

MINUTES OF REGULAR MEETING OF THE CITY OF SAN JUAN COMMISSION

DATE:

Tuesday, January 12, 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
Jesus “Jesse” Ramirez, Commissioner
Ernesto “Neto” Guajardo, Commissioner
Marco “Markie” Villegas, Commissioner
Rick Palacios, City Attorney

STAFF PRESENT:

Benjamin Arjona, City Manager
Diana Cavazos, City Secretary
Tirso Garza, Chief of Fire
Juan Gonzalez, Chief of Police
Leroy Gonzalez, Director of Finance
Adelaida Cordero, Director of Human Resources
Armandina Sesin, Library Director
Patrick Willingham, Director of Parks & Recreation
Roberto Escobar, Director of Planning
Roel Garza, Director of Sanitation/ Public Works
David Salinas, Director of Utilities
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

- A. It is the Intent of the City Commission to Conduct this Meeting Primarily via Teleconference Pursuant to the Open Meetings Act Procedures Announced by Governor Abbott. Due to the COVID-19 Pandemic, the City has Established an Alternative for Residents to Make Public Comments During the Meeting. If you Would Like to Participate Under Public Comments, You Must Submit a Request Beginning Friday, November 6, 2020 by (1) Sending an Email to publiccomments@sjtx.us or (2) by Dropping Off the Request in the Drop Box Next to the Drive-Thru Behind City Hall at 709 S. Nebraska San Juan, Texas 78589. All Requests Must be Received no Later than 5:00 p.m. on Tuesday, November 10, 2020. Your Request Should Include Your Name, Address, Telephone Number and Your Comment. We Ask for Everyone's Cooperation with this Procedure.

No public comments.

V. PRESENTATIONS:

- A. Proclamation Proclaiming January 2021 as National Human Trafficking Awareness and Prevention Month.

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Mr. Benjamin Arjona, City Manager greeted Mayor, Commissioners, staff and community and welcomed the New Year. Benjamin Arjona, City Manager stated the proclamation was given as an insert and proceeded to read the proclamation.

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

DISCUSSION: Mr. Benjamin Arjona, City Manager stated every director was present should the City Commission have any questions. Commissioner Jesus “Jesse” Ramirez stated as we are all aware the government has decided not to extend the pay for COVID-19 for employees that get infected with the virus and asked if the city was considering extending the pay like the school district to which Mr. Arjona responded no. Commissioner Ramirez asked if it would be on the next agenda to which Mr. Arjona responded it could be added to the agenda for the next meeting. Mayor Pro Tem Leonardo “Lenny” Sanchez welcomed all Director’s back to the New Year and stated I hope this New Year is a better one for all of us, God bless every single one of you guys and your employees so that we can better assist our citizens of San Juan.

Commissioner Ramirez asked if the damages that were sustained during the hurricane last summer had been taken care of to which Mr. Arjona responded the office of Ramon Garcia was taking care of that. Mr. Arjona stated he had spoken to the assistant representing Ramon Garcia’s office and the paperwork requested had been submitted to the Comptroller’s Office. Commissioner Ramirez asked for a status on the Sanitation Department since for the month of November 6 trucks were down and in the month of December 4 were down to which Mr. Roel Garza, Sanitation Director responded at the moment there was one roll off and one residential truck down and the vehicles are expected to be repaired in the upcoming weeks. Commissioner Ramirez asked if those were the new vehicles that were recently purchased that were down to which Mr. Garza responded it was the older trucks. Commissioner Marco “Markie” Villegas asked if there were any problems with the new vehicles to which Mr. Garza responded not with the new ones it was the older vehicles giving them problems. Commissioner Villegas asked if it was only two that were down to which Mr. Roel Garza responded yes. Mr. Benjamin Arjona stated a meeting was held the week before formulating a plan of action to lease additional equipment for this year of the next fiscal year. Mr. Arjona added there were many subdivisions coming in to the City and additional equipment to fulfill the requirements of the citizens were needed. Commissioner Ramirez stated he was glad the subject was brought up since his concern on the report of Planning and Zoning was the list of subdivisions and wants to make sure there is a plan in place and that it’s budgeted for. Commissioner Ramirez asked when the subdivision would be available to which Mr. Arjona responded within the next two to three months. Mayor Pro Tem Sanchez stated he would like a breakdown of expenditures for the repairs of the vehicles since it might be better off replacing the units if the expenditures supersede the life expectancy of the unit. Mr. Arjona stated that was one of the conversations with the supervisors since just to repair one of the vehicles it was high \$40,000-\$50,000.00 however the cost of a new vehicle is about \$200,000. Mr. Arjona further stated not only were new trucks going to be purchased but also replacing the existing ones.

