

MINUTES OF REGULAR MEETING OF THE CITY OF SAN JUAN COMMISSION

DATE: Monday, February 13, 2023

TIME: 6:00 p.m.

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

MEMBERS PRESENT: Mario Garza, Mayor
Leonardo "Lenny" Sanchez, Mayor Pro-Tempore
Adina "Dina" Santillan, Commissioner
Ernesto "Neto" Guajardo
Marco "Markie" Villegas, Commissioner
Rick Palacios, City Attorney

STAFF PRESENT: Benjamin Arjona, City Manager
Brenda Escalante, City Secretary
Tirso Gaza, Fire Chief
Leandro Sifuentes, Interim Chief of Police
Leroy Gonzales, Director of Finance
Adelaida Cordero, Director of Human Resources
Armandina Sesin, Library Director
Ruben Guajardo, Assistant Director of Parks & Recreation
Daniel Tijerina, Director of Planning
Israel Garza, Director of Sanitation/Public Works
Juan Carlos Martinez, Interim Director of Utilities
Melissa Sanchez, Court Administrator
Pat Karr, Director of Information Technology

ORDER OF BUSINESS

I. CALL MEETING TO ORDER:
Mayor Mario Garza called meeting to order at 6:00 p.m.

II. INVOCATION
Benjamin Arjona, City Manager led the Invocation.

III. PLEDGE OF ALLEGIANCE:
Mayor Mario Garza led the Pledge of Allegiance.

IV. PUBLIC COMMENTS

DISCUSSION: Commissioner Ernesto "Neto" Guajardo asked that everyone present pray for the passing of a former San Juan firefighter, Bert Hernandez. Mayor Mario Garza asked to have a moment of silence for Mr. Hernandez.

V. PRESENTATIONS

A. Presentation on Proclamation Honoring and Recognizing Raul Abrego.

DISCUSSION: No presentation.

B. Presentation on Departmental Reports: Department of Planning and Zoning, Department of Parks and Recreation, Department of Sanitation and San Juan Memorial Library.

1. Planning and Zoning Monthly Report.
2. Parks and Recreation Monthly Report.
3. Department of Sanitation Monthly Report.
4. San Juan Library Monthly Report.

DISCUSSION: Commissioner Adina "Dina" Santillan congratulated the San Juan Police Department for the fast apprehension regarding last week's shooting. Commissioner "Neto" Guajardo asked Daniel Tijerina, Director of Planning, for a status on the two employees whose exams were pending. Benjamin Arjona, City Manager, stated that issue had been resolved. Commissioner Guajardo moved forward, directing Israel Garza, Director of Sanitation, to consult with Rick Palacios, City Attorney, regarding the pending arrow order. Mayor Pro Tem Leonardo "Lenny" Sanchez asked Mr. Tijerina to revisit the ordinances regarding dogs at large and the sale of food on the streets. Commissioner Marco "Markie" Villegas asked Interim Chief Leandro Sifuentes to follow up on a break-in police report. Mayor Mario Garza thanks Mr. Garza and the Keep San Juan Beautiful

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Board for the clean-up event that was held this past Saturday. Mr. Garza informed the City Commission about their upcoming Earth Day event. Mayor Garza asked for an update on the 5K Run event, to which Ruben Guajardo, Assistant Director of Parks & Recreation, gave a brief update. Commissioner Santillan asked Mr. Guajardo for a brief update on their attendance at the TAFF banquet. Mr. Guajardo stated it was a great event where they traveled to Gran Prairie, Texas, where they received the TAFF Small City of the Year Award.

VI. PUBLIC HEARING/ORDINANCES

- A. An Ordinance of the City of San Juan, Texas, Renaming a Certain Portion of 3rd Street From Veterans Boulevard "I Road" to Washingtonia Palm Avenue to be Renamed as "Raul Abrego Street"; Authorizing the Mayor to Execute the Documents Needed to Accomplish Said Renaming of a Public Roadway; Providing for Effective Date; Providing for Publication; Providing for Codification; Providing for a Severability Clause; and Providing for a Repealer Clause.**

DISCUSSION: No action was taken.

