan for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 20____.

Notary Public in and for the State of Texas

NORTH ALAMO WATER SUPPLY
CORPORATION
420 S. Doolittle Road
Edinburg, Texas 78542
956-383-1618 (phone)
956-383-1372 (fax)

By: _____
Steven P. Sanchez, General Manager

APPROVED AS TO FORM:

By: _____
Richard W. Fryer,
Attorney for North Alamo
Water Supply Corporation

STATE OF TEXAS §
 §
COUNTY OF HIDALGO §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Steven P. Sanchez, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he is General Manager of North Alamo Water Supply Corporation, that he executed the same as the act of North Alamo Water Supply Corporation for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____
_____ 20____.

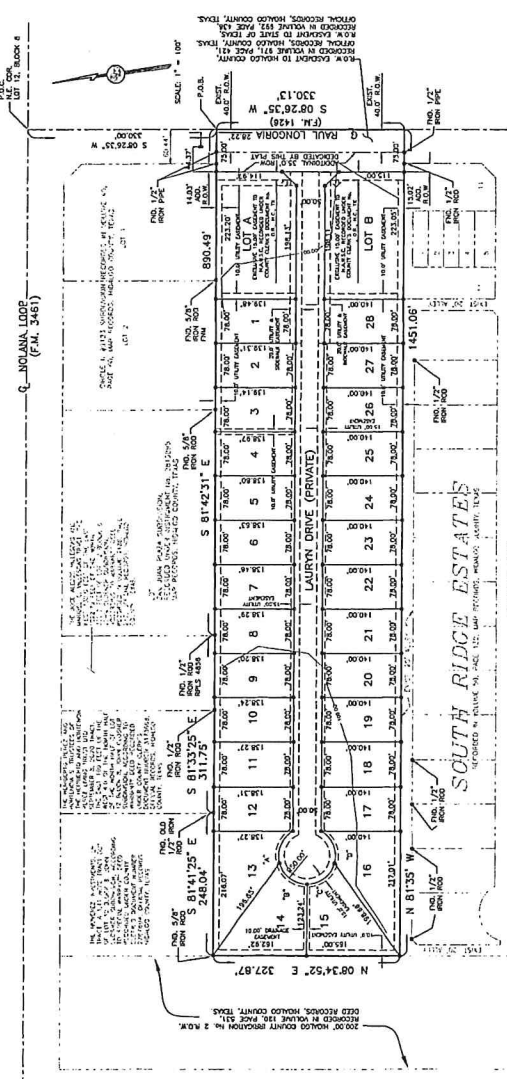
Notary Public in and for the State of Texas

EXHIBIT "A"

A 10.95 Acre Tract of Land out of Lot 12, Block 8, JOHN CLOSNER SUBDIVISION, Hidalgo County, Texas; according to the Plat or Map thereof recorded in Volume 0, Pages 4 and 5, Map Records of Hidalgo County, Texas, and according to Warranty Deed with Vendor's Lien recorded under County Clerk's Document No. 3246028, Official Records of Hidalgo County, Texas.

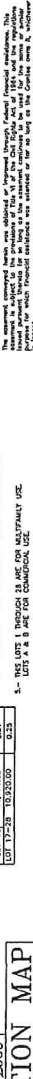
SUBDIVISION PLAT OF: (PRIVATE SUBDIVISION) **CHRISTIAN ESTATES** A 10.95 ACRE TRACT OF LAND OUT OF LOT 12, BLOCK 8, JOHN CLOSER SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 0, PAGES 4 AND 5, HIDEAWAY TRACT, HIDEAWAY SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 0, PAGES 4 AND 5, WARRANTY DEED WITH VENDOR'S LBN RECORDED UNDER CLERK'S DOCUMENT NUMBER 3246028, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.

NOTES AND REMARKS:
1. LOT 12, BLOCK 8, JOHN CLOSER SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 0, PAGES 4 AND 5, HIDEAWAY TRACT, HIDEAWAY SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 0, PAGES 4 AND 5, WARRANTY DEED WITH VENDOR'S LBN RECORDED UNDER CLERK'S DOCUMENT NUMBER 3246028, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.



PLAT NOTES AND RESTRICTIONS:
1- THE SUBDIVISION IS TO BE USED FOR RESIDENTIAL PURPOSES ONLY.
2- THE SUBDIVISION IS TO BE USED FOR RESIDENTIAL PURPOSES ONLY.
3- THE SUBDIVISION IS TO BE USED FOR RESIDENTIAL PURPOSES ONLY.
4- THE SUBDIVISION IS TO BE USED FOR RESIDENTIAL PURPOSES ONLY.
5- THE SUBDIVISION IS TO BE USED FOR RESIDENTIAL PURPOSES ONLY.
6- THE SUBDIVISION IS TO BE USED FOR RESIDENTIAL PURPOSES ONLY.
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9- THE SUBDIVISION IS TO BE USED FOR RESIDENTIAL PURPOSES ONLY.
10- THE SUBDIVISION IS TO BE USED FOR RESIDENTIAL PURPOSES ONLY.
11- THE SUBDIVISION IS TO BE USED FOR RESIDENTIAL PURPOSES ONLY.
12- THE SUBDIVISION IS TO BE USED FOR RESIDENTIAL PURPOSES ONLY.
13- THE SUBDIVISION IS TO BE USED FOR RESIDENTIAL PURPOSES ONLY.
14- THE SUBDIVISION IS TO BE USED FOR RESIDENTIAL PURPOSES ONLY.
15- THE SUBDIVISION IS TO BE USED FOR RESIDENTIAL PURPOSES ONLY.
16- THE SUBDIVISION IS TO BE USED FOR RESIDENTIAL PURPOSES ONLY.

LOT	AREA (AC)	AREA (SQ FT)	AREA (SQ YD)
LOT 1	0.12	8,100	900
LOT 2	0.12	8,100	900
LOT 3	0.12	8,100	900
LOT 4	0.12	8,100	900
LOT 5	0.12	8,100	900
LOT 6	0.12	8,100	900
LOT 7	0.12	8,100	900
LOT 8	0.12	8,100	900
LOT 9	0.12	8,100	900
LOT 10	0.12	8,100	900
LOT 11	0.12	8,100	900
LOT 12	0.12	8,100	900
LOT 13	0.12	8,100	900
LOT 14	0.12	8,100	900
LOT 15	0.12	8,100	900
LOT 16	0.12	8,100	900



APPROVED BY DRAINAGE DISTRICT:
[Signature]
DATE: 09-23-2020

APPROVED BY CITY ENGINEER:
[Signature]
DATE: 09-23-2020

APPROVED BY PUBLIC WORKS DIRECTOR:
[Signature]
DATE: 09-23-2020

APPROVED BY UTILITIES DIRECTOR:
[Signature]
DATE: 09-23-2020

APPROVED BY PROJECT ENGINEER:
[Signature]
DATE: 09-23-2020

APPROVED BY CONTRACTOR:
[Signature]
DATE: 09-23-2020

APPROVED BY PLANNING DEPARTMENT:
[Signature]
DATE: 09-23-2020

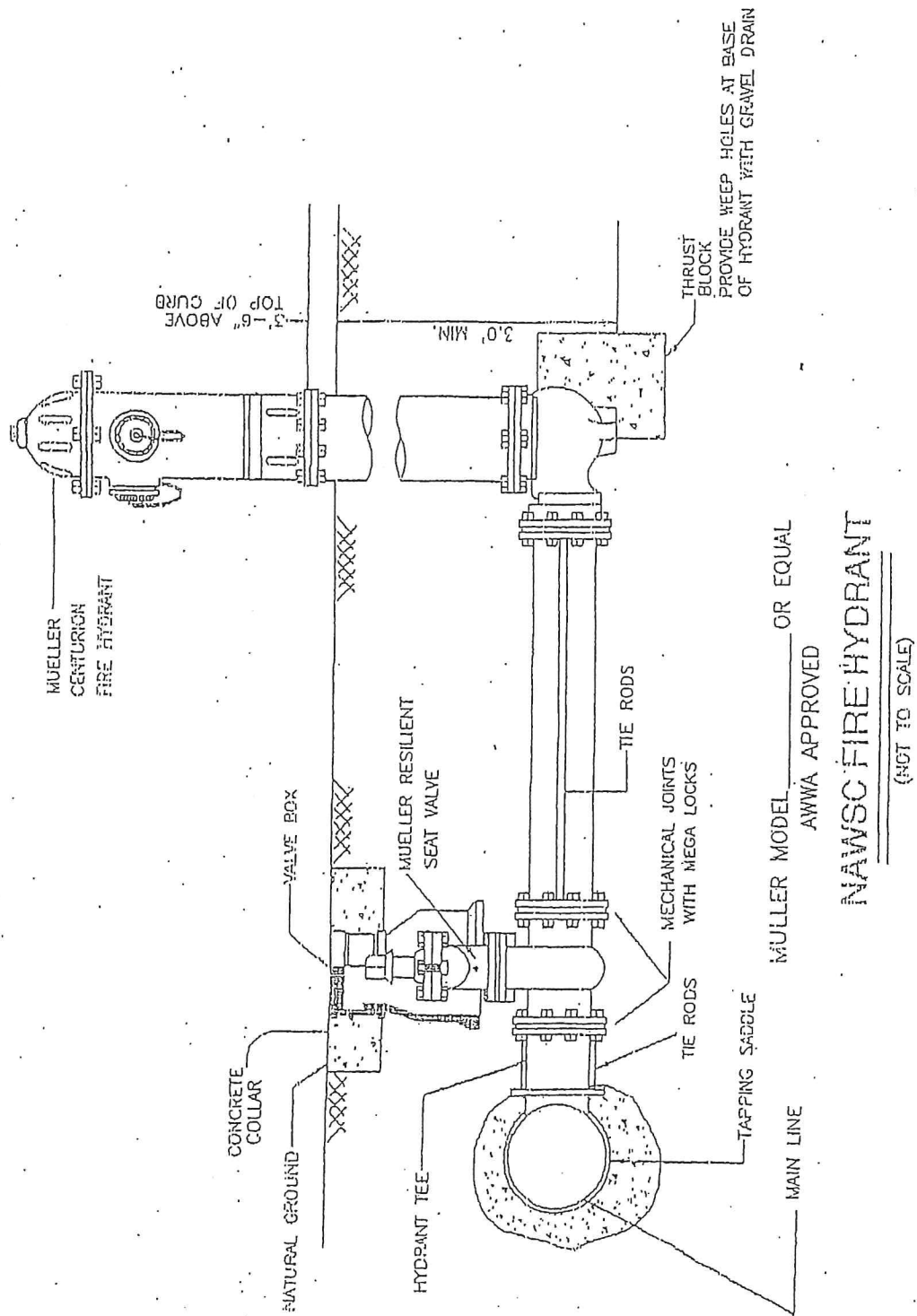
QUINTANILLA, HEADLEY AND ASSOCIATES, INC.
CONSULTING ENGINEERS
124 E. STUBBS ST.
EDINBURG, TEXAS 78143
PHONE 361-3811 FAX 361-3812
WWW.QHA-INC.COM

DATE OF PREPARATION: JUNE 24, 2021
DRAWN BY: J. L. QUINTANILLA
CHECKED BY: J. L. QUINTANILLA
APPROVED BY: J. L. QUINTANILLA

EXHIBIT "B"

Fire Hydrant Installation

Each fire hydrant run-out shall be equipped with a 6" flanged mechanical joint resilient seated gate valve. This valve may be located adjacent to the mainline or between the mainline and the hydrant. Each fitting (Branch Tee, Gate Valve & Hydrant) shall be separately supported by a concrete thrust block including anchor rods. Care must be taken that the hydrant drain be kept clear when pouring concrete. Mainline Tees shall have mechanical joint, flanged fittings. Mega lugs shall also be used at all mechanical joint fittings.



RESOLUTION NO.

A RESOLUTION OF THE CITY OF SAN JUAN, TEXAS TO APPROVE A WATERLINE ACCESS AGREEMENT BETWEEN THE NORTH ALAMO WATER SUPPLY CORPORATION, THE CITY OF SAN JUAN AND OC DEVELOPMENT, LTD.

WHEREAS, it is in the best interest of the citizens of San Juan to provide the proper infrastructure for adequate fire protection for all new commercial and residential development; and

WHEREAS, the proposed property is located within the service area of the North Alamo Water Supply Corporation and within the City of San Juan city limits; and

WHEREAS, the North Alamo Water Supply Corporation has adequate-sized water lines to support fire hydrants in the area and requires an agreement be entered between the Corporation, the property owner and the City of San Juan before such installation is allowed.

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF SAN JUAN, TEXAS, THAT:

1. The City of San Juan, Texas approves the agreement as shown on **ATTACHMENT A**.

READ, CONSIDERED and APPROVED this the 8^h day of March, 2022.

CITY OF SAN JUAN

MARIO GARZA
Mayor

ATTEST:

BRENDA ESCALANTE
Interim City Secretary

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
MARCH 8, 2022

Discussion and Possible Action to Adopt the Emergency Response Plan Required Per Senate Bill 3 and Authorize the City Manager to Execute All Related Documents and Budget Amendment as Needed.

STAFF COMMENTS AND RECOMMENDATIONS:

The 87 Legislature Passed Senate Bill 3 that Requires All Affected Utilities to Develop and Adopt an Emergency Preparedness Plan by March 1, 2022 and Implement it by July 1, 2022.

RECOMMENDATION:

Approve as Presented

PREPARED BY:

Brenda Escalante,
Aide

APPROVED BY:

Benjamin Arjona, City
Manager

UTILI-FACTS

Project 52299 Senate Bill 3, 87th Legislature, Regular Session Compliance Guidance - Texas Water Code (TWC) § 13.1396

By **November 1, 2021**, “affected utilities” must file specific information with the Public Utility Commission of Texas (PUC) in Project 52299. This information must also be filed with each transmission and distribution service provider, each retail electric provider, and the office of emergency management of each county where the utility has water or sewer facilities that qualify for critical load status.

Q: Am I an “affected utility”?

A: TWC § 13.1394 defines an “affected utility” as a retail public utility, exempt utility, or provider or conveyor of potable or raw water service that:

- Furnishes water service to more than one customer; and
- Is not an affected utility under Section 13.1395.

TWC § 13.1395 defines an “affected utility” as a retail public utility, exempt utility, or provider or conveyor of potable or raw water service that furnishes water service to more than one customer:

- In a county with a population of 3.3 million or more; or
- In a county with a population of 550,000 or more adjacent to a county with a population of 3.3 million or more.

Q: Who is required to file this information with the PUC?

A: All entities that meet one or both of the definitions for an “affected utility” are required to file this information with the PUC.

Q: What information must be filed to meet this requirement?

A: You must file a letter identifying the name of your water or sewer utility. Please also include the names of any affiliates and assumed names, if any. In addition, include a list of all the public water systems and sewer systems owned by your utility for which you are filing the information.

- Identify the location and provide a written, general description of all water and sewer facilities that qualify for critical load status (may include maps if this would help you identify the location of your facilities); and

- Emergency contact information for the affected utility, including:
 - The name of the person who will serve as a point of contact and the person’s telephone number;
 - The person who will serve as an alternative point of contact and the person’s telephone number; and
 - The affected utility’s mailing address.

Q: Where must this information be filed?

A: This information must be filed with each of the following:

- 1) the PUC,
- 2) each electric utility that provides transmission and distribution services to you. Your transmission and distribution utility is known as your TDU. A TDU is the company that distributes electricity from power generation to homes and businesses in Texas. To find out who your TDU is, please review the map at: <https://www.puc.texas.gov/industry/maps/maps/tdumap.pdf>,
- 3) each retail electric provider that sells electric power to you,
- 4) the office of emergency management of each county in which the utility has water and wastewater facilities that qualify for critical load status, and
- 5) the division of emergency management of the governor at: Texas Division of Emergency Management, Texas Department of Public Safety, P.O. Box 4087, Austin, TX 78773-0220.

Please file this information in Central Records, Project 52299. You may request that the information be filed confidentially if you feel that publicly filing facility location and possibly maps will make your water or wastewater utilities more vulnerable. For instructions on the PUC’s filing requirements and on how to file with the PUC, please click on the link below. Instructions on how to file confidentially are also located at this link.

<https://www.puc.texas.gov/industry/filings/FilingProceed.aspx>

For instructions on how to file with your electric providers and the office of emergency management of each county in which you have water or wastewater facilities, please contact them directly.

Q: Is there a deadline?

A: Yes, the deadline to comply with this new requirement is November 1, 2021.

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
MARCH 8, 2022

Discussion and Possible Action to Authorize the City Manager to Declare a 2006 Ford F150, Unit 260, as Surplus and for Final Disposal at Auction.

STAFF COMMENTS AND RECOMMENDATIONS:

Unit 260 Was Inadvertently Left Out of the Last Surplus List of Items.

RECOMMENDATION:

Approved as Presented

PREPARED BY:

Brenda Escalante,
Aide

APPROVED BY:

Benjamin Arjona, City
Manager

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
MARCH 8, 2022

Discussion and Possible Action to Approve an Agreement with TRIMA Consultants, L.L.C. for Engineering Services and Associated Budget for the Installation of a Dual Voltage Magnetic Flow Meter for the Sgt. Leonel Trevino Reservoir and Authorize the City Manager to Execute All Related Documents and Budget Amendment as Needed.

STAFF COMMENTS AND RECOMMENDATIONS:

Hidalgo County Irrigation District No. 2 is Requesting, Per Section II Water Delivery Subsection 2.3 Measurement of Water, in the Permanent Water Supply Contract, that the Mechanical Water Flow Meter be Replaced With a Magnetic Meter for Greater Accuracy.

RECOMMENDATION:

Staff Recommends Approval

PREPARED BY:

David Salinas,
Director of Utilities

APPROVED BY:

Benjamin Arjona, City
Manager

CITY OF SAN JUAN
MAGNETIC FLOWMETER IMPROVEMENTS PROJECT
SAN JUAN, TEXAS

PREPARED FOR
CITY OF SAN JUAN

PREPARED BY:
TRIMAD CONSULTANTS, L.L.C.
FIRM # 18526
Office: (956) 688-8860



1803 MOZELLE STREET
PHARR, TEXAS 78577
TEXAS REGISTERED ENGINEERING
FIRM NUMBER F-18526

December 02, 2021

David Salinas
Public Utilities Director
City of San Juan
700 S. Kansas Ave
San Juan, Texas 78589

SUBJECT: Magnetic Flowmeter Improvements Project
 Professional Engineering Services Proposal

Dear Mr. Salinas,

Trimad Consultants, L.L.C. (TRIMAD) is pleased to submit this Professional Engineering Services Proposal for the above-mentioned reference project.