Commissioner Ramirez asked how was animal control being handled on the weekend since a resident was trying to get a hold of Animal Control and was told no one is available, but yet overtime was budgeted to which Mr. Arjona responded he had spoken to Chief Morin regarding officers on call because of the same concerns. Mr. Arjona stated it was true there was no staff to go out on the weekends however it was on a call basis but now they were going to be placed on rotation just like utilities and sanitation. Mayor Mario Garza asked if any services were interrupted when the trucks were down to which Mr. Arjona responded no. Mayor Garza asked if every citizen was taken care of to which Mr. Garza responded they are on schedule for the brush pick up and on trash pick-up. Mayor Pro Tem Sanchez asked for a status on the drainage for Citrus to which Mr. Garza responded a chemical was placed in November which takes two months for that chemical to break down the roots inside the storm line once it decomposes a company will be called to do an assessment on the storm line and remove the roots. Mayor Pro Tem Sanchez asked for and estimated time of project completion because a 3rd hurricane season is coming up and we are still dealing with that issue to which Mr. Garza responded the assessment should be getting done in the next coming month just in time before the rainy season. Mayor Garza asked if numbers could be dissected because he would like to see the trash getting picked up twice a week in the near future. Mayor Garza further stated as you know we have households that have two citizens but then we have households that have six so their trash will get filled within two days. Mayor Garza added big families are coming in and purchasing rooftops in our community and I think we need to be ready maybe for the next meeting if you could have those figures. Mr. Arjona stated one of the options Mr. Garza and the supervisors spoke about in reference to that is for the City to get an additional permit with TCEQ for a drop off site. Mr.

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Arjona further stated Mayor Pro Tem and I spoke about instead of going all the way up to Edinburg to drop off the trash maybe have a site here and once the site is full get a roll off to drop off in Edinburg and by doing so the route can be expedited and by purchasing additional vehicles it will give the opportunity to fulfill that request. Mayor Pro Tem Sanchez added that by doing so the life expectancy of the vehicle will be longer and the requests of the citizens will be fulfilled. Commissioner Villegas stated he remembered bringing the issue up a while back and requested a survey to find out who needed a second pick up. Commissioner Villegas further stated Mayor is correct there are differences in demographics some have big families with demand for more than others.

VI. PUBLIC HEARINGS:

- A. Hold Second and Final Public Hearing for the Voluntary Annexation Petition of the 9.32 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 through 26, Map Records, Hidalgo County, Texas located approximately three quarter of a mile East of Raul Longoria Road, along the North side of Nolana Avenue, as Requested by Juan Maldonado.

DISCUSSION: Benjamin Arjona, City Manager stated the exact location of the property could be found on the packet and this is for a second public hearing.

Mayor Garza opened the public hearing at 6:18 p.m.

Mayor Garza closed the public hearing at 6:18 p.m.

Commissioner Marco "Markie" Villegas made a motion to approve and was seconded by Commissioner Jesus "Jesse" Ramirez. Motion passed (4-0).

- B. Hold a Public Hearing for a Rezoning Request from Single-Family Residence District (R-S) to Multi-Family Residence District (R-MF) of Lot 9, Block 3, Pecan Estates Subdivision, located approximately a quarter of a mile East of Raul Longoria Road along the North side of Sgt. Leonel Treviño Road, as Requested by Victor Limas.

DISCUSSION: Robert Escobar, Planning Director stated the Planning and Zoning Commission reviewed the item and they feel it is a spot zoning because there is a lot of residential not really commercial. Mr. Escobar further stated because of that the Planning and Zoning Commission denied the request.

Mayor Garza opened the public hearing at 6:20 p.m.

Commissioner Ramirez asked if the recommendation was to deny it to which Mr. Escobar responded yes, that was his recommendation as well as the Planning and Zoning Commission.