VII. DISCUSSION AND POSSIBLE ACTION ON ALL FOLLOWING MATTERS:

- A. Consider the Request by ESCON Development to Dedicate One Acre of Land for Park use in Lieu of Paying the Park Fees at the Proposed Orchards of San Juan Phase I Subdivision, Located at the Southwest Corner of Stewart Road and Moore Road. [Daniel Tijerina, Director of Planning]**

DISCUSSION: Daniel Tijerina, Director of Planning, stated that in the last meeting, the City Commission took no action on this item. Mr. Tijerina clarified this is a two-phase development for a total of 164 lots times \$675.00 and stated staff recommends they pay the fee instead of the dedication. Mayor Mario Garza stated that the city would lose about \$110,000 in park fees. Mayor Pro-Tem Leonardo "Lenny" Sanchez asked for details regarding the HOA's responsibility. Commissioner Adina "Dina" Santillan asked for a completion time frame. Mr. stated that Phase I would be completed this Friday. Benjamin Arjona, City Manager, addressed other issues that will arise with the approval of this park.

Mayor Mario Garza motioned to accept the staff's recommendation and was seconded by Mayor Pro-Tem Leonardo "Lenny" Sanchez. Motion Passed (5-0)

- B. Consideration and Action to Authorize the City Manager to Accept the Offer Letter from the County of Hidalgo, Execute all Necessary Conveying Instruments Required For the Sale of Land for the Expansion of the East Nolana Loop Project Parcel 6, Being Described as 0.0419 acre (1,825 square feet) Tract of Land Situated in Lot 3, Block 43, Alamo Land and Sugar Company Subdivision with Respect to Construction of East Nolana Loop from North Raul Longoria Road to Alamo Road. [Daniel Tijerina, Director of Planning]**

DISCUSSION: Daniel Tijerina, Director of Planning, stated that the County of Hidalgo is working on the expansion of East Nolana Loop from Raul Longoria Road (FM 1426) to Alamo Road (FM 907). Furthermore, the City of San Juan owns the property along that area, as described in Exhibit "A"—Field Note Description for Parcel 6—a 0.0419-acre tract (1,825 square feet) of Lot 3, Block 43, Alamo Land, and Sugar Company Subdivision as shown in the attached documentation. Mr. Tijerina stated that the city received an offer letter to purchase the above property for \$530 based on the appraisal prepared by Leonel Garza, III. Mr. Tijerina stated that staff recommends approval of the sale, which would be beneficial to the City of San Juan.

Mayor Pro-Tem Leonardo "Lenny" Sanchez motioned to accept the staff's recommendation and was seconded by Commissioner Marco "Markie" Villegas. Motion Passed (5-0)

- C. Consideration and Action on Selecting a New Sidewalk Location for the PSJA Tri-City Pedestrian Safety Improvements Project Phase II, as Requested by the Rio Grande Valley Metropolitan Planning Organization. [Daniel Tijerina, Director of Planning]**

DISCUSSION: Daniel Tijerina, Director of Planning, stated that the Transportation Policy Board held a regular meeting on February 23, 2022, and passed the FY 2019-2020 TASA Program and Resolution 2022-06 to approve the first amendment to the PSJA Tri-City Pedestrian Safety Improvements Project Phase II, CSJ: 0921-02-432. Furthermore, the amendment consists of two sidewalk relocations, with one of them being in the City of San Juan. The original description for this location included a new sidewalk on the west side of North Stewart Road (existing right-of-way of 80 feet), for an approximate total length of 0.27 miles (1,425 feet) between East 2nd Street and East Business 83. Mr. Tijerina states that the MPO is asking for the city to consider a new location, north right-of-way of East 11th Street between Nebraska Road and East Wyoming Avenue for approximately a total length of 0.28 miles, which would be equivalent to the Street Road project. According to Mr. Tijerina, the commission was asked to decide whether to approve the proposed sidewalk position, which was on the north side of 11th Street, given the specified criteria or to suggest another location. The revised site of the sidewalk was suggested by city manager Benjamin Arjona to be south-west of Stewart Road between Sam Houston and Ridge Road and if enough funds were available, they would include south-east of Stewart Road too.