We greatly appreciate the opportunity in serving City of San Juan.

Sincerely,

A handwritten signature in blue ink that reads "Ricardo Salazar".

Ricardo Salazar, P.E.
President

CITY OF SAN JUAN
MAGNETIC FLOWMETER IMPROVEMENTS PROJECT
PROFESSIONAL ENGINEERING SERVICES PROPOSAL
DECEMBER 02, 2021

PROJECT BACKGROUND

This document defines Trimad Consultants, L.L.C. (TRIMAD) professional engineering services and associated budget to prepare and submit this proposal for the installation of a dual voltage meter and sump pump on the City of San Juan reservoir.

SCOPE OF SERVICES

The Scope of Services will include research and relevant data collection, design plans, topographic data collection, and construction phase. TRIMAD currently anticipates two (2) phases to be included in this project. Phase I identified for Civil Engineering Services and Phase II identified for Electrical Engineering Services. The two (2) phases are identified below:

PHASE I – Civil Engineering Services

TASK 1: Data Collection and Topography, Research, and Review of Relevant
Information/Site Visits (30%)

TASK 2: Design Phase (60%)

TASK 3: Construction Phase (10%)

PHASE II – Electrical Engineering Services

TASK 1: Design Phase (30%, 90%, 100%)

Basis of Scope and Fee Development

The following key assumptions have been made in establishing the scope and the estimated level of effort for this project:

1. Construction phase services shall be for a single construction contract.
2. Prior to initiating preliminary permit, the Owner will provide TRIMAD record drawings, GIS data, and other utility maps for its existing facilities (potable water and sanitary sewer) within and along the potential project limits.
3. The Owner will provide the Front-End Documents to be included in the Specifications and TRIMAD shall be responsible for editing the Invitation to Bidders and drafting the Bid Proposal, Supplementary Conditions, and Special Conditions.

Upon notice to proceed, TRIMAD will perform the following tasks:

PHASE I – Civil Engineering Services

TASK 1: Data Collection and Topography, Research, and Review of Relevant Information/Site Visits (30%)

TRIMAD TEAM will coordinate with Staff on-site to evaluate the existing conditions and to obtain all necessary data collection and research for the improvements.

TRIMAD shall collect horizontal and vertical data based upon NAD 83 coordinates (State Plan Texas South/Feet), at the City of Pharr WWTP. Research and data collection investigation will identify property lines, contours, benchmarks, topographic features, apparent manholes, manhole inverts, elevations, grate inlets, grate inlet inverts, fences, drainage structures, drainage ditch contours, etc.

TASK 2: Design Phase (60%)

The design phase will include plans and specification book to demonstrate the scope, extent, and character of the work. Where available, TRIMAD TEAM shall use documents made available by the Owner such as plans, standard details, standard specifications, and design guidelines.

TRIMAD TEAM will also prepare (30%, 60%, 90%, 100%) engineering plans in half-size (11"x17") format and, if requested by Owner, in full size (22"x34") format.

TASK 3: Construction Phase (10%)

3.1 Construction Contract Execution

TRIMAD will prepare five (5) sets of the contract documents for execution by the contractor, receive and review such documents for completeness, and forward to the Owner for review and execution. The contract documents, plans, and specifications shall be revised to a conformance set with any addendum issued during the bidding process.

3.2 Pre-Construction Conference

TRIMAD will attend one (1) Pre-Construction Conference prior to commencement of work.

3.3 Visits to Site and Observation of Construction

TRIMAD will provide up to three (3) on-site construction observation services during the construction phase of the Project. TRIMAD will make visits at intervals as directed by Owner in order to observe the progress of the Work. It is anticipated that TRIMAD will attend one progress meeting and visit the site for observation at the time, once a month for a period of 8 months. Additional site visits will be considered additional services. Such visits and observations by TRIMAD are not intended to be exhaustive or to extend to every aspect of Contractor's work in progress. Observations are to be limited to spot checking, selective measurement, and similar methods of general observation of Work based on TRIMAD's exercise of professional judgment. Based on information obtained during such visits and such observations, TRIMAD will evaluate whether Contractor's work is generally proceeding in accordance with the Contract Documents, and TRIMAD will keep Owner informed of the general progress of the Work.

The purpose of TRIMAD's site visits will be to enable TRIMAD to better carry out the duties and responsibilities specifically assigned in this Agreement to TRIMAD, and to provide Owner a greater degree of confidence that the completed Work will conform in general to the Contract Documents. TRIMAD shall not, during such site visits or as a result of such observations of Contractor's work in progress, supervise, direct, or have control over Contractor's work, nor shall TRIMAD have authority over or responsibility for the means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction selected by Contractor, for safety precautions and programs incident to Contractor's work, nor for any failure of Contractor to comply with laws and regulations applicable to Contractor's guarantees that performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish and perform its work in accordance with the Contract Documents.

3.4 Recommendations with Respect to Defective Work

TRIMAD will recommend to Owner that Contractor's work be disapproved and rejected while it is in progress if, on the basis of such observations, TRIMAD believes that such work will not produce a completed Project that conforms generally to Contract Documents.

3.5 Clarifications and Interpretations

TRIMAD will respond to reasonable and appropriate Contractor requests for information and issue necessary clarifications and interpretations of the Contract Documents to Owner as appropriate to the orderly completion of Contractor's work. Any orders authorizing variations from the Contract Documents will be made by Owner.

3.6 Change Orders

TRIMAD may recommend Change Orders to Owner and will review and make recommendations related to Change Orders submitted or proposed by the Contractor.

3.7 Shop Drawings and Samples

TRIMAD will review and approve or take other appropriate action in respect to Shop Drawings and Samples and other data which Contractor is required to submit, but only conformance with the information given in the Contract Documents. Such review and approvals or other action will not extend to means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction or to related safety precautions and programs.

3.8 Substitutes and "or-equal"

Evaluate and determine the acceptability or substitute or "or-equal" materials and equipment proposed by Contractor in accordance with the Contract Documents, but subject to the provisions of applicable standards of state or local government entities.

3.9 Inspections and Tests

TRIMAD may recommend special inspections or tests of Contractor's work as TRIMAD deems appropriate and may receive and review certificates of inspections within TRIMAD's area of responsibility or of tests and approvals required by law and regulations or the Contract Documents. Upon TRIMAD's recommendation and concurrence by

Owner, Owner shall proceed with and pay for such special inspections or tests. TRIMAD's review of such certificates will be for the purpose of determining that the results certified indicate compliance with the Contract Documents and will not constitute an independent evaluation that the contact or procedures of such inspections, tests, or approvals comply with the requirements of the Contract Documents. TRIMAD shall be entitled to relay on the results of such tests and the facts being certified.

3.10 Disagreements between Owner and Contractor

TRIMAD will, if requested by Owner, render written decision on all claims of Owner and Contractor relating to the acceptability of Contractor's work or the interpretation of the requirements of the Contract Documents pertaining to the progress of Contractor's work. In rendering such decisions, TRIMAD shall be fair and not show partiality to Owner or Contractor and shall not be liable in connection with any decision rendered in good faith in such capacity.

3.11 Applications of Payment

Based on its observations and on review of applications for payment and accompanying supporting documentation, TRIMAD will approve the amounts that Owner recommends Contractor be paid. Such recommendations of payment will be in writing and will constitute TRIMAD's representation to Owner, based on such observations and review, that, to the best of TRIMAD's knowledge, information and belief, Contractor's work has progressed to the point indicated and that such work-in-progress is generally in accordance with the Contract Documents subject to any qualifications stated in the recommendation. In the case of unit price work, TRIMAD's recommendation of payment will include determinations of quantities and classifications of Contractor's work, based on observations and measurements of quantities provided with pay requests.

By recommending any payment, TRIMAD shall not thereby be deemed to have represented that its observations to check Contractor's work have been exhaustive, extended to every aspect of Contractor's work in progress, or involved detailed inspections of the Work beyond the responsibilities specifically assigned to TRIMAD in this Agreement. It will also not impose responsibility on TRIMAD to make any examination to ascertain how or for what purposed Contractor has used the moneys paid on account for the Contract Price, no to determine that title to any portion of the work in progress, materials, or equipment has passed to Owner free and clear of any liens, claims, security interests, or encumbrances, nor that there may not be other matters at issue between Owner and Contractor that might affect the amount that should be paid.

3.12 Substantial Completion

TRIMAD will, promptly after notice from Contractor that it considers the entire Work ready for its intended use, in company with Owner and Contractor, conduct a site visit to determine if the Work is substantially complete. Work will be considered substantially complete following satisfactory completion of all items with the exception of those identified on a final punch list. If after considering any objections of Owner, TRIMAD considers the work substantially complete, TRIMAD will notify Owner and Contractor.

3.13 Final Notice of Acceptability of the Work

TRIMAD will conduct a final site visit to determine if the completed Work of Contractor is generally in accordance with the Contract Documents and the final punch list so that TRIMAD may recommend, in writing, final payment to Contractor. Accompanying the recommendation for final payment, TRIMAD shall also provide a notice that the Work is generally in accordance with the Contract Documents to the best of TRIMAD's knowledge, information and belief based on the extent of its services and based upon information provided to TRIMAD upon which it is entitled to rely.

3.14 Limitations of Responsibility

TRIMAD shall not be responsible for the acts or omissions of any Contractor, or of any other their subcontractors, suppliers, or of any other individual or entity performing or furnishing the Work. TRIMAD shall not have the authority or responsibility to stop the work of any Contractor.

PHASE II – Electrical Engineering Services

TASK 1: Design Phase (30%, 90%, 100%)

Sub-Engineering Contractor will coordinate with Staff on-site to evaluate the existing electrical conditions and obtain all necessary data for the design of the project. The data will include information regarding the meter's electrical system and availability at the project location.

Additional Services, if Required:

- Additional copies of Construction Documents beyond five (5).
- Additional survey or geotechnical investigations, if requested or required by the Owner.
- Assisting the Owner in acquiring easements.
- Sampling, testing, or analysis beyond that specifically included in the Scope of Services referenced herein above.
- Appearing before regulatory agencies or courts as an expert witness in any litigation with third parties or condemnation proceedings arising from the development or construction the project, including the preparation of engineering data and reports for assistance to the Owner.
- Providing professional services associated with the discovery of any hazardous water or materials along the project routes.
- Providing construction staking.
- Revisions to the final design documents once the 100% submittal has been approved by the Owner.
- Assisting Owner or Contractor in the defence or prosecution of litigation in connection with or in addition to those services contemplated by this Agreement. Such services, if any, shall be furnished by TRIMAD on a fee basis negotiated by the respective parties outside of and in addition to this Agreement.
- Preparing applications and supporting documents for government grants, loans, or planning advances, and providing data for detailed applications.
- Preparing for, conducting or attending meetings during the design, bidding and construction phases of the project that are not provided as part of the Scope of Services.
- Providing any other professional services requested by the Owner as a part of this project that are not listed in the Scope of Services.

TABLE 1 – Task and Expense Budget

TASK NO.	DESCRIPTION	FEE
Civil Engineering Services		
1	Data collection and Topography, research and review of relevant information/Site Visits (30%)	\$1,530.00
2	Design Phase (60%)	\$3,060.00
3	Construction Phase (10%)	\$510.00
	Civil Engineering Service Fee:	\$5,100.00
Electrical Engineering Services		
1	Design Phase (30%, 90%, 100%)	\$3,000.00
	Electrical Engineering Service Fee:	\$3,000.00
	TOTAL FEE:	\$8,100.00

Invoices will be submitted monthly based on the percentage (%) of work completed.

MAGNETIC FLOWMETER IMPROVEMNTS PROJECT
CITY OF SAN JUAN
OPINION OF PROBABLE CONSTRUCTION COST

	SUB-TOTAL
SITE PREPARATION	\$ 400.00
EROSION CONTROL	\$ 900.00
MAGNETIC FLOWMETER & EQUIPMENT	\$ 46,720.00
MISCELLANEOUS	\$ 3,800.00
GRAND TOTAL	\$ 51,820.00
10% CONTINGENCY	\$ 5,182.00
RE-MOBILIZATION	\$
GRAND TOTAL	\$ 57,002.00

QUOTATION

3104 Washington St.
Waller, TX 77484
P: (936) 372-5272 • F: (936) 372-9224

TO: Trimad

Pharr, Tx
Email: jperez@trimadstx.com

ATT: Jose A Perez
PH: (956) 460-8515
FAX:

DATE: 9/29/2021	QUOTE 9292021	PAGE 1 OF 11
REFERENCED PROJECT		
City of San Juan Utilities		
FOR MORE INFORMATION CONTACT		
Javier Santiago, Sales Rep. 956-483-5929		

Summary of Project: Raw Water Flow Meter

Scope of Supply

Prices Valid For Thirty (30) Days
Freight: F.O.B. Factory/P.P.A
Terms: Net 30 Days - No Retentions

1. If submittals are required with your order, they will be supplied according to the manufacturer's schedule.				
2. Shipping schedules are based on current material availability and procurement lead times, at time of order.				
Equipment availability will be verified at the time of order and delivery dates will be adjusted accordingly, if applicable.				
THIS QUOTATION IS SUBJECT TO THE ATTACHED GENERAL TERMS AND STANDARD CONDITIONS OF SALE - TWO (2) PAGES				
ITEM	QTY	DESCRIPTION	UNIT COST	TOTAL COST
A	1	ROSEMOUNT 8750W UTILITY MAGNETIC FLOW METER SYSTEM, 18 INCH ROSEMOUNT 8750W UTILITY MAGNETIC FLOW METER Enclosure Included		
B	1	Solar Panel Skid estimated to support 750watts		
C	1	Battery 1 hp sump pump		
D	1	Solar Panel Skid Engineer Stamped Design Drawings		
		Total		\$27,345.00
		see attached scope and supply		-
		Freight (Estimated)		\$1,000.00
				-
		TOTAL PRICE		\$28,345.00

****All Orders Are Processed in the Waller, Texas Office****

Is Freight Included: (x) Yes () No

Javier Santiago
Sales Representative Name

Delivery: * 10 Weeks (after approved submittals, if applicable)

*Subject to availability at time of order

Signed & Accepted this _____ day of _____ 2021

NOTES:

- Representative on hand included in this quote.
- Sale Tax Certificate and W9 have to be supplied with signed quote or PO.
- First time orders are subject to verifiable credit references.
- Unless otherwise noted above, FREIGHT is not included in quote.
- Purchase Orders are required on orders over \$ 5,000.00.
- If applicable, a Project Info form will be supplied and must be completed and returned before submittals and/or shipment occurs.

(Name) (Title)

(Printed Name)



PRECISION PUMP SYSTEMS

3908 East Richardson
Edinburg TX 78542
Phone: 956-378-9270

BuyBoard Contract # 589-19

Attn: TRIMAD STX
Project: AMT SUMP PUMP
Contact: JOSE PEREZ

Date: 11-23-21
Quote#PD211134
Page: 1 of 1

Pursuant to your inquiry as referenced above, we are pleased to submit our proposal for your kind consideration. We appreciate your confidence in **Precision Pump Systems (PPS)** to supply the best equipment and service available in the industry today.

Equipment Scope & Services Included – SUMP PUMP 12V AMT MODEL# 5891-DC

Net Price: \$1664.67

Freight Included

NOTES/EXCEPTIONS:

Unless specifically mentioned in this proposal for inclusion with proposed items, PPS has not included any other items or services. Items quoted are standard construction and paint unless otherwise noted. Motors sent in for rebuild that are "Listed Motors" i.e. UL, FM, etc. will not be re-certified unless specifically stated at time of repair. Any sale of goods is based on our "Standard Terms & Conditions of Sales", request copy if needed. Proposal is limited to the items and quantities listed. Neither verbal nor handwritten changes are acceptable. Any revision to proposal will be provided in a re-typed "revised" proposal.

We look forward to working with you on this and any future projects. If you have any questions or thoughts, please do not hesitate to call.

Sincerely,
PRISCILLA DOMINGUEZ
OUTSIDE SALES
PRECISION PUMP SYSTEMS
M: 956.578.1053
pdominguez@precisionpumpsystems.com

APPROVED BY: _____

DATE: _____

Terms are net 30, upon approved credit. No taxes are included. Prices firm for 30 days only. Note: Retainers are not considered as part of the terms of the quotation. PPS will furnish Insurance Certificate upon request. The above quotation is subject to PPS's standard conditions of sale and any party's acceptance to purchase items @ cost noted hereby signify that they have read and understand those conditions and agree to them. These said terms & conditions shall have absolute & overriding authority of any agreement between PPS & other parties unless specifically noted otherwise by PPS in writing. No verbal or handwritten changes to this proposal shall be acceptable, unless within revised written proposal provided. This offer is not a Bill of Sale. Customer must supply written notice of any order cancellation and is solely responsible for All cost associated with any order cancellation requested. There will be a 1% Interest per Month Charge on All Payments Past 60 Days. By Signing this Quote, means you have read and agree to all Terms and Conditions.

P.O. Box 73149, Houston, TX 77273 Tel: 713-783-8530 Fax: 713-783-1221



3807 N.Bentsen Palm Dr.
Mission Tx. 78574-8200
E-mail sales.lrprecast@gmail.com
Web Site www.lrprecast.com
Phone: (956)-583-6293
Fax : (956)-424-1099

Quotation 2657

Date	11/23/2021
Bid Date	11/23/2021
Bid Time	
Project	San Juan Project
Engineer:	
San Juan Project San Juan, TX	

Name / Address
TRIMAD Consultants Jose Perez

L&R Precast is pleased to provide you with the following materials quote for the reference project.

We are herby submitting this proposal for your consideration

Customer ID	Description	Qty	Price	Total
	6'x8'x8' Concrete Box with Bottom	1	3,475.00	3,475.00
<i>D.B.E. APPROVED</i>				

Estimated Total \$3,475.00

BY SIGNING THIS QUOTATION YOU ARE ACCEPTING TERMS AND CONDITIONS.