Mayor Garza closed the public hearing at 6:21 p.m.

Commissioner Jesus "Jesse" Ramirez made a motion to approve the denial and was seconded by Mayor Pro Tem Leonardo "Lenny" Sanchez. Motion passed (4-0).

Mayor Pro Tem Sanchez stated the reason he was for the denial was because he would like to keep the city uniform.

- C. Hold a Public Hearing for a Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption at the "Sunny Super Mart" located at 102 S. Nebraska Avenue, legally described as Lots 7-8, Block 4, San Juan Original Townsite, located at the Southwest corner of Nebraska and 1st Street, as Requested by Sunny G. Enterprises.

DISCUSSION: Mr. Robert Escobar stated it was for a conditional use permit for an existing business with a new owner and they were applying for the TABC permits. Mr. Escobar further stated they had done some remodeling and were just going through the requirement to apply for TABC and a conditional use permit.

Mayor Garza opened the public hearing at 6:22 p.m.

Mayor Garza closed the public hearing at 6:22 p.m.

Commissioner Marcco "Markie" Villegas made a motion to approve and was seconded by Mayor Mario Garza. Motion passed (4-0).

- D. Hold a Public Hearing for a Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption at the “Tio Jerry Neighborhood Market” located at 205 W. Nolana Avenue, Suites 5-6, legally described as Lot 1, San Juan Plaza Subdivision, as Requested by Gerardo Chapa, Jr. dba Galopez Investments.

DISCUSSION: Mr. Robert Escobar, Director of Planning stated this was for a conditional use permit for the plaza which is located by Delia’s Tamales it is a new business which will be like a neighborhood market so it will be good for the city.

Mayor Garza opened the public hearing at 6:23 p.m.
Mayor Garza closed the public hearing at 6:23 p.m.

Commissioner Marco “Markie” Villegas motion to approve and was seconded by Commissioner Jesus “Jesse” Ramirez. Motion passed (4-0).

- E. Hold a Public Hearing for a Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption at “H&H Food Mart” located at 914 W. Sam Houston Boulevard, as requested by Valley United, Inc.

DISCUSSION: Mr. Robert Escobar, Director of Planning stated it was for a conditional use permit for an existing business with a new owner. Mr. Escobar added the owner is currently remodeling and has to apply for the TABC permits and conditional use permit.

Mayor Garza opened the public hearing at 6:24 p.m.

Mayor Garza asked when they apply for these type of permits do you give them a hard copy of what you are requesting to which Mr. Escobar responded a list of requirements that are needed which are usually the occupational license, health permit and inspection by the building and fire Department.

Mayor Garza closed the public hearing at 6:25 p.m.

Mayor Pro Tem Leonardo “Lenny” Sanchez made a motion to approve and was seconded by Commissioner Marco “Markie” Villegas. Motion passed (4-0).

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

- A. Consideration and Approval of Planning Director’s Determination of City’s Annual Population for the Year Ending 2020.

DISCUSSION: Robert Escobar, Director of Planning stated as you know the city had its 2020 census there was 60% participation which was a good turnout. Mr. Escobar further stated the current population for the city is 33,856 as of Census 2010 but a projection is being done since the numbers of the Census 2020 will not be available until May 2021. Mr. Escobar added the projection is for a 30-35% increase in population of which in the past there was a 20% increase in the last 10 years, but a 30 to 35% is a good estimate which would give us between 44,000 to 45,000 population give or take with the approximate 142 acres annexed. Mr. Escobar stated once the Census comes out in May there will be an accurate number; a chart was included in the packet showing the projection and the historic population of the city

Mr. Arjona stated as you know the census will be coming up pretty soon however, there are a lot of people that for whatever reason don’t want to participate. Mr. Arjona further stated what the City does an estimate of what the population actually is versus what the census counts, for the growth in the past 10-20 years. Commissioner Ramirez asked by approving the projection how does that help and is there additional funding to which Mr. Arjona responded not necessarily but one of the things we do is have it brought up to the Commission by charter since it’s something we have not done. Mr. Arjona added now with this in mind it might be needed when we go out for grants for funding based on the population by having more is always better. Mayor Pro Tem Sanchez stated it does help because through the Census that’s how they were able to get the numbers for COVID to which Mayor Garza responded that was a good example. Mayor Pro Tem Sanchez stated it was important with the projection to get a solid number so we know exactly what the population is to which Mr. Arjona responded once the Census is received we can check which one is more accurate because as you know there’s many people that don’t complete the census. Mr. Arjona added the projection is more accurate because it is based on the water accounts and on the household making it a good tool to use overall. Mayor Pro Tem agreed and recommended to ask for the number of family members when a new water meter account gets opened. Commissioner Ramirez asked as per charter you are saying this is supposed to be done every year