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Commissioner Marco “Markie” Villegas motioned to accept the staff’s recommendation and was seconded by Mayor Pro-Tem Leonardo “Lenny” Sanchez. Motion Passed (5-0)

- D. Consideration and Action, if any, Authorizing the City Manager to Enter Into a Memorandum of Understanding (MOU) with South Texas College to Award Continuing Education Units for Law Enforcement Related Trainings Coordinated and Conducted by the City of San Juan by and Through the City of San Juan Police Department. [Leandro Sifuentes, Interim Chief of Police]**

DISCUSSION: Leandro Sifuentes, Interim Chief of Police, stated this MOU would allow their Police Department instructors to teach at the STC Public Center. Chief Sifuentes stated that the officers will benefit as they will receive continuing education hours STC will assist with registration and conducting surveys.

Commissioner Marco “Markie” Villegas motioned to approve and was seconded by Mayor Pro-Tem Leonardo “Lenny” Sanchez. Motion Passed (5-0)

- E. Consideration and Action, if any, Authorizing the City Manager to Enter Into a Memorandum of Understanding (MOU) with South Texas College for the Usage of the City of San Juan Target Range for Law Enforcement Activities such as Training and Education. [Leandro Sifuentes, Interim Chief of Police]**

DISCUSSION: Leandro Sifuentes, Interim Chief of Police stated this MOU was for the usage of the shooting range. Mayor Mario Garza asked who would be utilizing the shooting range to which Chief Sifuentes replied the Federal, DPS, Border Patrol and STC.

Commissioner Marco “Markie” Villegas motioned to approve and was seconded by Commissioner Ernesto “Neto” Guajardo. Motion Passed (5-0)

- F. Discussion and Consideration to Reject the Bids Submitted for RFB NO. 23-008-12-20 MAGNETIC FLOWMETER IMPROVEMENTS PROJECT as Recommended by Trimad Consultants, L.L.C. [Lori Maldonado, Purchasing Agent]**

DISCUSSION: Leroy Gonzales, Director of Finance, stated that on December 20, 2022, they received bids for the mentioned project from Reyna Constructions for \$191,780 and McAllen Multi Service for \$285,260. Mr. Gonzales stated staff recommended accepting Trimad Consultants recommendation to reject all submitted bids as they exceeded Trimad’s opinion of the probable construction cost. Rick Salazar, City Engineer, stated the bids received exceed the total cost of said project by up to fifty percent of the lowest estimate, therefore he recommended rejecting all bids received.

Commissioner Marco “Markie” Villegas motioned to accept staff’s recommendation to reject bids and was seconded by Commissioner Adina “Dina” Santillan. Motion Passed (5-0)

- G. Discussion and Possible Action to Approve the Procurement of Structured Cabling for the New City Hall and Authorize the City Manager to Execute any Agreement(s) and/or Budget Amendment(s) as Needed. [Pat Karr, Chief Technology Officer]**

DISCUSSION: Benjamin Arjona, City Manager, stated this item was for the new city hall internet cabling. Pat Karr, Director of IT, stated this item was for the structured cabling for the new city hall, what connects the computers together, wireless access points, printers, and security. Furthermore, they would be utilizing one of the state contracts and requesting that Superior provide a structured cabling solution. In addition to the procurement, they would also receive a 15-year warranty. Mr. Karr stated that staff recommends approval.