ACCEPTED BY: _____ Date: _____
DIRECTIONS#: _____ PO: _____

TERMS AND CONDITIONS

- 1.- Payments are due on Net 10th.
- 2.- Concrete products are F.O.B unloaded by the customer at project site.
- 3.- The prices quoted for the referenced project are valid for a period of thirty (30) days from the advertised bid date. Prices will be subject to change without notice.
- 4.- If for any reason, the customer is placed on hold, due to lack of payment, and the customer decides to purchase materials somewhere else, the customer will be responsible for paying all pending material left to deliver.
- 5.- We reserve the right to modify this bid and match pricing quoted by any competitor.
- 6.- In order for us to provide you with a complete materials quotation, do not rely solely on the quantities and descriptions as provided on this quotation but compare our data to yours and notify us of any discrepancies. We will promptly revise our quotation to include the product that you require and return to you.



QUOTATION

Quote Number	
1151795	
Quote Date	Page
11/18/2021 10:56:34	1 of 2

Quote Expires On: 12/18/2021

Please Address Order To:

Vector Controls LLC
2200 10TH St Ste 300
Plano, TX 75074-8023
US
800-969-5678

Bill To:

Jose Perez
1803 W Mozelle St.
Pharr, TX 78577

Ship To:

Jose Perez
1803 W Mozelle St.
Pharr, TX 78577

(956) 688-8860

Requested By: Mr. Jose Perez

Delivery Terms:

Reference Number			Ship Route	Salesman	
				Sarah Guzman	
Li	Quantities		Item ID Item Description	Unit Price	Extended Price
	Ordered	UOM			
1	1.00	EA	RDASP-100-12-A RDA 100W 12V C1D2 Solar Panel Assembly Includes: Solar Panel Bracket & 15' 16g SEOOW Power Cable **USES BRACKET 52043 W/ SMALL HEADPIECE**	290.1235	290.12
2	2.00	EA	30000 RDA 12V110 AH AGM Battery (Internal Threads)	209.8765	419.75
3	1.00	EA	31050 RDA Dual Battery Aluminum Enclosure w/ Back Plate (18"x18"x18")	358.0247	358.02
4	1.00	EA	53040 Morningstar Sunsaver SS-10L-12V (Charge Controller)	85.1852	85.19

Prices and shipment shown are applicable only to the quantities quoted herein. Any change or deletion of one or more items may require a quotation revision. All prices are subject to the approval of the manufacturer.



QUOTATION

Quote Number	
1151795	
Quote Date	Page
11/18/2021 10:56:34	2 of 2

Quote Expires On: 12/18/2021

Please Address Order To:

Vector Controls LLC
2200 10TH St Ste 300
Plano, TX 75074-8023
US
800-969-5678

Delivery Terms:

Li	Quantities		Item ID Item Description	Unit Price	Extended Price
	Ordered	UOM			

Total Lines: 4

SUB-TOTAL: 1,153.08

TAX: 0.00

AMOUNT DUE: 1,153.08

U.S. Dollars

For Questions Contact:

RICKY_QUEZADA

ricky.quezada@vectorcag.com

Prices and shipment shown are applicable only to the quantities quoted herein. Any change or deletion of one or more items may require a quotation revision. All prices are subject to the approval of the manufacturer.

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
MARCH 8, 2022

Discussion and Possible Action to Approve an Agreement with TRIMA Consultants, L.L.C. for Engineering Services and Associated Budget for Improvements to the Existing Sanitary Sewer Collection System that has Partialy Collapsed Under an apartment Building in the F.R. Speaks Subdivison and Authorize the City Manager to Execute All Related Documents and Budget Amendment as Needed.

STAFF COMMENTS AND RECOMMENDATIONS:

Staff has Been Working With TRIMAD Consultants, L.L.C. to Identify the Best Way to Repair or Replace a Partially Collapsed Sanitary Sewer Under the Apartment Loated on the Corner of S. Iowa and East San Houston. Several Alternates Have Been Evaluated and Alternate 1 is the Quickest and Most Advantageous.

RECOMMENDATION:

Staff Recomends Approval

PREPARED BY:

David Salinas,
Director of Utilities

APPROVED BY:

Benjamin Arjona, City
Manager

CITY OF SAN JUAN
SANITARY SEWER IMPROVEMENTS PROJECT
PROFESSIONAL ENGINEERING SERVICES PROPOSAL
SAN JUAN, TEXAS

PREPARED FOR
CITY OF SAN JUAN

PREPARED BY:
TRIMAD CONSULTANTS, L.L.C.
FIRM # 18526
Office: (956) 688-8860



1803 MOZELLE STREET
PHARR, TEXAS 78577
TEXAS REGISTERED ENGINEERING
FIRM NUMBER F-18526

December 15, 2021

David Salinas
Public Utilities Director
City of San Juan
700 S. Kansas Ave.
San Juan, Texas 78589

SUBJECT: City of San Juan Sanitary Sewer Improvements Project
Professional Engineering Services Proposal

Dear Mr. Salinas,

Trimad Consultants, L.L.C. (TRIMAD) is pleased to submit this Professional Engineering Services Proposal for the above-mentioned reference project.

We greatly appreciate the opportunity in serving the City of San Juan.

Sincerely,

A handwritten signature in blue ink that reads "Ricardo Salazar".

Ricardo Salazar, P.E.
President

**CITY OF SAN JUAN
SANITARY SEWER IMPROVEMENTS PROJECT
PROFESSIONAL ENGINEERING SERVICES PROPOSAL
DECEMBER 15, 2021**

Project Background

This document defines Trimad Consultants, L.L.C. (TRIMAD) professional engineering services and associated budget to prepare and submit this proposal for improvements to the existing sanitary sewer collection system within F.R. Speaks in the City of San Juan, Texas.

Scope Of Services

The Scope of Services will include research and relevant data collection, design plans, topographic data collection, and construction phase services. TRIMAD currently anticipates three Tasks to be included in this project. The three (3) Tasks are identified below:

Task 1: Data Collection and Topography, Research, and Review of Relevant Information/Sites Visits (30%)

Task 2: Design Phase (60%)

Task 3: Construction Phase (10%)

Basis of Scope and Fee Development

The following key assumptions have been made in establishing the scope and the estimated level of effort for this project:

1. Construction Phase services shall be for a single construction contract.
2. Prior to initiating preliminary design phase, the Owner will provide TRIMAD record drawings, GIS data, and other utility maps for its existing facilities (potable water and sanitary sewer) within and along the potential project limits.
3. The Owner will provide the Front-End Documents to be included in the Specifications and TRIMAD shall be responsible for editing the Invitation to Bidders and drafting the Bid Proposal, Supplementary Conditions, and Special Conditions.

Upon notice to proceed, TRIMAD will perform the following tasks:

TASK 1: Data Collection and Topography, Research, and Review of Relevant Information/Site Visits (30%)

TRIMAD TEAM will coordinate with Staff on-site to evaluate the existing conditions and to obtain all necessary data collection and research for the improvements.

TRIMAD shall collect horizontal and vertical data based upon NAD 83 coordinates (State Plan Texas South/Feet), at the City of Pharr WWTP. Research and data collection investigation will identify property lines, contours, benchmarks, topographic features, apparent manholes,

manhole inverts, elevations, grate inlets, grate inlet inverts, fences, drainage structures, drainage ditch contours, etc.

TASK 2: Design Phase (60%)

The design phase will include plans and specification book to demonstrate the scope, extent, and character of the work. Where available, TRIMAD TEAM shall use documents made available by the Owner such as plans, standard details, standard specifications, and design guidelines.

TRIMAD TEAM will also prepare (30%, 60%, 90%, 100%) engineering plans in half-size (11"x17") format and, if requested by Owner, in full size (22"x34") format.

TASK 3: Construction Phase (10%)

3.1 Construction Contract Execution

TRIMAD will prepare five (5) sets of the contract documents for execution by the contractor, receive and review such documents for completeness, and forward to the Owner for review and execution. The contract documents, plans, and specifications shall be revised to a conformance set with any addendum issued during the bidding process.

3.2 Pre-Construction Conference

TRIMAD will attend one (1) Pre-Construction Conference prior to commencement of work.

3.3 Visits to Site and Observation of Construction

TRIMAD will provide up to three (3) on-site construction observation services during the construction phase of the Project. TRIMAD will make visits at intervals as directed by Owner in order to observe the progress of the Work. It is anticipated that TRIMAD will attend one progress meeting and visit the site for observation at the time, once a month for a period of 8 months. Additional site visits will be considered additional services. Such visits and observations by TRIMAD are not intended to be exhaustive or to extend to every aspect of Contractor's work in progress. Observations are to be limited to spot checking, selective measurement, and similar methods of general observation of Work based on TRIMAD's exercise of professional judgment. Based on information obtained during such visits and such observations, TRIMAD will evaluate whether Contractor's work is generally proceeding in accordance with the Contract Documents, and TRIMAD will keep Owner informed of the general progress of the Work.

The purpose of TRIMAD's site visits will be to enable TRIMAD to better carry out the duties and responsibilities specifically assigned in this Agreement to TRIMAD, and to provide Owner a greater degree of confidence that the completed Work will conform in general to the Contract Documents. TRIMAD shall not, during such site visits or as a result of such observations of Contractor's work in progress, supervise, direct, or have control over Contractor's work, nor shall TRIMAD have authority over or responsibility for the means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction selected by Contractor, for safety precautions and programs incident to Contractor's work, nor for any failure of Contractor to comply with laws and regulations applicable to Contractor's guarantees that performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish and perform its work in accordance with the Contract Documents.

3.4 Recommendations with Respect to Defective Work

TRIMAD will recommend to Owner that Contractor's work be disapproved and rejected while it is in progress if, on the basis of such observations, TRIMAD believes that such work will not produce a completed Project that conforms generally to Contract Documents.

3.5 Clarifications and Interpretations

TRIMAD will respond to reasonable and appropriate Contractor requests for information and issue necessary clarifications and interpretations of the Contract Documents to Owner as appropriate to the orderly completion of Contractor's work. Any orders authorizing variations from the Contract Documents will be made by Owner.

3.6 Change Orders

TRIMAD may recommend Change Orders to Owner and will review and make recommendations related to Change Orders submitted or proposed by the Contractor.

3.7 Shop Drawings and Samples

TRIMAD will review and approve or take other appropriate action in respect to Shop Drawings and Samples and other data which Contractor is required to submit, but only conformance with the information given in the Contract Documents. Such review and approvals or other action will not extend to means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction or to related safety precautions and programs.

3.8 Substitutes and "or-equal"

Evaluate and determine the acceptability or substitute or "or-equal" materials and equipment proposed by Contractor in accordance with the Contract Documents, but subject to the provisions of applicable standards of state or local government entities.

3.9 Inspections and Tests

TRIMAD may recommend special inspections or tests of Contractor's work as TRIMAD deems appropriate and may receive and review certificates of inspections within TRIMAD's area of responsibility or of tests and approvals required by law and regulations or the Contract Documents. Upon TRIMAD's recommendation and concurrence by Owner, Owner shall proceed with and pay for such special inspections or tests. TRIMAD's review of such certificates will be for the purpose of determining that the results certified indicate compliance with the Contract Documents and will not constitute an independent evaluation that the contract or procedures of such inspections, tests, or approvals comply with the requirements of the Contract Documents. TRIMAD shall be entitled to rely on the results of such tests and the facts being certified.

3.10 Disagreements between Owner and Contractor

TRIMAD will, if requested by Owner, render written decision on all claims of Owner and Contractor relating to the acceptability of Contractor's work or the interpretation of the requirements of the Contract Documents pertaining to the progress of Contractor's work. In rendering such decisions, TRIMAD shall be fair and not show partiality to Owner or Contractor and shall not be liable in connection with any decision rendered in good faith in such capacity.

3.11 Applications of Payment

Based on its observations and on review of applications for payment and accompanying supporting documentation, TRIMAD will approve the amounts that Owner recommends

Contractor be paid. Such recommendations of payment will be in writing and will constitute TRIMAD's representation to Owner, based on such observations and review, that, to the best of TRIMAD's knowledge, information and belief, Contractor's work has progressed to the point indicated and that such work-in-progress is generally in accordance with the Contract Documents subject to any qualifications stated in the recommendation. In the case of unit price work, TRIMAD's recommendation of payment will include determinations of quantities and classifications of Contractor's work, based on observations and measurements of quantities provided with pay requests.

By recommending any payment, TRIMAD shall not thereby be deemed to have represented that its observations to check Contractor's work have been exhaustive, extended to every aspect of Contractor's work in progress, or involved detailed inspections of the Work beyond the responsibilities specifically assigned to TRIMAD in this Agreement. It will also not impose responsibility on TRIMAD to make any examination to ascertain how or for what purposed Contractor has used the moneys paid on account for the Contract Price, no to determine that title to any portion of the work in progress, materials, or equipment has passed to Owner free and clear of any liens, claims, security interests, or encumbrances, nor that there may not be other matters at issue between Owner and Contractor that might affect the amount that should be paid.

3.12 Substantial Completion

TRIMAD will, promptly after notice from Contractor that it considers the entire Work ready for its intended use, in company with Owner and Contractor, conduct a site visit to determine if the Work is substantially complete. Work will be considered substantially complete following satisfactory completion of all items with the exception of those identified on a final punch list. If after considering any objections of Owner, TRIMAD considers the work substantially complete, TRIMAD will notify Owner and Contractor.

3.13 Final Notice of Acceptability of the Work

TRIMAD will conduct a final site visit to determine if the completed Work of Contractor is generally in accordance with the Contract Documents and the final punch list so that TRIMAD may recommend, in writing, final payment to Contractor. Accompanying the recommendation for final payment, TRIMAD shall also provide a notice that the Work is generally in accordance with the Contract Documents to the best of TRIMAD's knowledge, information and belief based on the extent of its services and based upon information provided to TRIMAD upon which it is entitled to relay.

3.14 Limitations of Responsibility

TRIMAD shall not be responsible for the acts or omissions of any Contractor, or of any other their subcontractors, suppliers, or of any other individual or entity performing or furnishing the Work. TRIMAD shall not have the authority or responsibility to stop the work of any Contractor.

Additional Services, if Required:

- Additional copies of Construction Documents beyond five (5).
- Additional survey or geotechnical investigations, if requested or required by the Owner.
- Sampling, testing, or analysis beyond that specifically included in the Scope of Services referenced herein above.

- Appearing before regulatory agencies or courts as an expert witness in any litigation with third parties or condemnation proceedings arising from the development or construction the project, including the preparation of engineering data and reports for assistance to the Owner.
- Providing professional services associated with the discovery of any hazardous water or materials along the project routes.
- Providing construction staking.
- Revisions to the final design documents once the 100% submittal has been approved by the Owner.
- Assisting Owner or Contractor in the deference or prosecution of litigation in connection with or in addition to those services contemplated by this Agreement. Such services, if any, shall be furnished by TRIMAD on a fee basis negotiated by the respective parties outside of and in addition to this Agreement.
- Preparing applications and supporting documents for government grants, loans, or planning advances, and providing data for detailed applications.
- Preparing for, conducting, or attending meetings during the design, bidding and construction phases of the project that are not provided as part of the Scope of Services.
- Providing any other professional services requested by the Owner as a part of this project that are not listed in the Scope of Services.

TABLE 1 – Task and Expense Budget

TASK NO.	DESCRIPTION	FEE
	Proposed 8" Gravity Sewer	
1	Data collection and Topography, research, and review of relevant information/Site Visits (30%)	\$1,620.00
2	Design Phase (60%)	\$3,240.00
3	Construction Phase (10%)	\$540.00
TOTAL FEE		\$5,400.00

Invoices will be submitted monthly based on the percentage (%) of work completed.

See below for estimate breakdown.

CITY OF SAN JUAN
OPINION OF PROBABLE CONSTRUCTION COST ALTERNATIVE 1

	SUB-TOTAL
SITE PREPARATION	\$ 2,000.00
EROSION CONTROL	\$ 180.00
SEWER	\$ 34,540.00
STREET	\$ 16,400.00
MISCELLANEOUS	\$ 1,500.00
TOTAL	\$ 54,620.00
10% CONTINGENCY	\$ 5,462.00
GRAND TOTAL	\$ 60,082.00



PROJ. NO. 24-000
 DESIGNED: JES
 DRAWN: JES/SP
 SHEET NUMBER
 OF XX

CITY OF SAN JUAN
 SANITARY SEWER IMPROVEMENTS

EXHIBIT ONLY

Texas Firm No. P-16526
 P.E. 0560 497-8365
 1803 Morales St., Pharr, Texas 78577
 JPMARTINEZ@TRIMADSTX.COM
 JPMARTINEZ@TRIMADSTX.COM
 JPMARTINEZ@TRIMADSTX.COM

TRIMAD

SCALE IN FEET
 0 25 50

LEGEND
 ALTERNATIVE 1
 ALTERNATIVE 2
 ALTERNATIVE 3
 EXIST. S.S. LINE
 PROP. MANHOLE
 EXIST. MANHOLE
 STREET PATCHING

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
MARCH 8, 2022

Consider Entering Into an Interlocal Cooperation Agreement Between the City of San Juan and Hidalgo County to Provide Efficient and Effective Library Services for County Residents.

STAFF COMMENTS AND RECOMMENDATIONS:

This Interlocal Cooperation Agreement is a yearly agreement between the City of San Juan and Hidalgo County. Hidalgo County has established the Hidalgo County Library System (HCLS) to acquire library materials, supplies, services, electronic databases, audiovisual equipment, computer hardware, software and other resources for library services for the use of the City's library by residents of San Juan and residents of San Juan and residents of the County of Hidalgo.

The amount the City of San Juan/San Juan Memorial Library will receive is \$14,777.69. These funds will be used to provide library services to about 54,000 county residents.

RECOMMENDATION:

Enter Into an Interlocal Cooperation Agreement Between the City of San Juan and Hidalgo County to Provide Efficient and Effective Library Service for County Residents.