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to which Mr. Arjona responded yes, at the beginning of every fiscal year. Commissioner Ramirez asked so it had not been done in the past 10 years to which Mr. Arjona responded yes.

Commissioner Marco “Markie” Villegas made a motion to approve and was seconded by Mayor Pro Tem Leonardo “Lenny” Sanchez. Motion passed (4-0).

- B. Consideration and Action on the Variance Request to the Subdivision Ordinance to allow a 15 foot rear setback instead of 20-foot required by Code at the Proposed Royal Ridge Subdivision being a 14.121 acre tract of land out of Lot 17, M.L. Woods Properties Unit No. 1, located at the Southwest corner of San Antonio Avenue and Ridge Road, as Requested by Melden and Hunt, Inc.

DISCUSSION: Robert Escobar, Director of Planning stated this subdivision is located on San Antonio and Ridge Road the developer was asking for 15 foot setback in the rear instead of the 20. Mr. Escobar further stated they are requesting for the variance since other cities only have one kind of restricting like in San Juan that has different zones. Mr. Escobar added the Planning and Zoning Commission did approve the request for the variance. Commissioner Marco “Markie” Villegas asked if he foresaw any problems with that to which Mr. Escobar responded there were other subdivisions with similar variances. Commissioner Jesus “Jesse” Ramirez asked why the minutes for that meeting were not included so that they knew why an individual voted against to which Mr. Escobar responded they had brought up the zoning only had one single family residential but the homes that they want to build are a bit smaller than the normal. Mr. Escobar added he did not have the minutes because the meeting was held last Thursday and there wasn’t time to include it on the agenda for Friday. Mayor Mario Garza asked how many total lots the developer was planning on having to which Mr. Escobar responded 57 lots of 60 X 100. Mayor Garza asked if a 15 foot set back was approved if that was enough for utilities to which Mr. Escobar responded yes. Mayor Garza asked if we are sure about that although it’s only 5 feet to which Mr. Escobar responded yes, there are other subdivisions that have a 10 foot rear setback

Commissioner Marco “Markie” Villegas motion to approve and was seconded by Mayor Pro Tem Leonardo “Lenny” Sanchez. Motion passed (4-0).

- C. Consider Resolution authorizing the City of San Juan to Submit and Accept an Application for Funding to the Office of the Governor, Homeland Security Division for the Hidalgo 2019 Operation Stone Garden Project.

Mr. Benjamin Arjona, City Manager stated this was an annual grant which is intended to reimburse the city for overtime, equipment and benefits associated with meeting the goals of program. Mayor Pro Tem Leonardo “Lenny” Sanchez stated his PD was audited by Border Patrol this year along with many other agencies for equipment that was purchased through the Stone Garden grant since its inception some time back and was wondering if the City of San Juan was audited as well to which Mr. Arjona responded not that he was aware of.

Commissioner Jesus “Jesse” Ramirez made a motion to approve and was seconded by Mayor Pro Tem Leonardo “Lenny” Sanchez. Motion passed (4-0).

- D. Discussion and Possible Action on Approving two (2) additional Tow Wrecker Service Permits.

DISCUSSION: Benjamin Arjona, City Manager stated as it was approved on the prior item on the Director’s determination of the City’s annual population growth that will give as an additional space for two additional wrecker service permits to be allowed within the City to be placed on rotation.

Commissioner Marco “Markie” Villegas made a motion to approve and was seconded by Mayor Pro Tem Leonardo “Lenny” Sanchez. Motion passed (4-0).

VIII. RESOLUTIONS

- A. Consideration and Action on a Resolution Accepting a Voluntary Annexation Petition, Setting Dates and Times of Public Hearings and Directing the Planning Department to Prepare Service Plan for the proposed Meadows of Ridge Subdivision being a 5.42 acre tract of land out of Lot 12, Block 31, Alamo Land and Sugar Company’s Subdivision, Hidalgo County, Texas According to the map recorded in Volume 1, Pages 24-26, Map Records, as Requested by Esponja’s Development.