Commissioner Ernesto “Neto” Guajardo made motioned to approve and was seconded by Commissioner Marco “Markie” Villegas. Motion Passed (5-0)

- H. Consider Approval of a Budget Amendment to Increase the Recycling/KSJB Division, Keep San Juan Beautiful Line Item in the Amount of \$7,805 for the Fiscal Year 2022-2023. [Israel Garza, Director of Sanitation]**

DISCUSSION: Israel Garza, Director of Sanitation, stated this budget amendment was to increase the budget amounts for Keep San Juan Beautiful—Revenue and Expense FY 22–23 for sponsorships received for the Keep San Juan Beautiful Cook-Off Event that was held on November 5, 2022.

Mayor Pro-Tem Leonardo “Lenny” Sanchez motioned to accept the staff’s recommendation and was seconded by Commissioner Ernesto “Neto” Guajardo. Motion Passed (5-0)

- I. Consider Approval of a Budget Amendment to Increase the Sanitation Division, Other Equipment Line Item in the Amount of \$35,244 for Fiscal Year 2022-2023, for the Purchase of New Fuel System, Unleaded Plus (89 Octane) and Highway Diesel Fuel (Ultra-Low Sulfur). [Israel Garza, Director of Sanitation]**

DISCUSSION: Israel Garza, Director of Sanitation, stated this budget amendment was for the software fuel system upgrade. Mr. Garza stated that staff is recommending approval.

Commissioner Ernesto “Neto” Guajardo made motioned to approve and was seconded by Commissioner Marco “Markie” Villegas. Motion Passed (5-0)

VIII. RESOLUTIONS

- A. Consideration and Action, if any, Amending Resolution No. 2023-03 Adopting the Work Plan and Budget for Fiscal Year 36 (2023) for the Hidalgo County Urban County Program. [Daniel Tijerina, Director of Planning]

DISCUSSION: Daniel Tijerina, Director of Planning, stated this resolution was previously brought before the commission, but some adjustments were needed as per Hidalgo County Urban County. Mr. Tijerina stated that the changes were as follows: General Administration was reduced from \$4,000.00 to \$3,000.00, Amigos del Valle was reduced from \$10,000.00 to \$5,000.00, and Nuestra Clinica del Valle was reduced from \$15,000.00 to \$7,000.00 in order to allocate more funds to street improvements. Making these adjustments would bring the Street Improvement Fund to \$271,199.00, for a total amount of \$286,199.00, which has been allocated from the Hidalgo County Urban County Program. Mr. Tijerina stated that staff recommends approval of amending the resolution as presented. Benjamin Arjona, City Manager, informed the City Commission that there would be a budget amendment needed in order to cover the repair costs of the other streets in the subdivision.

Mayor Mario Garza motioned to approve and was seconded by Commissioner Ernesto “Neto” Guajardo. Motion Passed (5-0)

- B. Consideration and Action, if any, on Resolution Supporting Legislation Regarding the Provision of Solid Waste Disposal Services by Hidalgo County. [Benjamin Arjona, City Manager]

DISCUSSION: Benjamin Arjona, City Manager welcomed Mike Perez from the Hidalgo County. Mr. Perez stated that there is a brush and garbage growing problem in rural areas. Furthermore, the County Commissioners Court approves a thousand lots a month; rural area residents don’t have garbage service unless they pay for the service separately. There are about 68,000 residents that are in the unincorporated area, where Hidalgo County is spending about eight million dollars a year to address illegal dumping. Mr. Perez mentioned that there are three main issues-health and safety issue, drainage problems and fairness issue because of the actual percentage of taxes that are collected from city residents and residents from unincorporated areas. Additionally, he stated that all four major rural water supply corporations have agreed to put on their water bill the garbage bill, and after going out for proposals the service bill is going to be somewhere around thirty dollars a month. Due to how the law is written, the county is not allowed to provide garbage services in any city’s ETJ. Therefore, they are asking to pass this resolution supporting their efforts to provide garbage services in the City of San Juan’s ETJ to address brush and garbage issues.