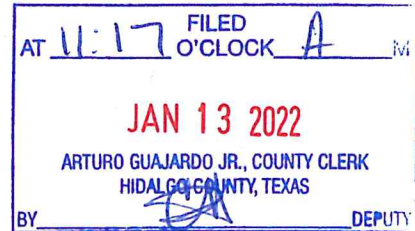
PREPARED BY:

Brenda Escalante,
Aide

APPROVED BY:

Benjamin Arjona, City
Manager

THE STATE OF TEXAS §
COUNTY OF HIDALGO §



**INTERLOCAL COOPERATION AGREEMENT
BETWEEN COUNTY OF HIDALGO, TEXAS AND CITY OF SAN JUAN, TEXAS**

This Agreement is made effective as of this 11th day of January, 2022, by and between HIDALGO COUNTY, TEXAS hereinafter referred to as "County," and the CITY OF SAN JUAN, TEXAS hereinafter referred to as "City" pursuant to the provisions of the Texas Interlocal Cooperation Act, as follows:

WHEREAS, the County has established the Hidalgo County Library System (hereinafter "HCLS");

WHEREAS, the County wishes to Contract with the City for library privileges from the City's established library;

WHEREAS, pursuant to Tex. Loc. Gov't Code Section 323.011 the City understands that the City's library will assume the functions of a County library within the County;

WHEREAS, pursuant to standard HCLS operating procedures, HCLS acquires library materials, supplies and services, electronic database services, audiovisual equipment, and computer hardware, software and other resources for library services for the free use of City's library by residents of rural areas of the County;

WHEREAS, the County and City desire to clarify the terms and conditions of the operation of HCLS, and to provide direct funding to City in certain circumstances;

WHEREAS, the County finds that the City is suitably organized to provide efficient and effective free library services to County residents under Chapter 323; and

WHEREAS, the County therefore desires to expend funds to assist City with the expenses of establishing, operating and maintaining its free library in the County.

NOW THEREFORE, for and in good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, the County and the City hereby agree as follows:

1. The County shall budget an estimated amount each year for the following fiscal year and allocate such amount from the County's General Fund as payment for various libraries of County of which City library is one. Such estimated amount will be allocated to County libraries in accordance with a formula established, reviewed and

approved by HCLS. This allocation formula shall be reviewed and approved annually at the beginning of the County fiscal year by HCLS meeting in regular-session. Funds disbursed to the City shall be in consideration for the City agreeing that the City's library will assume the functions of a county library within Hidalgo County. Funds disbursed to the City pursuant to this paragraph and HCLS provisions shall be used by City only for the City library to purchase contractual services and library materials, including but not limited to, books, supplies and services, Internet connectivity, electronic database services and connections, equipment and furnishings, and computer hardware and software.

2. The City agrees to maintain and operate its city library in accordance with the standards of the State of Texas, the State Library System Act and Local Government Code Chapter 323. The City specifically covenants to assure that the librarian of the City's library meets the minimum standards established by Texas State Library and Archives Commission ("State Library"), including any and all certification mandated by the State Library. The City further agrees to cooperate with the County in any programs, promotions or interlocal initiatives in furtherance of the purposes of HCLS.

3. The City agrees to supervise the activities and operation of its library and agrees to assume full responsibility and liability for any and all activities conducted under the terms of this Agreement.

4. The City library personnel shall not be entitled to any of the benefits of an employee of the County, including, but not limited to, County fringe benefits or the County Civil Service program.

5. This Agreement shall continue until December 31, 2022; or until amended, replaced or terminated in accordance with Chapter 323. Either party may terminate this Agreement by providing six (6) months' advance written notice to the other party. The parties agree that any property acquired under this Agreement is subject to division upon termination of this contract in accordance with Texas Local Government Code Section 323.011(c). Upon termination of this Agreement, any property acquired under this Agreement shall remain in the possession of the City in the City library and the City agrees to take any and all necessary measures to ensure that such property is safeguarded from theft and/or damage.

6. The City agrees to give County and its authorized representatives access to, and the right, to examine, excerpt and transcribe all books, accounts, records, reports, files and other papers, documents, things, or property belonging to or in use by the City in relation to its library operations for so long as such are maintained by City.

7. Conflict of Applicable Law: Nothing in this Agreement shall be construed so as to require the commission of any act contrary to law, and whenever there is any conflict between any provision of their Agreement and any present or future law, ordinance, or administrative, executive or judicial regulation, order or decree, or amendment thereof, contrary to which the parties have no legal right to contract, the latter shall

prevail, but in such event the affected provision(s) of this Agreement shall be modified only to the extent necessary to bring them within the legal requirements and only during the time such conflict exists.

8. No Waiver: No waiver by any party hereto of any breach of any provision of the Agreement shall be deemed to be a waiver of any preceding or succeeding breach of the same or any other provision hereof.

9. Entire Agreement: This Agreement contains the entire contract between the parties hereto and each party acknowledges that neither has made (either directly or through any agent or representative) any representation or agreement in connection with this Agreement not specifically set forth herein. This Agreement may be modified or amended only by agreement in writing executed by City and County, and not otherwise.

TEXAS LAW TO APPLY. THIS AGREEMENT SHALL BE CONSTRUED UNDER AND IN ACCORDANCE WITH THE LAWS OF THE STATE OF TEXAS, AND ALL OBLIGATION OF THE PARTIES CREATED HEREUNDER ARE PERFORMABLE IN HIDALGO COUNTY, TEXAS. THE PARTIES HEREBY CONSENT TO PERSONAL JURISDICTION IN HIDALGO COUNTY, TEXAS.

10. Notice. Except as may be otherwise specifically provided in this Agreement, all notices, demands, requests or communication required or permitted hereunder shall be in writing and shall either be (i) personally delivered against a written receipt, or (ii) sent by registered or certified mail, return receipt requested, postage prepaid and addressed to the parties at the addresses set forth below, or at such other addresses as may have been theretofore specified by written notice delivered in accordance herewith:

If to County: County of Hidalgo
Attention: Richard F. Cortez, County Judge
100 E. Cano, 2nd Floor
Edinburg, Texas 78539

If to City: City of San Juan, Texas
Attn: City Manager
701 S Nebraska
San Juan, Texas 78589

Each notice, demand, request or communication which shall be delivered or mailed in the manner described above shall be deemed sufficiently given for all purposes at such time as it is personally delivered to the addressee or, if mailed, at such time as it is deposited in the United States mail.

11. Additional Documents. The parties hereto covenant and agree that they will execute such other and further instruments and documents as are or may become necessary or convenient to effectuate and carry out the terms of this Agreement.

12. Successors. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, legal representatives, successors, and assigns where permitted by this Agreement.

13. Assignment. This Agreement shall not be assignable.

14. Headings. The headings and captions contained in this Agreement are solely for convenience reference and shall not be deemed to affect the meaning or interpretation of any provision of paragraph hereof.

15. Gender and Number. All pronouns used in this Agreement shall include the other gender, whether used in the masculine, feminine or neuter gender, and singular shall include the plural whenever and so often as may be appropriate.

16. Authority to Execute. The execution and performance of this Agreement by City and County have been duly authorized by all necessary laws, resolutions corporate action, and this Agreement constitutes the valid and enforceable obligations of City and County in accordance with its terms

17. Governmental Purpose. Each party hereto is entering into this agreement for the purpose of providing for governmental services or functions and will pay for such services out of current revenues available to the paying party as herein provided.

18. Commitment of Current Revenues Only. In the event that, during any term, hereof, the governing body of any party does not appropriate sufficient funds to meet the obligations of such party under this Agreement, then any party may terminate this Agreement upon ninety (90) days written notice to the other party. Each of the parties hereto agrees, however, to use its best efforts to secure funds necessary for the continued performance of this Agreement. The parties intend this provision to be a continuing right to terminate this Agreement at the expiration of each budget period of each party.

19. Non-Discrimination. The Agreement and all related activities shall be conducted in a manner that does not discriminate against any person on a basis prohibited by applicable law or County and City policy, including without limitation to race, color, national origin, religion, sex, age, veteran status, or disability.

[SIGNATURE PAGE TO FOLLOW]

WITNESS THE HANDS OF THE PARTIES this 11th day of January, 2022.

HIDALGO COUNTY, TEXAS

Richard F. Cortez

Richard F. Cortez, County Judge

ATTEST:

Arturo Guajardo, Jr.

Arturo Guajardo, Jr., County Clerk



CITY OF SAN JUAN, TEXAS

Mario Garza, Mayor

ATTEST:

By: _____

Brenda Escalante, Interim City Secretary

APPROVED AS TO FORM:

HIDALGO COUNTY DISTRICT ATTORNEY'S OFFICE

By: Josephine R. Solis

Josephine R. Solis

CITY:

By: _____

_____, City Attorney

APPROVED BY
COMMISSIONERS COURT
ON: 1/11/22 gr

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
MARCH 8, 2022

Consider Second and Final Reading of the Ordinance for a Conditional Use Permit to allow a kettle corn portable food stand at San Juan H-E-B located at 901 W. IH 2, legally described as Lot 2, HEB San Juan Unit 2 Subdivision, as Requested by Melissa Martinez.

STAFF COMMENTS AND RECOMMENDATIONS:

At the City Commission Meeting on February 8, 2022, the City Commission approved the First Reading of the Ordinance as presented by staff.

Previously, staff provided the following background.

Ms. Martinez is applying for a conditional use permit to allow a kettle corn portable food stand (8' x 20') outside of the San Juan H-E-B. A letter from an H-E-B representative is attached to the packet giving permission. It grants Ms. Martinez, her customers, and her staff permission to use the restrooms.

The following are the list of requirements:

1. Cannot be located in a residentially zoned area;
2. Stand must be inspected by the building inspections department and meet applicable building and fire codes;
3. Must have paved off-street parking available over and above what is required for the business to which it is adjacent;
4. If it is a portable building or trailer it must be anchored to the ground properly;
5. Must meet setback requirements of zoning district in which it is located; and
6. Water and sewage disposal facilities must be available and may be required;
7. Health Department permit required.
8. Owner agrees to pay an annual fee to the City of San Juan to maintain the Occupational License and Conditional Use Permit thru the City.

Staff mailed a notice of the public hearing before the Planning and Zoning Commission to fifteen (15) property owners within a two hundred (200) foot radius and received no comments in favor or against the request.

RECOMMENDATION:

Staff recommends approval of the conditional use permit as presented.

PREPARED BY:

Brenda Escalante,
Aide

APPROVED BY:

Benjamin Arjona, City
Manager

MEETING DATES:
PLANNING AND ZONING COMMISSION – 02/03/2022
CITY COMMISSION – 03/08/2022
DATE PREPARED – 03/01/2022

PAGE 1

STAFF REPORT
GENERAL INFORMATION

APPLICATION:	Conditional Use Permit to allow a kettle corn portable food stand at the San Juan H-E-B
APPLICANT:	Melissa Martinez
SURVEYOR/ENGINEER:	N/A
LEGAL:	Lot 2, H-E-B San Juan Unit 2 Subdivision
LOCATION:	901 W. IH 2
EXISTING LAND USE/ ADJACENT ZONING:	<i>North</i> – Commercial; Expressway Corridor District (EC) <i>South</i> – Commercial; General Business District (C-2) / Multi-Family Residence District (R-MF) <i>East</i> – Commercial; Expressway Corridor District (EC) <i>West</i> – Outside City Limits
ACCESS AND CIRCULATION:	This property has access along Frontage Road and Veterans Boulevard.
PUBLIC SERVICES:	Water and sewer services are provided by the City of San Juan.
RECOMMENDATION:	Staff recommends approval subject to compliance with the requirements outlined in the attached report.

EVALUATION AND CONDITIONS FOR APPROVAL

Ms. Martinez is applying for a conditional use permit to allow a kettle corn portable food stand (8' x 20') outside of the San Juan H-E-B. A letter from an H-E-B representative is attached to the packet giving permission. It grants Ms. Martinez, her customers, and her staff permission to use the restrooms.

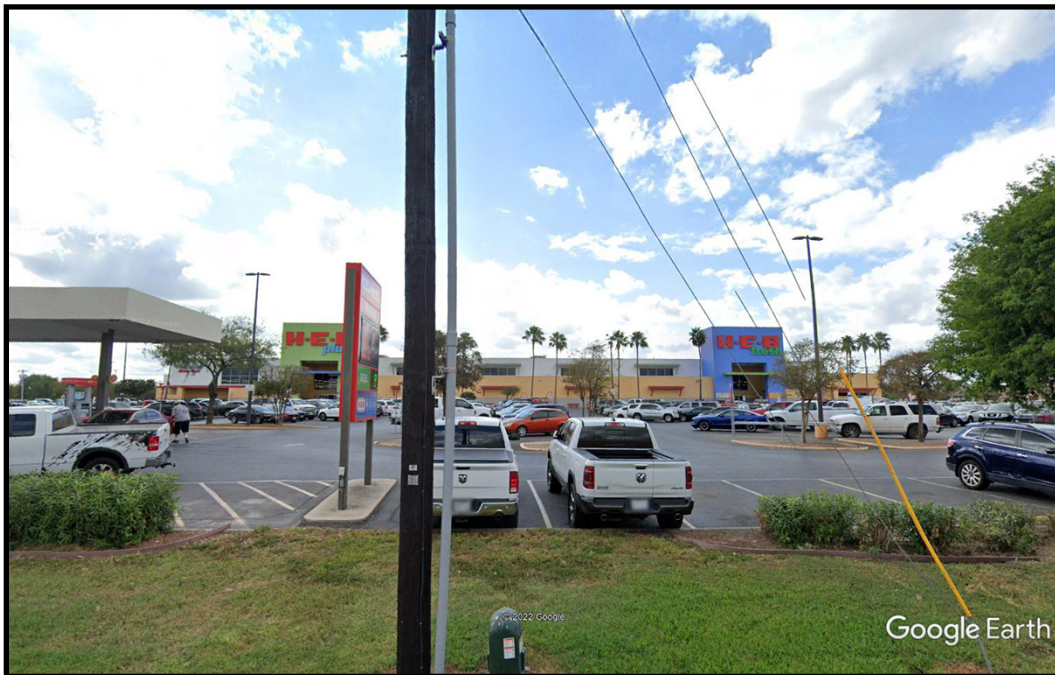
The following are the list of requirements:

1. Cannot be located in a residentially zoned area;
2. Stand must be inspected by the building inspections department and meet applicable building and fire codes;
3. Must have paved off-street parking available over and above what is required for the business to which it is adjacent;
4. If it is a portable building or trailer it must be anchored to the ground properly;
5. Must meet setback requirements of zoning district in which it is located; and
6. Water and sewage disposal facilities must be available and may be required;
7. Health Department permit required.
8. Owner agrees to pay an annual fee to the City of San Juan to maintain the Occupational License and Conditional Use Permit thru the City.

Staff mailed a notice of the public hearing before the Planning and Zoning Commission to fifteen (15) property owners within a two hundred (200) foot radius and received no comments in favor or against the request.

ATTACHMENTS:

Location Map
Aerial Photo
Zoning Map
Letter from H-E-B
Subdivision Plat
Site Plan
Section of Ordinance
List of neighboring property owners receiving notice
Ordinance





ORDINANCE NO.

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO ALLOW A KETTLE CORN PORTABLE FOOD STAND AT THE SAN JUAN H-E-B LOCATED AT 901 W. IH 2, LEGALLY DESCRIBED AS LOT 2, H-E-B SAN JUAN UNIT 2 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, Melissa Martinez has applied for a Conditional Use Permit under Article IV; of the Zoning Ordinance of the City of San Juan to allow a kettle corn portable food stand at the San Juan H-E-B located at 901 W. IH 2.

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 Melissa Martinez has applied for a Conditional Use Permit to allow a portable food stand at San Juan H-E-B located at 901 W. IH 2, subject to the following conditions:

1. Cannot be located in a residentially zoned area;
2. Stand must be inspected by the building inspections department and meet applicable building and fire codes;
3. Must have paved off-street parking available over and above what is required for the business to which it is adjacent;
4. If it is a portable building or trailer it must be anchored to the ground properly;
5. Must meet setback requirements of zoning district in which it is located; and
6. Water and sewage disposal facilities must be available and may be required;
7. Health Department permit required.
8. Owner agrees to pay an annual fee to the City of San Juan to maintain the Occupational License and Conditional Use Permit thru the City.

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 8th day of February, 2022.

PASSED and **APPROVED** on second and final reading on the 8th day of March, 2022.

CITY OF SAN JUAN

MARIO GARZA, MAYOR

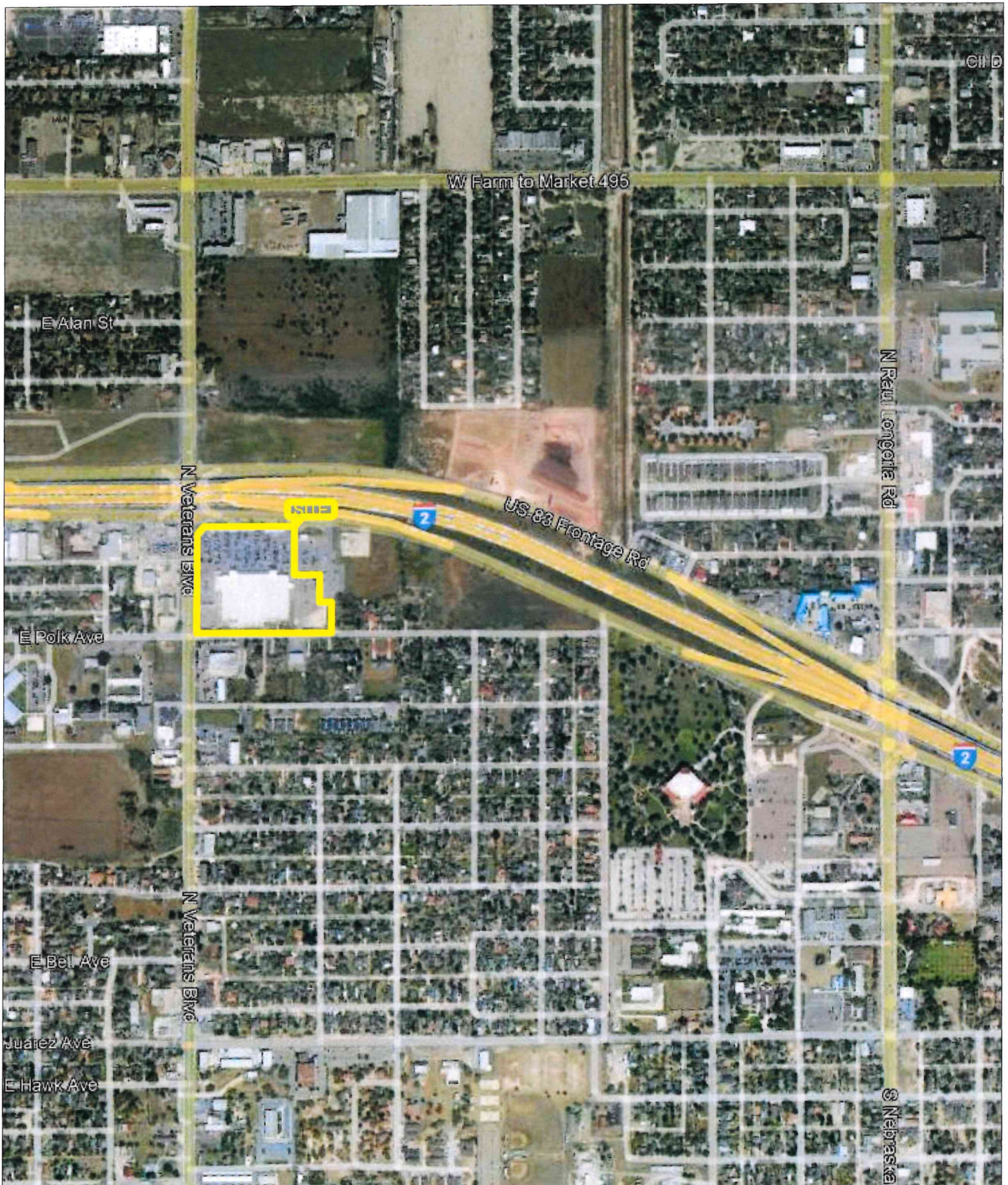
ATTEST:

APPROVED BY:

Palacios, Garza & Thompson, P.C.

BRENDA ESCALANTE
INTERIM CITY SECRETARY

CITY ATTORNEY

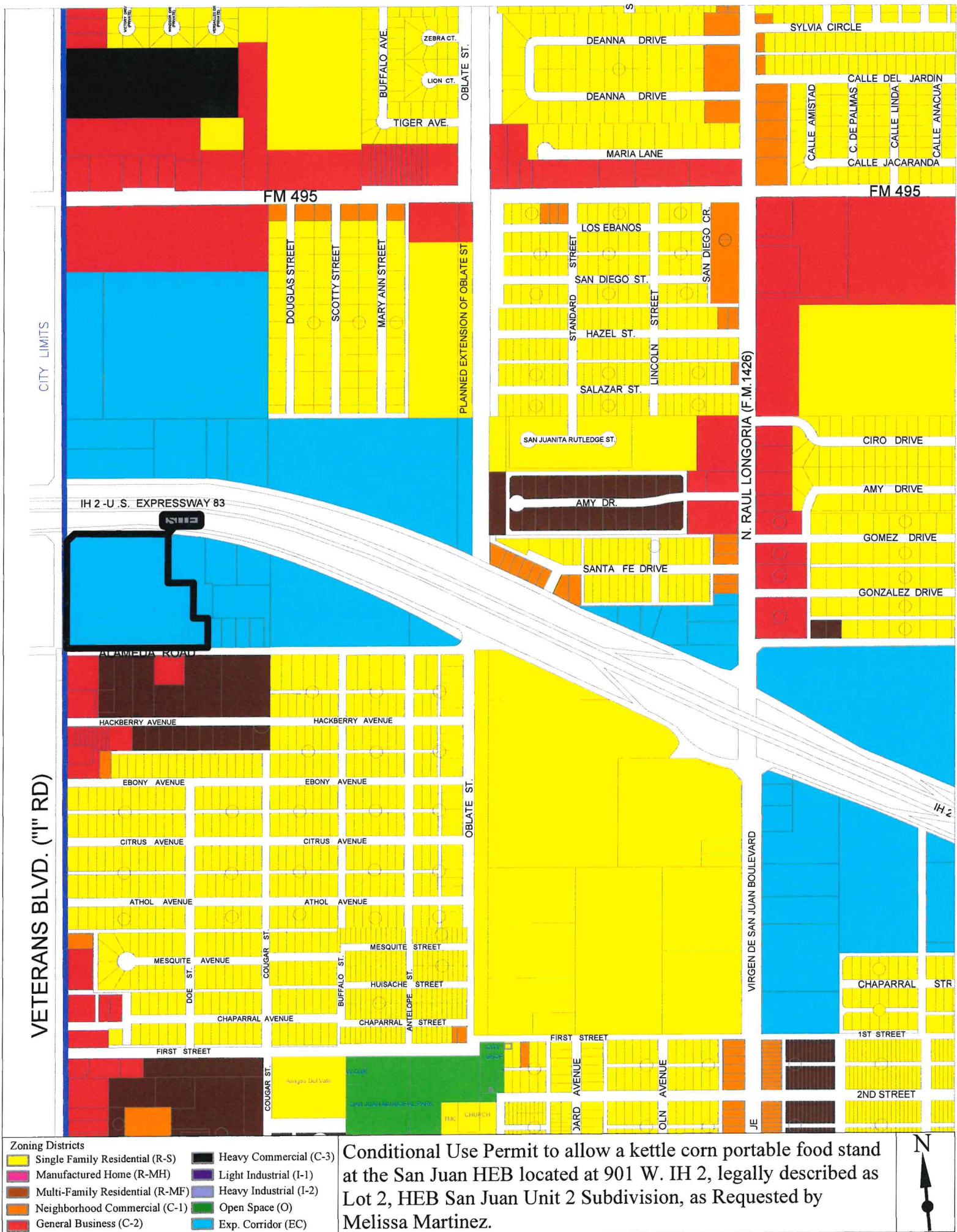


Legend

- CITY LIMITS
- Proposed area

Conditional Use Permit to allow a kettle corn portable food stand at the San Juan HEB located at 901 W. IH 2, legally described as Lot 2, HEB San Juan Unit 2 Subdivision, as Requested by Melissa Martinez.





CITY LIMITS

VETERANS BLVD. ("I" RD)

IH 2 - U.S. EXPRESSWAY 83

ALAMEDA ROAD

HACKBERRY AVENUE

EBONY AVENUE

CITRUS AVENUE

ATHOL AVENUE

MESQUITE AVENUE

CHAPARRAL AVENUE

FIRST STREET

FM 495

DOUGLAS STREET

SCOTTY STREET

MARY ANN STREET

PLANNED EXTENSION OF OBLATE ST

BUFFALO AVE

ZEBRA CT.

LION CT.

OBLATE ST.

TIGER AVE.

DEANNA DRIVE

DEANNA DRIVE

MARIA LANE

SYLVIA CIRCLE

CALLE DEL JARDIN

CALLE AMISTAD

C. DE PALMAS

CALLE LINDA

CALLE ANACUA

CALLE JACARANDA

FM 495

LOS EBANOS

SAN DIEGO ST.

HAZEL ST.

SALAZAR ST.

SAN JUANITA RUTLEDGE ST.

AMY DR.

SANTA FE DRIVE

N. RAUL LONGORIA (F.M. 1426)

CIRO DRIVE

AMY DRIVE

GOMEZ DRIVE

GONZALEZ DRIVE

OBLATE ST.

VIRGEN DE SAN JUAN BOULEVARD

IH 2

CHAPARRAL STR

1ST STREET

2ND STREET

FIRST STREET

JARD AVENUE

OLN AVENUE

JE

CHURCH





December 22, 2021

To Whom It May Concern:

The parking lot vendor, E&M Kettlecorn Company, is permitted to operate this business between January 15, 2022 and December 31, 2022 at the following H-E-B location:

H-E-B San Juan (038)
901 W. Expressway 83
San Juan, TX 78589

The employees and customers of E&M Kettlecorn have permission to use this store's restroom facilities.

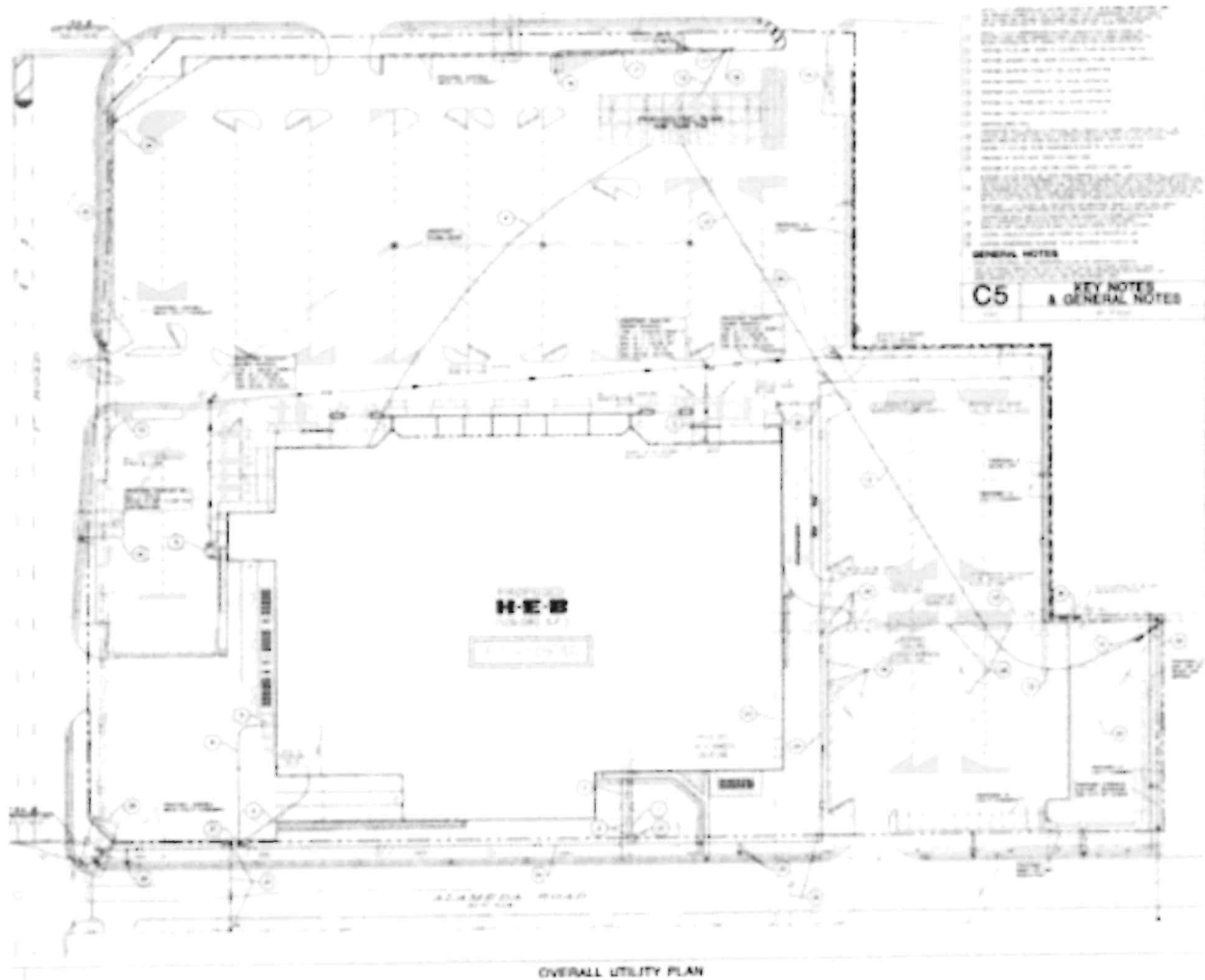
If you have any questions, please call me at 210.938.7490.

Thanks,

A handwritten signature in cursive script that reads "Ginny Salinas".

Ginny Salinas
In Store Leasing Manager
HEB Shopping Center Development

EXHIBIT A **Property and Location**



Licensee Location to be designated by Store Management.

(i) Portable and/or temporary food concession or snow cone stands - Applicable conditions for portable and/or temporary food concession stands shall include but are not limited to:

- (1) Cannot be located in a residentially zoned area;
- (2) Stand must be inspected by the building inspections department and meet applicable building and fire codes;
- (3) Must have paved off-street parking available over and above what is required for the business to which it is adjacent;
- (4) If it is a portable building or trailer it must be anchored to the ground properly;
- (5) Must meet setback requirements of zoning district in which it is located; and
- (6) Water and sewage disposal facilities must be available and may be required;
- (7) Health Department permit.

Conditional Use Permit to allow a kettle corn portable food stand at San Juan H-E-B located at 901 W. IH 2, legally described as Lot 2, HEB San Juan Unit 2 Subdivision, as Requested by Melissa Martinez.

Martinez, Melissa
2111 East Davis Rd.
Edinburg, TX 78542

Cedillo, Norma
1204 E. Bell Ave.
Pharr, TX 78577

HEB Grocery Co.
Property Tax Department
P.O. Box 839999
San Antonio, TX 78283-3999

Guerrero, Jose R. Jr. and Raquel D.
709 Alameda St.
San Juan, TX 78589

Hawkes, John Michael and Kristen
Rye Trustees
Hawkes Family Trust
433 Calle Las Caleras
Santa Barbara, CA 93109

Hernandez, Enrique and Cayetana
707 Alameda St.
San Juan, TX 78589

Shops at San Juan LLC.
105 Sequoia
San Antonio, TX 78232

Morin, Ruben and Maria Elena
705 Alameda Rd.
San Juan, TX 78589

Gutierrez, Veronica
5500 N. Bentsen Rd.
McAllen, TX 78504

Martinez, Olivia
701 Alameda St.
San Juan, TX 78589

Gonzalez, Octaviano
704 Alameda St.
San Juan, TX 78589

Gonzalez, Blanca Estela
Marcelo Gonzalez III
702 Alameda St.
San Juan, TX 78589

Waltrust Properties, Inc.
P.O. Box 1159
Deerfield, IL 60015-6002

Alvarez, Martha & Daryna E.
Lopez
803 Alameda St.
San Juan, TX 78589

Lizcano, Roel
100 N. Sugar Rd.
Pharr, TX 78577

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
MARCH 8, 2022

Consider Second and Final Reading of an Ordinance for a Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at the proposed Olive Garden Restaurant to be located at 1403 E. IH 2, legally described as Lot 2, Plaza San Juan Subdivision, as Requested by Olive Garden Holdings, LLC.

STAFF COMMENTS AND RECOMMENDATIONS:

At the City Commission Meeting on February 8, 2022, the City Commission approved the First Reading of the Ordinance as presented by staff.

Previously, staff provided the following background.

Olive Garden Holdings, LLC. is applying for a Conditional Use Permit for the Sale of Alcoholic Beverages (wine and beer) for On-Premise Consumption at the proposed “Olive Garden” Restaurant, to be located just West of Denny’s Restaurant.

The applicant will need to comply with the Texas Alcoholic Beverages Commission (TABC) requirements. He must agree to pay an annual fee to the City of San Juan to maintain the alcohol license, conditional use, occupational license and health permits.

The proposed operation hours are Sunday through Thursday from 11:00 a.m. to 10:00 p.m., Friday and Saturday from 11:00 am to 11:00 p.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) foot radius and received no comments in favor or against the request.

RECOMMENDATION:

Staff recommends approval of the conditional use permit as presented.

PREPARED BY:

Brenda Escalante,
Aide

APPROVED BY:

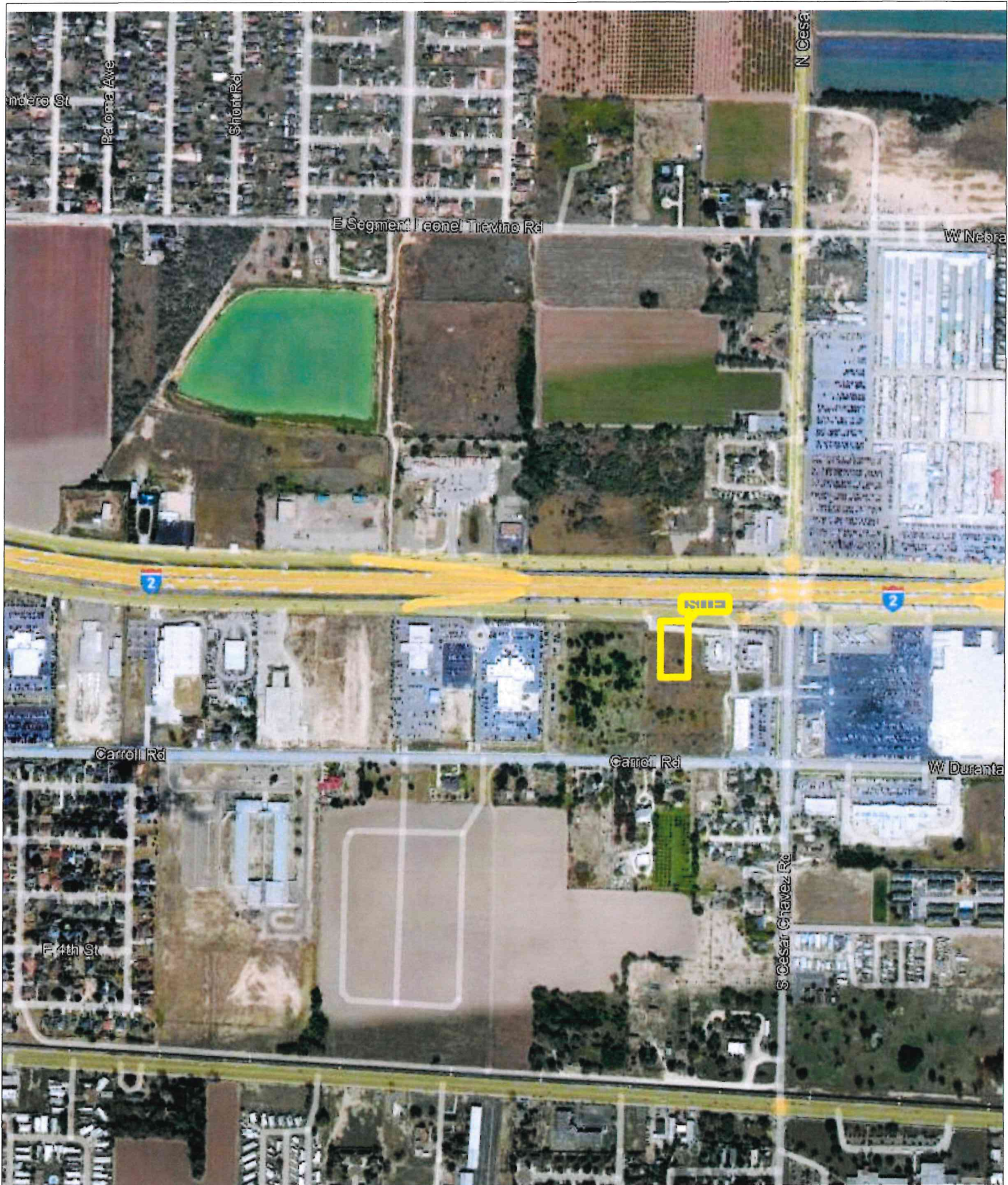
Benjamin Arjona, City
Manager



- Legend**
- CITY LIMITS
 - Proposed area

Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at the proposed Olive Garden Restaurant to be located at 1403 E. IH 2, legally described as Lot 2, Plaza San Juan Subdivision, as Requested by Olive Garden Holdings, LLC.