Mayor Mario Garza motioned to approve and was seconded by Commissioner Ernesto “Neto” Guajardo. Motion Passed (5-0)

- C. Consideration and Action, if any, on Resolution Issuing an Order and Notice of the City of San Juan General Municipal Election for May 6, 2023, for the Election of Commissioner Place 4 and Commissioner Place 5, and Designating Election Precincts and Polling Places. [Brenda Escalante, City Secretary]

DISCUSSION: Brenda Escalante, City Secretary stated this resolution was to issue an order and notice for the general municipal election for the City of San Juan to be held on Saturday, May 6, 2023. Mrs. Escalante stated that seats up for vote as part of the general election are Commissioner Place 4 and Commissioner Place 5 to hold office for a period of four years. The last day to file for a place on the ballot is Friday, February 17, 2023, at 5:00 p.m.

<u>EARLY VOTING DAY AND DATE</u>			<u>HOURS</u>
Monday	April 24, 2023	-	7:00 a.m. to 7:00 p.m.
Tuesday	April 25, 2023	-	8:00 a.m. to 6:00 p.m.
Wednesday	April 26, 2023	-	8:00 a.m. to 6:00 p.m.
Thursday	April 27, 2023	-	8:00 a.m. to 6:00 p.m.
Friday	April 28, 2023	-	8:00 a.m. to 6:00 p.m.
Saturday	April 29, 2023	-	7:00 a.m. to 7:00 p.m.
Sunday	April 30, 2023	-	Closed
Monday	May 1, 2023	-	8:00 a.m. to 6:00 p.m.
Tuesday	May 2, 2023	-	7:00 a.m. to 7:00 p.m.

<u>ELECTION DAY AND DATE</u>		<u>HOURS</u>
Saturday	May 6, 2023	- 7:00 a.m. to 7:00 p.m.

Election Day polling locations would be at the San Juan Memorial Library and Fire Station No. 2, and the Early Voting polling place is at the San Juan Memorial Library. Commissioner Ernesto "Neto" Guajardo asked Mrs. Escalante the reason why we couldn’t have two polling locations for early voting and for a cost estimate. Mrs. Escalante stated that the polling locations were based on the last election and that the cost was about \$26,000. Commissioner Guajardo mentioned that he has received complaints from residents regarding the

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drive for north San Juan residents and asked for the possibility of having two polling locations. Mayor Mario Garza stated that we don't have both locations because they are costly. Commissioner Marco "Markie" Villegas stated that the current polling location has been functioning. Commissioner Guajardo asked about maybe rotating the polling locations, as he wants equality for all the residents.

Mayor Mario Garza motioned to approve the resolution as presented and was seconded by Commissioner Marco "Markie" Villegas. Commissioner Ernesto "Neto" Guajardo opposed to the motion. Motion Passed (4-1)

- D. Consideration and Action, if any, on Resolution Authorizing the City of San Juan to Submit an Application to the Texas SmartBuy Membership Program to Participate in the Texas Comptroller of Public Accounts Cooperative Purchasing Program. [Lori Maldonado, Purchasing Agent]

DISCUSSION: Leroy Gonzales, Director of Finance stated that staff recommends participation in the Texas Comptroller of Public Accounts Cooperative Purchasing Program.

Mayor Mario Garza motioned to approve and was seconded by Commissioner Marco "Markie" Villegas. Motion Passed (5-0)

IX. CONTRACTUALS

- A. Consideration and Action, if any, on Amendment Number 1 to the Interlocal Agreement with the City of Alamo, City of Pharr, and Pharr-San Juan-Alamo (PSJA) Independent School District for the PSJA Tri-City Pedestrian Safety Improvements Project Phase I. [Daniel Tijerina, Director of Planning]

DISCUSSION: Daniel Tijerina, Director of Planning, stated the City of Pharr, San Juan, Alamo, and PSJA executed an interlocal agreement on July 14, 2020, for undertaking the PSJA Tri-City Pedestrian Safety Improvements Project Phase I, which needs to be amended by adding three (3) additional years to the term for a total of five (5) years to this approved interlocal agreement.