Legend

- CITY LIMITS
- Proposed area

Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at the proposed Olive Garden Restaurant to be located at 1403 E. IH 2, legally described as Lot 2, Plaza San Juan Subdivision, as Requested by Olive Garden Holdings, LLC.





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 and On-Site Consumption of Alcoholic Beverages (wine and beer) at the proposed Olive Garden Restaurant to be located at 1403 E. IH 2, legally described as Lot 2, Plaza San Juan Subdivision, as Requested by Olive Garden Holdings, LLC.



January 12, 2022

City of Meridian – Building Services
33 E Broadway Avenue, Suite 102
Meridian, ID 83642
Kegan Aman, Building Plans Examiner
208-887-2211 | kaman@kaman@meridiancity.org

Project Narrative – Olive Garden Italian Restaurant

Dear Building Services Representatives:

They said it couldn't be done: matching a dinner-house concept against the independently-owned restaurants that were the mainstay of Italian dining. But Darden's homegrown concept, Olive Garden, proved the skeptics wrong.

Olive Garden exceeded \$500 million in sales only five years after the decision was made to expand. Just three years later, in 1994, sales had doubled to more than \$1 billion. Today, Olive Garden is the largest company of casual, full-service Italian restaurants in the world.

At the heart of Olive Garden's success is its unique Hospitaliano! culture. Much more than a slogan, Hospitaliano! expresses the Olive Garden team's passion for offering guests more than they expect and being committed to doing it right the first time. "When you're here, you're family!"

Olive Garden restaurants are full-service, casual dining serving both lunch and dinner. Emphasizing high quality, Olive Garden appeals to all guests with its distinctive combination of attentive personalized service and flavorful entrees served in an inviting, comfortable atmosphere.

Subject to State and City of San Juan approvals, Darden Restaurants plans to construct a new building with code compliant parking and landscape amenities to be located at 1403 E. IH-2, San Juan, TX 78589.

The project data is as follows:

- The proposed project is new construction of an Olive Garden Italian Restaurant in the new Linder Village development.
- Total Building Area: 7,834 sq. ft.
- Number of Seats/Dining: 255 seats
- Hours of Operation: Normal hours are 11am-10pm Sunday through Thursday, and 11am-11pm on Friday and Saturday.
- Number of Employees: $\pm$ 35 maximum per shift, with three often overlapping shifts which is $\pm$ 100 total employees (Full and Part-time).
- Parking: there are currently 55 parking stalls proposed.
- Dumpster Enclosure: Olive Garden typically has two (2) trash bins and recycles cardboard; pick up is approximately 4 times per week before 10:00 am.
- All deliveries are coordinated before 10:00 am.

Please contact me if you require additional information.

Sincerely,



Christie Schachter, Property Development Manager

CONSOLIDATED DEVELOPMENT SERVICES

Cell: 214.538.3086

Email: cschachter@cdsdevelopment.com

Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages (wine and beer) at the proposed Olive Garden Restaurant to be located at 1403 E. IH 2, legally described as Lot 2, Plaza San Juan Subdivision, as Requested by Olive Garden Holdings, LLC.

Olive Garden Holdings, LLC.
14901 Quorum Drive, Suite 310
Dallas, TX 75254

SCC SJP, LLC.
301 Camp Craft Rd. Suite 100
Austin, TX 78746

DJP III LLC.
Attn. Ronald Heller
312 Pearl Parkway #4113
San Antonio, TX 78215

MEETING DATES:
PLANNING AND ZONING COMMISSION – 02/03/2022
CITY COMMISSION – 03/08/2022
DATE PREPARED – 03/01/2022

PAGE 1

STAFF REPORT
GENERAL INFORMATION

APPLICATION:	Conditional Use Permit for the Sale of Alcoholic Beverages for On-Premise Consumption at the proposed “Olive Garden” Restaurant.
APPLICANT:	Olive Garden Holding, LLC.
SURVEYOR/ENGINEER:	N/A
LEGAL:	Lot 2, Plaza San Juan Subdivision
LOCATION:	1403 E. IH 2
EXISTING LAND USE/ ADJACENT ZONING:	<i>North</i> – Commercial; Expressway Corridor District (EC) <i>South</i> – Commercial; Expressway Corridor District (EC) <i>East</i> – Commercial; Expressway Corridor District (EC) <i>West</i> – Commercial; Expressway Corridor District (EC)
ACCESS AND CIRCULATION:	This property has access onto Frontage Road.
PUBLIC SERVICES:	Water and sewer services are provided by the City of San Juan.
RECOMMENDATION:	Staff recommends approval subject to compliance with the requirements outlined in the attached report.

EVALUATION AND CONDITIONS FOR APPROVAL

Olive Garden Holdings, LLC. is applying for a Conditional Use Permit for the Sale of Alcoholic Beverages (wine and beer) for On-Premise Consumption at the proposed “Olive Garden” Restaurant, to be located just West of Denny’s Restaurant.

The applicant will need to comply with the Texas Alcoholic Beverages Commission (TABC) requirements. He must agree to pay an annual fee to the City of San Juan to maintain the alcohol license, conditional use, occupational license and health permits.

The proposed operation hours are Sunday through Thursday from 11:00 a.m. to 10:00 p.m., Friday and Saturday from 11:00 am to 11:00 p.m.

Building area	7,834 square feet
Seats/Dining	255 seats
Parking spaces	55 parking

The following is the list of requirements:

1. The property line of the lot of any business, especially those having late hours (after 10:00 p.m.) must be a minimum of three hundred (300) feet from the nearest residence, church, school or publicly-owned property or must provide sufficient buffering and sound insulation of the building such that the business is not visible and cannot be heard from the residential areas, and must be designed to prevent disruption of the character of adjacent residential areas.
2. The business must be as close as possible to a major arterial, and shall not allow the traffic it generates onto residential streets, or allow it to exit into and disrupt residential areas;
3. The business must provide parking in accordance with the City off-street parking regulations and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional on-site parking.
4. The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent business or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances. The loading and unloading of equipment to be on premises only.
5. The business should do everything possible and be designed to discourage criminal activities and vandalism, both on site and on adjacent properties. Provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility of as much as possible of the site form a public street;
6. The business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;

CONDITIONAL USE PERMIT
“OLIVE GARDEN”
MARCH 8, 2022

PAGE 3

7. The business shall restrict the number of persons within the building to the number determined for occupancy levels by the Fire Department.
8. The applicant will need to comply with the Texas Alcoholic Beverages Commission (TABC) requirements
9. The business must comply with the city’s noise ordinance.
10. The business must comply with the City’s Security Cameras Ordinance.
11. The business must comply with the City to maintain the alcohol license, conditional use, occupational license and health permits.
12. There shall be no smoking inside the premises at any time.
13. No loading or unloading of merchandise in a public street.

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

ATTACHMENTS:

Location Map
Aerial Photo
Zoning Map
Letter from CDS
Subdivision Plat
Site Plan
List of neighboring property owners receiving notice
Ordinance



Proposed Site



ORDINANCE NO.

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT FOR THE SALE AND ON-SITE CONSUMPTION OF ALCOHOLIC BEVERAGES (WINE AND BEER) AT THE PROPOSED “OLIVE GARDEN” RESTAURANT TO BE LOCATED AT 1403 E. IH 2, LEGALLY DESCRIBED AS LOT 2, PLAZA SAN JUAN 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, Olive Garden Holdings, LLC. has applied for a Conditional Use Permit under Article IV; of the Zoning Ordinance of the City of San Juan for the Sale and On-Site Consumption of Alcoholic Beverages (Wine and Beer) at the proposed “Olive Garden” Restaurant to be located at 1403 E. IH 2.

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 Olive Garden Holdings, LLC. for a Conditional Use Permit for the Sale and On-Site Consumption at the proposed “Olive Garden” Restaurant to be located at 1403 E. IH 2, subject to the following conditions:

1. The property line of the lot of any business, especially those having late hours (after 10:00 p.m.) must be a minimum of three hundred (300) feet from the nearest residence, church, school or publicly-owned property or must provide sufficient buffering and sound insulation of the building such that the business is not visible and cannot be heard from the residential areas, and must be designed to prevent disruption of the character of adjacent residential areas.
2. The business must be as close as possible to a major arterial, and shall not allow the traffic it generates onto residential streets, or allow it to exit into and disrupt residential areas;
3. The business must provide parking in accordance with the City off-street parking regulations and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional on-site parking.
4. The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent business or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances. The loading and unloading of equipment to be on premises only.

5. The business should do everything possible and be designed to discourage criminal activities and vandalism, both on site and on adjacent properties. Provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility of as much as possible of the site from a public street;
6. The business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;
7. The business shall restrict the number of persons within the building to the number determined for occupancy levels by the Fire Department.
8. The applicant will need to comply with the Texas Alcoholic Beverages Commission (TABC) requirements
9. The business must comply with the city's noise ordinance.
10. The business must comply with the City's Security Cameras Ordinance.
11. The business must comply with the City to maintain the alcohol license, conditional use, occupational license and health permits.
12. There shall be no smoking inside the premises at any time.
13. No loading or unloading of merchandise in a public street.

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 8th day of February, 2022.

PASSED and APPROVED on second and final reading on the 8th day of March, 2022.

CITY OF SAN JUAN

MARIO GARZA, MAYOR

ATTEST:

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

BRENDA ESCALANTE
INTERIM CITY SECRETARY

CITY ATTORNEY

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
MARCH 8, 2022

Consider Second and Final Reading of Ordinance for a Rezoning Request from Neighborhood Commercial District (C-1) to General Business District (C-2) of the property legally described as Lots 19 thru 21, Block 4, Tierra del Sol Inc. No. 2 Subdivision, located at the Northeast corner of 7th Street and Veterans Boulevard, as Requested by Perla Castillo.

STAFF COMMENTS AND RECOMMENDATIONS:

At the City Commission Meeting on February 8, 2022, the City Commission approved the First Reading of the Ordinance as presented by staff.

Previously, staff provided the following background.

Ms. Castillo is applying to rezone a property into General Business District (C-2). The property is located at the corner of 7th Street and Veterans Boulevard, next to Popeye's Snow Cone Stand. The property is zoned as Neighborhood Commercial District (C-1) which only allows retail businesses which supply the adjacent residential areas. If approved, the building would need to comply with the city's requirements, as applicable.

The surrounding properties consist of mixture of residential, multi-family and commercial uses and Veterans Boulevard is conducive of commercial traffic.

Staff mailed a notice of the public hearing before the Planning and Zoning Commission to fifty-three (53) property owners within a two hundred (200) foot radius and received four comments against the request.

RECOMMENDATION:

Staff recommends approval of the rezoning request as presented.

PREPARED BY:

Brenda Escalante,
Aide

APPROVED BY:

Benjamin Arjona, City
Manager

MEETING DATES:
PLANNING AND ZONING COMMISSION – 10/21/2021
CITY COMMISSION – 03/08/2022
DATE PREPARED – 03/01/2022

PAGE 1

STAFF REPORT
GENERAL INFORMATION

APPLICATION:	Rezoning Request from Neighborhood Commercial District (C-1) to General Business District (C-2)
APPLICANT:	Perla Castillo
AGENT:	N/A
LEGAL:	Lots 19 thru 21, Block 4, Tierra del Sol Subdivision
LOCATION:	The property is located at the Northeast corner of 7 th Street and Veterans Boulevard
LOT SIZE:	25 feet by 155 feet (each lot) 75 feet by 155 feet = 230 square feet total
CURRENT USE OF PROPERTY:	Vacant
PROPOSED USE OF PROPERTY:	Retail/Commercial
EXISTING ZONING:	Neighborhood Commercial District (C-1)
PROPOSED ZONING:	General Business District (C-2)
EXISTING LAND USE/ ADJACENT ZONING:	<u>North</u> – Commercial; Neighborhood Commercial District (C-1) <u>South</u> – Residential; General Business District (C-2) <u>East</u> – Residential; Single-Family Residence District (R-S) <u>West</u> – Outside city limits
ACCESS AND CIRCULATION:	This property has access onto Veterans Boulevard and 7 th Street.
PUBLIC SERVICES:	Water and sewer services are provided by the City of San Juan.
RECOMMENDATION:	Staff recommends approval based on that area is considered as commercial use.

EVALUATION AND CONDITIONS FOR APPROVAL

Ms. Castillo is applying to rezone a property into General Business District (C-2). The property is located at the corner of 7th Street and Veterans Boulevard, next to Popeye's Snow Cone Stand. The property is zoned as Neighborhood Commercial District (C-1) which only allows retail businesses which supply the adjacent residential areas. If approved, the building would need to comply with the city's requirements, as applicable.

The surrounding properties consist of mixture of residential, multi-family and commercial uses and Veterans Boulevard is conducive of commercial traffic.

Staff mailed a notice of the public hearing before the Planning and Zoning Commission to fifty-three (53) property owners within a two hundred (200) foot radius and received four comments against the request.

ATTACHMENTS:

Location Map
Aerial Photo
Zoning Map
Subdivision Plat
Section of Ordinance – Neighborhood Commercial District
Section of Ordinance – General Business District
List of neighboring property owners receiving notice
Ordinance





FINAL RESOLUTION OF REQUEST & COMMENTS:

P&Z – 10/21/2021 Commissioner Cardenas made a motion to approve the rezoning request as presented by staff. Commissioner Magallan seconded the motion. The motion passed unanimously with a (4-0) vote.

Ms. Gomez explained the board that Ms. Castillo is applying for the rezoning to General Business District at property located at corner of 7th and Veterans Boulevard, next to Popeye's Snow Cone. The property is zoned as Neighborhood Commercial District, which is a light commercial. The surrounding properties consist of mixture of residential and commercial uses. The advertisement was in the newspaper and letters were mailed out to the surrounding property owners within the 200 foot radius and three comments were received against the request. Staff recommends approval of the rezoning request since Veterans Boulevard is conducive of commercial traffic.



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 NEIGHBORHOOD COMMERCIAL DISTRICT (C-1) TO GENERAL BUSINESS DISTRICT (C-2) FOR A PROPERTY LEGALLY DESCRIBED AS LOTS 19 THRU 21, BLOCK 4, TIERRA DEL SOL INC. NO. 2 SUBDIVISION, LOCATED AT THE NORTHEAST CORNER OF 7TH STREET AND VETERANS BOUELVARD, 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 general business district development that generates property taxes, water and sewer revenues and sales tax revenues.

The zoning district of the property legally described as Lots 19 thru 21, Block 4, Tierra del Sol Inc. No. 2 Subdivision, located at the Northeast corner of 7th Street and Veterans Boulevard, shall be changed to General Business District (C-2) and the zoning map shall be amended accordingly.

PASSED and **APPROVED** on first reading on the 8th day of February, 2022.

PASSED and **APPROVED** on second and final reading on the 8th day of March, 2022.

CITY OF SAN JUAN

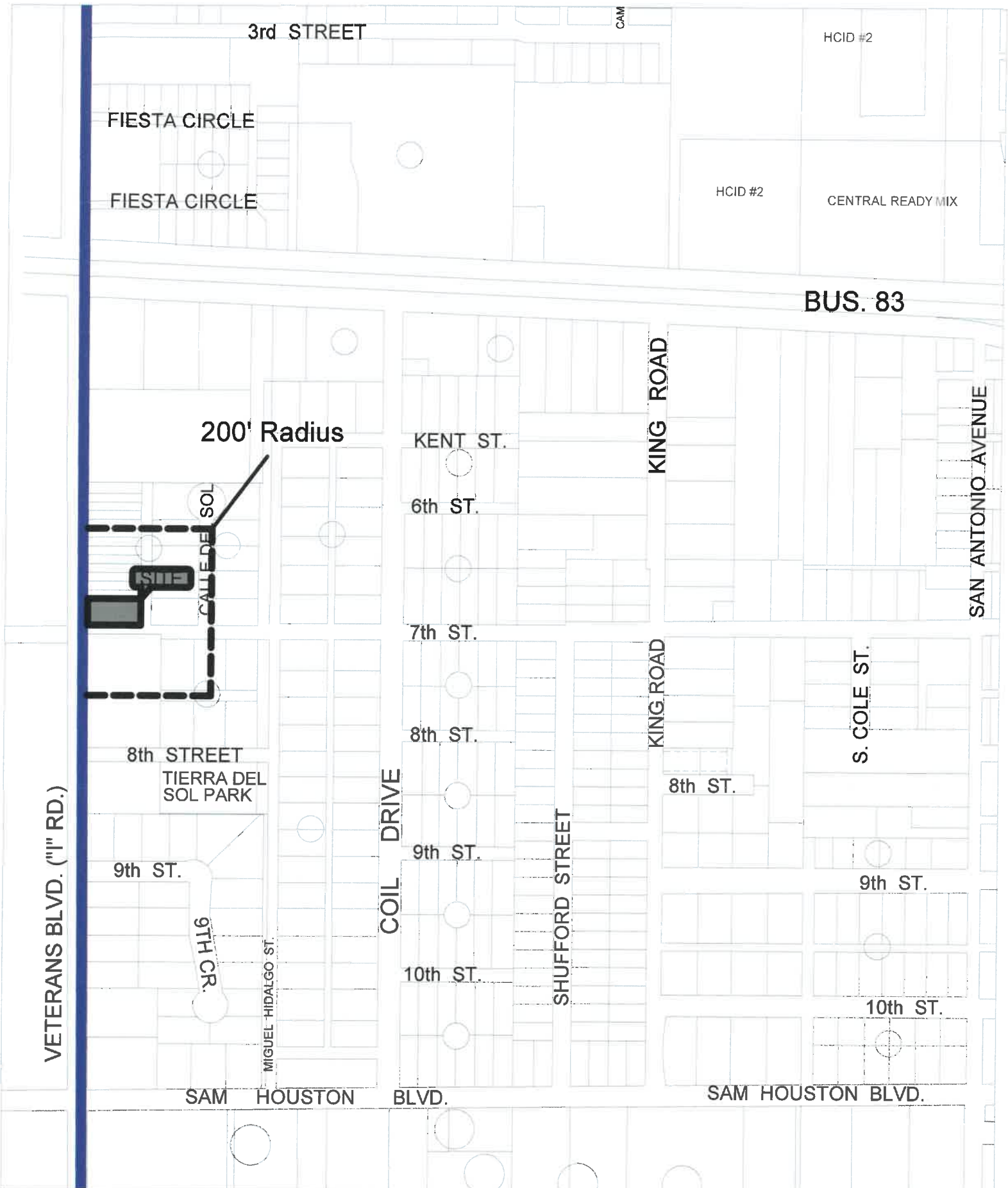
MARIO GARZA
MAYOR

ATTEST:

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

BRENDA ESCALANTE
INTERIM CITY SECRETARY

CITY ATTORNEY



Legend

-  CITY LIMITS
-  Proposed area

Rezoning Request from Neighborhood Commercial District (C-1) to General Business District (C-2) of the property legally described as Lots 19-21, Block, Tierra del Sol Inc. No. 2 Subdivision, located at the Northwest corner of 7th Street and Veterans Boulevard, as Requested by Perla Castillo.



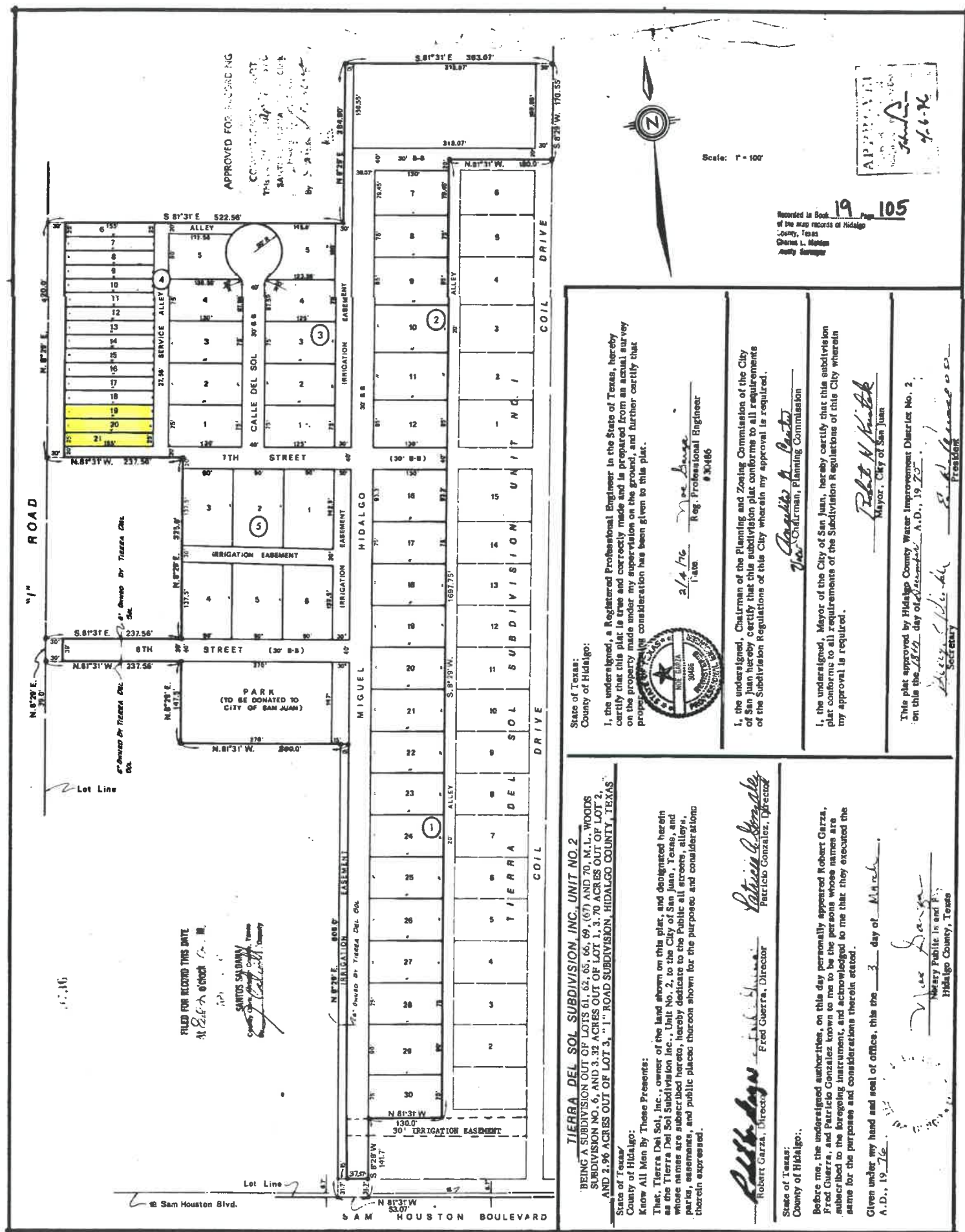


Legend

- CITY LIMITS
- Proposed area

Rezoning Request from Neighborhood Commercial District (C-1) to General Business District (C-2) of the property legally described as Lots 19-21, Block, Tierra del Sol Inc. No. 2 Subdivision, located at the Northwest corner of 7th Street and Veterans Boulevard, as Requested by Perla Castillo.





SECTION 4.00: (C-1) NEIGHBORHOOD COMMERCIAL DISTRICT:

- (a) Generally recognized retail businesses which supply commodities on the premises primarily for persons residing in adjacent residential areas, such as groceries, meats, dairy products, baked goods, clothing and notions, or hardware and similar uses;
- (b) Personal services establishments which perform services on the premises such as repair shops (watches, radios, T.V., shoes, etc.), tailor shops, beauty parlors or barbershops, photographic studios and self-service laundries; and similar uses but not including automotive or other repair services and armature repair services;
- (c) Dry-cleaning establishments or pickup stations dealing directly with the consumers. Central dry-cleaning plants servicing more than one retail outlet are not permitted;
- (d) Business establishments which perform services on the premises such as banks, loan companies, insurance and real estate offices;
- (e) Personal services including the following: Outpatient medical clinics, offices of doctors, dentists, osteopaths and similar or allied professions;
- (f) On-premises signs, including those that are animated or illuminated;
- (g) Commercial parking lots; or
- (h) Other uses similar to the above.

SECTION 4.01: CONDITIONAL USES (REQUIRE "CONDITIONAL" USE PERMITS):

- (a) All R-MF uses including conditional uses, except manufactured homes;
- (b) Gasoline service stations or retail outlets where gasoline products are sold;
- (c) Drive-in business establishments serving nearby residences which are so developed that its retail or service character is dependent on providing a driveway approach or parking spaces for motor vehicles, rather than within a building or structure, including drive-in restaurants;
- (d) Restaurants or bars in accordance with the adopted policies of the City, provided the site is not larger than four acres and that access be provided from a collector or larger street;
- (e) Planned neighborhood convenience centers, including any or all of the above permitted or conditional uses, provided the site is not larger than four (4.0) acres and that access to such center be from a designated collector or larger street;
- (f) Accessory structures and uses customarily incidental to the above permitted uses;
- (g) Portable buildings that meet applicable conditions (See [Art. VIII Section 8.00\(c\)](#))[.]

SECTION 4.02: REQUIRED CONDITIONS:

- (a) All business establishments shall be retail service establishments dealing directly with consumers. All goods produced on the premises shall be sold at retail prices on premises where produced;
- (b) All businesses, servicing or processing shall be conducted within a completely enclosed building (except for off-street parking or loading) excluding drive-in businesses or gasoline service stations or retail outlets where gasoline products are sold;

(c) Gasoline service stations or retail outlets where gasoline products are sold at retail prices, are limited in their activity to the sale of gasoline, oil and minor accessories only, and incidental service. Repair work, steam cleaning or undercoating, vehicle body repair, painting, tire recapping, engine rebuilding, auto dismantling, upholstery, auto glasswork and such other activities whose external effects could adversely extend beyond the property line are not permitted;

(d) The curb cut, or ingress and egress to gasoline service stations, retail outlets for gasoline products and/or drive-in businesses shall not be permitted at locations where it will tend to create traffic hazards in the streets immediately adjacent thereto. Entrances shall be no less than thirty (30) feet from any street intersection (measured from right-of-way);

(e) A front setback of sixty (60) feet from the right-of-way of any existing or proposed street shall be maintained by gas service stations or retail outlets where gasoline products are sold unless otherwise approved by the Planning and Zoning Commission. Gas pumps or driveway covers may be placed within the setbacks.[:]

(f) All lighting shall be shielded from adjacent residential districts;

(g) A six-foot-high, completely obscuring wall shall be provided by all gasoline service stations, retail outlets where gasoline products are sold, or drive-in businesses, when abutting or adjacent to districts zoned for any residential use;

(h) The minimum lot area for a gas service station or a retail outlet where gasoline products are sold should be twenty thousand (20,000) square feet and so arranged that ample space is available for motor vehicles which are required to wait, except that gasoline service stations intended solely for the purpose of selling gasoline, oil and minor accessories and having no facilities for repair or servicing automobiles may be permitted on lots of less than twenty thousand (20,000) square feet subject to all other provisions required;

(i) Veterinary hospitals or clinics are subject to the limitation that all activities be conducted within a totally enclosed building with no open-air impoundment and no external effects such as noise or odor which could adversely extend beyond the property lines; and

(j) The City may require a building line along any streets.

SECTION 4.03: PROHIBITED USES:

(a) Any building erected or land used for other than one or more of the preceding specified uses;

(b) Off-premises signs;

(c) Any use of property that does not meet the required minimum lot size; front, side and rear yard dimension; and/or lot width; or exceeds the maximum height, building coverage or density per gross acre as required in [Article VI](#).

SECTION 5.00: (C-2) GENERAL BUSINESS DISTRICT:

SECTION 5.01: PERMITTED USES:

- (a) All uses listed as permitted uses in C-1 districts;
- (b) Any retail business, personal services, business services except the following: Lumberyards or contractor yards, farm equipment or other heavy equipment sales or service, farm products warehousing and storage or stockyards, general warehousing and storage. Household goods warehousing and storage in individually rented storage units is permitted;
- (c) Hotel, motel and/or eating places;
- (d) Printing, publishing and allied products manufacturing;
- (e) Rail and motor vehicle transportation passenger terminals;
- (f) Telephone, telegraphs, television, radio or similar media stations, centers, studios, but not including public microwave, radio and television towers;
- (g) Any wholesale trade or wholesale trade accessory to any permitted retail operation except the following: Raw cotton, grain, hide, skins and raw furs, tobacco, wool or mohair, livestock, commercial or industrial machinery or supplies, metals and minerals, petroleum bulk stations and terminals, scrap or junk waste materials;
- (h) Signs in accordance with adopted ordinances; or
- (i) Automotive repair as an accessory use to a permitted retail use, such as retail sale of automobiles or retail sale of automotive parts.

SECTION 5.02: CONDITIONAL USES (REQUIRE USE PERMITS):

- (a) Gasoline service stations or retail outlets where gasoline products are sold;
- (b) Drive-in businesses;
- (c) Planned shopping centers;
- (d) Bars, nightclubs and social event centers in accordance with adopted policies;
- (e) Amusement parks, circus or carnival grounds, commercial amusement or recreation developments, or tents or other temporary structures used for temporary purposes, in accordance with all applicable City regulations and ordinances;
- (f) Portable buildings;
- (g) Owner-occupied residence in compliance with the setback requirements of this zoning district;
- (h) Automotive repair and service as a primary use, including auto paint and body work as a primary use, subject to required conditions. (See conditions listed in Section 5.04 hereof).⁽¹⁾

⁽¹⁾ All establishments engaged in automotive repair, services, maintenance, or paint and body work that are under construction or in existence and located in C-2 zone as of the date of adoption of this subsection shall hereby be classified as conforming uses and shall not be denied the right to expand, repair or rebuild such establishments.

SECTION 5.03: REQUIRED CONDITIONS:

Gasoline service stations or retail outlets where gasoline products are sold, drive-in businesses, and veterinary hospitals shall be subject to the same limitations as set forth in the C-1 district for these types of uses. Access lane shall be clearly designated on subdivision plat.

SECTION 5.04: REQUIRED CONDITIONS FOR AUTOMOTIVE REPAIR AS A PRIMARY USE:

- (a) Such establishments shall be located on a lot or tract of land of sufficient size to accommodate the proposed use. In no case shall the building site be less than twenty thousand (20,000) square feet;
- (b) All service, repair, maintenance, painting, and other work shall take place within an enclosed area;
- (c) There shall be no outside storage of materials;
- (d) The building where the proposed work is to take place shall be at least one hundred (100) feet from the nearest residence;
- (e) A six-foot wall or opaque fence buffering the proposed use from any residential use of residentially zoned area may be required; and
- (f) All new buildings and all conversions of existing buildings to such uses shall meet current building code and fire code requirements in terms of separation of high hazard uses from other occupancy use classifications, etc.

SECTION 5.05: PROHIBITED USES:

- (a) Any building erected or land used for other than one or more of the preceding specified uses; or
- (b) Any use of property that does not meet the required minimum lot size; front, side and rear yard dimension; and/or lot width; or exceeds the maximum height, building coverage or density per gross acre as required in [Article VI](#).

 SECTION 6.00: (C-3) HEAVY COMMERCIAL DISTRICT:

SECTION 6.01: PERMITTED USES:

- (a) All uses listed as permitted uses in the C-2 district;
- (b) Drive-in business;
- (c) Gasoline service stations, automotive and other repair services or retail outlets where gasoline products are sold;
- (d) Lumberyards or contractor yards, farm equipment or other heavy equipment sales and service, farm products warehousing and storage, general warehousing and storage;
- (e) Motor vehicle transportation freight terminals;
- (f) Any wholesale trades or wholesale trade accessory to any permitted retail operation including raw cotton, grain, hides, skins and raw furs, tobacco, wool or mohair, commercial or industrial machinery or synthetics, metals and minerals, petroleum bulk stations and terminals;
- (g) Those uses of a commercial retail or wholesale nature requiring large outdoor loading areas, generating heavy truck or rail traffic and requiring access to major transportation channels and/or creating influences not acceptable in the C-2 district;

- (h) Accessory structures and uses customarily incident to the above permitted uses, including the residence for night watchman or caretaker employed on the premises;
- (i) Other uses of similar character; and
- (j) Signs in accordance with adopted regulations and ordinances;[.]

SECTION 6.02: CONDITIONAL USES (REQUIRE USE PERMITS):

- (a) Planned shopping center;
- (b) Amusement parks, circus or carnival grounds, commercial amusement or recreation development or tents or other temporary structures used for temporary purposes, in accordance with all applicable City regulations and ordinances;
- (c) Facilities for railroads or those utilities holding a franchise under the City; or
- (d) Owner-occupied residence in compliance with the setback requirements of this zoning district.

SECTION 6.03: REQUIRED CONDITIONS:

All -

- (a) Gasoline service stations;
- (b) Retail outlets where gasoline products are sold;
- (c) Drive-in businesses; and
- (d) Veterinary hospitals -

shall be subject to the same limitations as set forth in subsections (c), (d), (e), (f), (g), and (h) of [Article IV section 4.02](#) herein.

No permit shall be issued unless an access lane has been clearly designated on the subdivision plat.

SECTION 6.04: PROHIBITED USES:

- (a) Any building erected or land used for other than one or more of the preceding specified uses.
- (b) Any use of property that does not meet:
 - (1) the required minimum lot size;
 - (2) front, side and rear yard dimension; and/or
 - (3) lot width; or
 - (4) exceeds the maximum height, building coverage or density per gross acre as required in [Article VI](#).

Rezoning Request from Neighborhood Commercial District (C-1) to General Business District (C-2) of the property legally described as Lots 19 thru 21, Block 4, Tierra del Sol Inc. No. 2 Subdivision, located at the Northeast corner of 7th Street and Veterans Boulevard, as Requested by Perla Castillo.

Garza, Virginia
619 S. Veterans Blvd.
San Juan, TX 78589

Hernandez, Rigoberto
701 S Veterans Blvd.
San Juan, TX 78589

Alvarado, Edelmira and Juventino
825 W 7th Street
San Juan, TX 78589

Garcia, Manuel Jr.
823 W. 7th Street
San Juan, TX 78589

Popeye's Snow Cone LLC.
1302 S Ebony St.
Pharr, TX 78577

Acosta, Graciela Cantu
Dba The Learning Express
2006 S Cesar Chavez
San Juan, TX 78589

RJ Mask LLC.
1305 E. Nolana Avenue Suite A
McAllen, TX 785004

De la Cerda Reynaldo Jr. and
Sylvia
607 Calle del Sol
San Juan, TX 78589

Garza, Ernesto and Elva
605 Calle del Sol
San Juan, TX 78589

Alaniz, Corina L.
601 Calle del Sol
San Juan, TX 78589

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
MARCH 8, 2022

Approval of Minutes

- November 23, 2021 - Regular Meeting
-

STAFF COMMENTS AND RECOMMENDATIONS:

Approval of Minutes

- November 23, 2021 - Regular Meeting

RECOMMENDATION:

Staff Recommends Approval

PREPARED BY:

Brenda Escalante,
Aide

APPROVED BY:

Benjamin Arjona, City
Manager

MINUTES OF REGULAR MEETING OF THE CITY OF SAN JUAN COMMISSION

DATE: Tuesday, November 23, 2021

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
Leonardo “Lenny” Sanchez, Mayor Pro-Tempore
Adina “Dina” Santillan, Commissioner
Ernesto “Neto” Guajardo, Commissioner
Marco “Markie” Villegas, Commissioner
Ricardo Palacios, City Attorney

STAFF PRESENT: Benjamin Arjona, City Manager
Brenda Escalante, Interim City Secretary
Tirso Garza, Chief of Fire
Rodolfo Luna, Acting Lieutenant
Leroy Gonzalez, Director of Finance
Adelaida Cordero, Director of Human Resources
Armandina Sesin, Library Director
Patrick Willingham, Director of Parks & Recreation
Monica Gomez, Interim Director of Planning
Roel Garza, Director of Sanitation/ Public Works
Juan Carlos Martinez, Water Distribution Crewleader
Mary Enriquez, Court Administrator
Pat Karr, Director of Information Technology

ORDER OF BUSINESS

I. CALL 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

No public comments.

**CITY OF SAN JUAN
CITY COMMISSION MEETING
TUESDAY, NOVEMBER 23, 2021**

DISCUSSION: Benjamin Arjona, City Manager reported a fire incident that occurred on that morning. He thanked Chief Tirso Garza and his staff for their work. Mayor Mario Garza also thanked the Fire Department. Commissioner Adina “Dina” Santillan asked to keep them updated with the victim’s progress.