- B. Consideration and Action in Ratifying an Interlocal Cooperation Agreement with the City of Pharr for Emergency Medical Services.

DISCUSSION: No action was taken.

X. CONSENT AGENDA

- A. Consider Approval on Second and Final Reading of an Ordinance for a Conditional Use Permit to allow "Z&R Event Center" Located at 302 E. Business 83, Legally Described as Lettered Blocks (San Juan) Being the West 165 feet of Lot 2 and the West 165 feet of Lot 3, Block A #2, as Requested by Homer Ocanas. [Daniel Tijerina, Director of Planning]
- B. Consider Approval on Second and Final Reading of an Ordinance for a Rezoning Request from Single-Family Residence District (R-S) to Multi-Family Residential District (R-MF) of a 2.99-Acre Tract of Land out of Lot 11, Block 35, Alamo Land and Sugar Company Subdivision, Located a Quarter of a Mile West of Cesar Chavez Road, Along the South Side of Carroll Road, as Requested by Petra Martinez. [Daniel Tijerina, Director of Planning]
- C. Consider Approval on Second and Final Reading of an Ordinance Providing for a Fee to Defray Costs of Collecting Delinquent Fines, Fees, Court Costs, and Other Debts Pursuant to Article 103.0031 of the Texas Code of Criminal Procedure; Providing for Effective Date; Providing for Publication; Providing for a Severability Clause; and Providing for a Repealer Clause.
- D. Consider Approval of the Investment Report for the Quarter Ending December 31, 2023.
- E. Consider Approval of the Budget Expenditure Report for the Month of December 31, 2022
- F. Consider Approval of City Commission Meeting Minutes:
 - June 14, 2022
 - June 28, 2022
 - July 12, 2022
 - January 24, 2023

Commissioner Marco "Markie" Villegas motioned to approve all item under consent agenda and was seconded by Mayor Pro-Tem Leonardo "Lenny" Sanchez. Motion Passed (5-0)

XI. EXECUTIVE SESSION

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- 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 et seq. and §551.071 Consultation with Attorney.

1. Pursuant to Section §551.071 CONSULTATION WITH ATTORNEY; Discussion and Possible Action Regarding the Legal Issues Concerning the Entertainment Agreement for 2021 Noche De Paz.

Commissioner Ernesto "Neto" Guajardo motioned to enter executive session at 7:10 p.m. and was seconded by Mayor Mario Garza. Motion Passed (5-0)

XII. RECONVENE

Commissioner Ernesto "Neto" Guajardo motioned to reconvene at 8:20 p.m. and was seconded by Commissioner Adina "Dina" Santillan. Motion Passed (4-0)

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

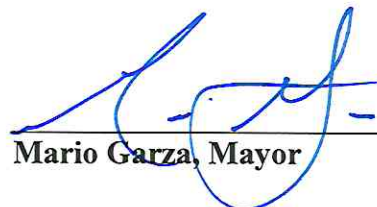
1. Pursuant to Section §551.071 CONSULTATION WITH ATTORNEY; Discussion and Possible Action Regarding Legal Issues Concerning the Entertainment Agreement for 2021 Noche De Paz.

Commissioner Adina "Dina" Santillan motioned to approve a discussed under executive session and was seconded by Commissioner Ernesto "Neto" Guajardo. Motion Passed (4-0)

XIII. ADJOURNMENT

Commissioner Adina "Dina" Santillan made motion to adjourn the meeting at 8:21 p.m. and was seconded by Commissioner Marco "Markie" Villegas. Motion Passed (4-0)

CITY OF SAN JUAN, TEXAS



Mario Garza, Mayor

ATTEST:



Brenda Escalante, City Secretary