V. PRESENTATIONS

A. New City Hall/Transit Terminal Update.

Benjamin Arjona, City Manager introduced Oscar Cancino, Project Manager and Gilbert Enriquez, General Contractor for the New City Hall/Transit Terminal project. Mr. Cancino stated the design team was present. He further stated they have issued and given a notice to proceed as they are in the process of coordinating and adjusting onsite utilities. Mr. Gilbert Enriquez with ECON thanked the commission for the opportunity to build the future City Hall facility. He gave a construction update and stated they were working on the site demo as they were waiting for all the communication lines to be relocated. Mayor Mario Garza asked if they were given a turnaround date. Mr. Enriquez stated once the communication and electrical lines are relocated around mid-December they would start excavating and working in the building pad. Mayor Mario Garza thanked Mr. Enriquez for coming on board. Mayor asked Mr. Arjona to continue providing construction updates. Mr. Arjona stated he would bring updates at least once a month. Mayor Garza asked the design team to keep close communication with the City Manager. Mr. Enriquez replied they are always available should the City Commission have any questions. Mayor Garza asked about the projected time frame for this project. Mr. Enriquez replied in November of next year. Brian Godinez with ERO Architects stated they are serving as architect record for this project and would be working alongside Mr. Cancino, Project Manager and ECON until the close down of the building.

B. Presentation on Departmental Reports: Department of Finance, Fire Department, Police Department, Municipal Court and Department of Utilities.

DISCUSSION: David Salinas, Director of Utilities introduced

1. Department of Finance Monthly Report.
2. Department of Utilities Monthly Report.
3. Fire Department Monthly Report.
4. Municipal Court Monthly Report.
5. Police Department Monthly Report.

DISCUSSION: Benjamin Arjona, City Manager stated all Directors were present should the City Commission have any questions. Commissioner Ernesto “Neto” Guajardo thanked the Fire Chief Tirso Garza for their tremendous teamwork. Commissioner Adina “Dina” Santillan asked Chief Garza for the status of the Café D’Rut fire inspection denial. Chief Garza stated the violation was adjusted. Mayor Mario Garza asked Mary Enriquez, Court Administrator how she was scheduling staff on court hearing Tuesdays. He mentioned there was a concerned citizen inquiring about the long lines during court hearings. Ms. Enriquez stated she has two clerks one goes out to lunch 12:00 p.m. thru 1:00 p.m. and the second one takes lunch 1:00 p.m. thru 2:00 p.m. Mayor Garza directed Ms. Enriquez to have two clerks on site on Tuesdays to speed up the process. He asked Ms. Enriquez if the Municipal Court had the option to pay citations online or over the phone. Mrs. Enriquez replied they accept online payments but not over the phone. Mr. Pat Karr, Director of Information Technology mentioned they are currently working on an automated solution to take care of over the phone payments. Mayor Garza asked if the ticket writers had been used. Mr. Arjona replied not at the moment. He noted that Mary and himself are working on getting 2 or 3 ticket writers and adding laptops to every single unit.

VI. PUBLIC HEARINGS/ORDINANCES

- A. Hold a Second Public Hearing for a Voluntary Annexation Petition of the 10.28-acre tract of land of Lot 2, Block 31, Alamo Land and Sugar Company's Subdivision, located approximately 800 feet South of Sam Houston Boulevard, along the Eastside of Stewart Road, as per map recorded in Volume 1, Pages 24 thru 26, Map Records, Hidalgo County, Texas as Requested by 193 S. Heathwood Drive, LLC.

DISCUSSION: Monica Gomez, Interim Director of Planning stated this was a second public hearing for a voluntary petition that was approved recently. Furthermore, this is a 10-acre tract of land located South of Sorensen Elementary School along Stewart and Sam Houston Blvd. Mrs. Gomez mentioned a public notice was advertised in the newspaper.

Mayor Mario Garza opened the Public Hearing at 6:15 p.m. There were no public comments.

Mayor Mario Garza closed the Public Hearing at 6:16 p.m.

Commissioner Marco "Markie" Villegas made motion to approve and was seconded by Mayor Pro-Tempore Leonardo "Lenny" Sanchez. Motion passed (5-0).

- B. Hold a Public Hearing for a Conditional Use Permit to allow "Take 5 Oil Change" an Automobile Service Center at Property located at 100 S. Cesar Chavez Road, legally described as Lo 5B, San Juan Corners/St. Ives Subdivision, as Requested by Sierra Gorda Investments, LLC.

DISCUSSION: Monica Gomez, Interim Director of Planning stated this was the first public hearing for a conditional use permit to allow "Take 5 Oil Change" at the commercial located just South of the Bank of America along Cesar Chavez Road. Mrs. Gomez mentioned this property was replatted back in 2014 and attached to the packets they would find a map of the subdivision. She stated to the North side they have the Bank of America to the South a commercial plaza, to the West the Popeyes Restaurant and Walmart to the East. This property is zoned in the Expressway Corridor District which requires a conditional use permit for an automobile service center. Applicant is proposing a 1.40 sq. building with entrance and exit along Cesar Chavez Road. Mrs. Gomez stated attached to the packet they would find the site plan and the requirements.

Mayor Mario Garza opened the Public Hearing at 6:17 p.m.

City of San Juan resident Kevin Rios stated he was in favor and thinks it's a good idea. Mayor Mario Garza asked if the applicant is aware of the requirements. Mrs. Gomez responded yes.

Mayor Mario Garza closed the Public Hearing at 6:18 p.m.

Commissioner Marco "Markie" Villegas made motion to approve and was seconded by Mayor Mario Garza. Motion passed (5-0).

- C. Hold Public Hearing for a Rezoning Request from General Business District (C-2) to Single-Family Residence District (R-S) of Lots 1 thru 3, Castle Heights Subdivision, located approximately 800 feet North of FM 495 along the East side

**CITY OF SAN JUAN
CITY COMMISSION MEETING
TUESDAY, NOVEMBER 23, 2021**

of Veterans Boulevard, as Requested by Vica Texas Enterprise, LP. Voluntary Annexation Petition of the 10.28-acre tract of land out of Lot 2, Block 31, Alamo Land and Sugar Company's Subdivision, located approximately 800 feet South of Sam Houston Boulevard, along the East side of Stewart Road, as per map recorded in Volume 1, Pages 24 thru 26 Map Records, Hidalgo County, Texas as Requested by 193 S. Heathwood Drive, LLC.

DISCUSSION: Monica Gomez, Interim Director of Planning stated this is a rezoning request for commercial to residential of lots 1, 2 and 3 of Castle Heights Subdivision. Vica Texas Enterprises developed this private subdivision located North of 495 along Veteran Blvd. back in 2015 and has 4 commercial lots along Veterans Blvd. The applicant is requesting the rezoning of 3 lots to residential property and the staff recommends denial on the request since it is considered spot zoning and the lots exceed the residential size.

Mayor Mario Garza opened the Public Hearing at 6:20 p.m.

Commissioner Adina "Dina" Santillan asked why the staff was against the request. Mrs. Gomez replied they don't want a multi-family apartment and when the property was purchased one of the conditions was to have a commercial lot in front.

Mayor Mario Garza closed the public hearing at 6:21 p.m.

Mayor Pro-Tempore Leonardo "Lenny" Sanchez made motion to deny and was seconded by Commissioner Ernesto "Neto" Guajardo. Motion passed (5-0).

- D. Hold a Public Hearing for a Conditional Use Permit for the Sale of Alcoholic beverage (wine and beer) for Off-Premise Consumption at "Drama Llama Daiquiris To Go #2" located at 912 E. Business 83, legally described as Lot 1, Mireles Subdivision, as Requested by Drama Llama Daiquiris, LLC.

DISCUSSION: Monica Gomez, Interim Director of Planning stated this is a public hearing for a conditional use permit to open a drive-thru business and for the sale of alcoholic beverages for on premises consumption at Drama Llama Daiquiris To Go #2 located at 912 E. Business 83. She mentioned the applicant is taking over the business and operation hours are Sunday through Thursday from 11:00 a.m. thru 11:00 p.m., Friday's from 11:00 a.m. thru 12:00 a.m. and Saturday's from 11:00 a.m. thru 1:00 a.m. She stated the Planning staff is recommending approval.

Mayor Mario Garza opened the Public Hearing at 6:22 p.m.

Ignacio Ibarra, owner thanked the commission and stated he was present should they have any questions or concerns. Mayor Mario Garza asked if he was okay with the requirements. Mr. Ibarra responded yes.

Mayor Mario Garza closed the Public Hearing at 6:23 p.m.

Commissioner Marco "Markie" Villegas made motion to approve and was seconded by Commissioner Ernesto "Neto" Guajardo. Motion passed (5-0).

VII. APPOINTMENT

- A. Consider the Removal and/or Appointment of Board Members related to the Civil Service Board.

**CITY OF SAN JUAN
CITY COMMISSION MEETING
TUESDAY, NOVEMBER 23, 2021**

DISCUSSION: Mayor Pro-Tempore Leonardo “Lenny” Sanchez recommended accepting the applications of the current board Eric Sanchez and David Alvarado.

Mayor Pro-Tempore Leonardo “Lenny” Sanchez made motion to re-appoint Eric Sanchez and David Alvarado to the Civil Service Board and was seconded by Commissioner Adina “Dina” Santillan. Motion passed (5-0).

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

- A. Discussion and Possible Action to Accept the City of San Juan Fire Station Preliminary Design & Conceptual Plan and Authorize City Manager to Proceed with ERO on the Schematic Design Phase Contract.

DISCUSSION: Brian Godinez with ERO Architects presented his partner Eli Ochoa, Associate Principal and Project Architect who was in charge of the feasibility study for the new Fire Station. Mr. Godinez briefly introduced the feasibility study as follows: programming, layout, cost estimate and project schedule. Mr. Juan Cantu with ERO Architects explained the table of context: building program, site survey, bubble diagram, site plan, floor plan, cost estimate, schedule and renderings. Mr. Cantu gave a breakdown of the 11,766 sq. ft. as follows: programming administration, fire station services and apparatus. Furthermore, the administration would have a lobby, conference room, restrooms, office for the Fire Marshall, Chief, Assistant Chief and Deputy Chief and an open area for investigators. Also, the fire station living headquarters will have a kitchen, dining room, day room, report writing, sleeping headquarters for both the captain and station officer, restrooms for women and men and a laundry room. Additionally, for services it will have an I.T., electrical, mechanical, rice and janitor room. The apparatus base will have four bays and a storage room. Mr. Cantu mentioned they were advised to use the existing City Hall and Fire Station site for the site survey. Furthermore, after receiving the site survey they established the need to remove both buildings in order to accommodate the eleven thousand sq. ft. The bubble diagram shows the space and the outside layout for the proposed site plan in case both buildings are removed. Mr. Cantu noted there will be some disclaimers in the floor plan cost estimate due to post COVID-19 pricing. Also, the demolition of the existing buildings is not part of their scope, but they did obtain an estimated price. Furthermore, the total building cost estimate for the 11,702 sq. ft. is \$2,261,617. Mayor Mario Garza asked for the demolition estimated price. Mr. Cantu stated they obtained an estimated price of \$130,000. Proposed design schedule is 6 to 7 months of design work and 12 months of construction. He mentioned they would begin around November once the City Hall building is completed. Mr. Brian Godinez assured there were discussions about renovating the existing buildings but once they saw the cost of renovating versus a new building it just made more sense to go with a new building. Mr. Cantu presented an aerial view of the new building. Commissioner Marco “Markie” Villegas asked for a time frame. Mr. Cantu replied 6 to 7 months and a year for construction. Mayor Mario Garza asked Chief Garza if the plan covered all their needs. Chief Garza stated they put everything that is needed and managed to stay on budget.

Commissioner Ernesto “Neto” Guajardo made motion to approve and was seconded by Commissioner Marco “Markie” Villegas. Motion passed (5-0).

- B. Discussion and Possible Action to Accept the City of San Juan Parks and Recreation Preliminary Design & Conceptual Plan and Authorize City Manager to Proceed with ERO on the Schematic Design Phase Contract.

DISCUSSION: Brian Godinez with ERO Architects thanked the City Commission for the opportunity to develop a feasibility study for the potential Parks and Recreation Center. Mr. Godinez introduced Mr. Edgar Villanueva, Project Manager. Mr. Villanueva presented the findings of the feasibility study for the center

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which is located on Sioux Rd. and Veterans, East of the San Juan Water Treatment facility. Mr. Villanueva gave a breakdown of the program which consists of an administrative suite, three classrooms, an open gym and two indoor basketball courts totaling 27,000 sq. ft. He presented the full design of the park and amenities, along with the construction phases, as follow:

Phase 1: Includes infrastructure, grading, irrigation, landscape, trails & site furnishing with a total of \$1.28M.

Phase 2: Includes soccer fields, outdoor basketball court, outdoor fitness, picnic pavilions, playgrounds, splash pad & parking lot with a total of \$1.85M.

Phase 3: Includes pool & pool house total is to be discussed.

Phase 4: Includes the actual recreation building with a total of \$4.6M

Mr. Villanueva stated the total construction amount is \$7.73M not including the pools. Proposed design schedule is 6 to 7 months of design work and 1 year of construction if done all together. If phased out they would have a separate schedule. Benjamin Arjona, City Manager explained the reason for working in phases due to the budgeting constraints the city has. He also mentioned the city is currently working on a couple of grants, one with the Texas Parks and Wildlife and a second one with CDBG that will give us enough funding to complete this project.

Commissioner Ernesto “Neto” Guajardo made motion to approve and was seconded by Commissioner Marco “Markie” Villegas. Motion passed (5-0).

- C. Discussion and Possible Action to Accept the Only Bid Received for the New City Hall Sewer Line Replacement Project in the Amount of \$77,485.00 from Southern Trenchless Solutions from La Feria, Texas and Authorize the Mayor to Execute all Related Documents and Amendment as Needed.

DISCUSSION: Benjamin Arjona, City Manager stated in the last meeting they discussed the possibility of replacing a water line that is located on the north side of the new city hall site. Previously they hadn’t gone out for bids since the estimated cost was less than \$50,000 but when they received the actual numbers it exceeded the budget. He presented one and only bid received for the amount of \$77,485.00.

Commissioner Marco “Markie” Villegas made motion to approve and was seconded by Commissioner Ernesto “Neto” Guajardo. Motion passed (5-0).

- D. Discussion and Possible Action to Declare Certain Fixed Assets in the Department of Utilities as Surplus/Salvage and Authorize the City Manager to Execute all Related Documents and Budget Amendments as Needed.

DISCUSSION: Benjamin Arjona, City Manager briefly stated this was to request authorization to auction some salvage items.

Mayor Pro-Tem Leonardo “Lenny” Sanchez made motion to approve and was seconded by Commissioner Marco “Markie” Villegas. Motion passed (5-0).

IX. CONTRACTUALS/RESOLUTIONS

- A. Consider Adoption of Resolution Establishing the Budget for Fiscal Year 35 (2022) of the Hidalgo County Urban County Program.

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DISCUSSION: Benjamin Arjona, City Manager briefly stated this item was already discussed in the previous meeting, at this time it's to be voted and approved. He noted it's the same organizations from last year requesting for funds.

Commissioner Ernesto “Neto” Guajardo made motion to approve and was seconded by Commissioner Marco “Markie” Villegas. Motion passed (5-0).

- B. Consideration and Action on a Resolution Accepting a Voluntary Annexation Petition, Setting Dates and Times of Public Hearing and Directing the Planning Department to Prepare Service for the Proposed Orchards of San Juan Subdivision being a 24.85-acre tract of land out of Lot 7, Stewart’s Addition to the Conway Garden Subdivision, located at the Southwest corner of Stewart and Moore Road, as Requested by Escon Development.

DISCUSSION: Benjamin Arjona, City Manager introduced the item. Monica Gomez, Interim Director of Planning stated this was a resolution to accept the voluntary annexation petition of the 20-acre tract located on the Southwest corner of Stewart and Moore Road. She mentioned the applicant is proposing to build a residential subdivision and part of the subdivision is outside of the city limits.

Mayor Pro-Tempore Leonardo “Lenny” Sanchez made motion to approve and was seconded by Commissioner Ernesto “Neto” Guajardo. Motion passed (5-0).

X. CONSENT AGENDA

- A. Preliminary Budget Expenditure Report – September 2021.

DISCUSSION: There were no comments or questions.

Mayor Pro-Tempore Leonardo “Lenny” Sanchez made motion to approve and was seconded by Commissioner Marco “Markie” Villegas. Motion passed (5-0).

XI. EXECUTIVE SESSION

- A. The San Juan 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 (Consultation with Attorney).
 - 1. Pursuant to Section §§551.074 PERSONNEL MATTERS; Discuss the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline or Dismissal of a Public Officer or Employee. (Director of Planning and Zoning).
 - 2. Discussion and Possible Action Regarding Cause No. C-2414-20-A Styled Hall-Mark Fire Apparatus-Texas, LLC v. City of San Juan, Texas in the 92nd Judicial District Court, Hidalgo County, Texas.

Mayor Pro-Tempore Leonardo “Lenny” Sanchez made motion to enter executive session at 6:55 p.m. and was seconded by Mayor Mario Garza. Motion passed (5-0).

XII. RECONVENE

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

Mayor Pro-Tempore Leonardo “Lenny” Sanchez made motion to reconvene at 7:03 p.m. and was seconded by Commissioner Marco “Markie” Villegas. Motion passed (5-0).

1. Pursuant to Section §§551.074 PERSONNEL MATTERS; Discuss the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline or Dismissal of a Public Officer or Employee. (Director of Planning and Zoning).

Mayor Mario Garza made motion to accept City Manager’s recommendation and was seconded by Commissioner Marco “Markie” Villegas. Motion passed (5-0).

DISCUSSION: Benjamin Arjona, City Manager stated his recommendation to appoint Mr. Daniel Tijerina as Director of Planning and Zoning.

2. Discussion and Possible Action Regarding Cause No. C-2414-20-A Styled Hall-Mark Fire Apparatus-Texas, LLC v. City of San Juan, Texas in the 92nd Judicial District Court, Hidalgo County, Texas.

Mayor Mario Garza made motion for City Manager to execute all documents related to the Hall-Mark case and was seconded by Commissioner Marco “Markie” Villegas. Motion passed (5-0).

XIII. ADJOURNMENT

Mayor Pro-Tempore Leonardo “Lenny” Sanchez made motion to adjourn at 7:04 p.m. and was seconded by Mayor Mario Garza. Motion passed (5-0).

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Mario Garza, Mayor

ATTEST:

Brenda Escalante, Interim City Secretary