DISCUSSION: Robert Escobar, Planning Director stated this was for a voluntary annexation request for 32 acres for residential development. Mr. Escobar further stated the process for the development to be within city limits are two public hearings and two ordinances reading.

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Commissioner Jesus “Jesse” Ramirez made a motion to approve and was seconded by Mayor Pro Tem Leonardo “Lenny” Sanchez. Motion passed (4-0).

- B. Consideration and Action on a Resolution Accepting a Voluntary Annexation Petition, Setting Dates and Times of Public Hearings and Directing the Planning Department to Prepare Service Plan for the proposed Valley Ranches Subdivision Phase 2 being a 23.70 acre tract of land out of Lot 6, Block 27, Alamo Land and Sugar Company’s Subdivision, Hidalgo County, Texas According to the map recorded in Volume 1, Pages 24-26, Map Records, as Requested by OC Development, LTD.

DISCUSSION: Robert Escobar, Planning Director stated this was for a voluntary annexation petition located on Cesar Chavez and Hall Acres. Mr. Escobar further stated they were also going through the process for the development to be within city limits which is great for property taxes and more population.

Commissioner Jesus “Jesse” Ramirez made a motion to approve and was seconded by Mayor Pro Tem Leonardo “Lenny” Sanchez. Motion passed (4-0).

- C. Consideration and Action on a Resolution Consideration on a Resolution Accepting a Voluntary Annexation Petition, Setting Dates and Times of Public Hearings and Directing the Planning Department to Prepare Service Plan for Hidalgo County Drainage Canal being a 5.68 acre tract of land out of Lots 4, 5 and 6, Block 27, Alamo Land and Sugar Company’s Subdivision, Hidalgo County, Texas According to the map recorded in Volume 1, Pages 24-26, Map Records and Special Warranty Deed Recorded under County Clerk’s Document Number 881147 and 881148 as Requested by Hidalgo County Drainage District No. 1.

DISCUSSION: Robert Escobar, Planning Director stated this was a petition from Hidalgo County Drainage District to put the drainage canal in the city which is located on Cesar Chavez and Hall Acres which is East of Valley Ranch Subdivision. Mr. Escobar further stated the importance of this is that the drainage of the city goes south and then goes to this drainage ditch. Mr. Escobar added in the future the city could annex all the drainage canals to maybe do a walk in trail or a bike trail.

Mayor Pro Tem Leonardo “Lenny” Sanchez made a motion to approve and was seconded by Commissioner Jesus “Jesse” Ramirez. Motion passed (4-0).

IX. CONSENT AGENDA:

- A. Budget Expenditure Report- October 2020.
- B. Budget Expenditure Report- November 2020.
- C. Consider Approval of the City of San Juan 2020 Certified Tax Roll Totals.
- D. Tax Collections Report - October 2020.
- E. Tax Collections Report - November 2020.
- F. Meeting Minutes
- July 14, 2020
- August 3, 2020
- August 11, 2020
- August 25, 2020
- September 8, 2020
- September 22, 2020

DISCUSSION: Benjamin Arjona, City Manager stated any item could be discussed if there were any questions on any item. Commissioner Jesus “Jesse” Ramirez asked for the minutes on page 288 for the meeting of TXDOT and the rerouting of the Commercial vehicles I voted against

Mayor Pro-Tem Leonardo “Lenny” Sanchez made a motion to approve with amendments and was seconded by Commissioner Marco “Markie” Villegas. Motion passed (4-0).

X. 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 51.071 (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 (City Manager).

Mayor Pro Tem Leonardo "Lenny" Sanchez made motion to go in executive session at 6:44 p.m. and was seconded by Commissioner Marco "Markie" Villegas. Motion Passed (4-0).

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.

Commissioner Jesus "Jesse" Ramirez made motion to reconvene at 7:32 p.m. and was seconded by Mayor Pro Tem Leonardo "Lenny" Sanchez. Motion passed (4-0).

Commissioner Marco "Markie" Villegas made motion to approve as discussed in executive session and award City Manager with a one year contract with the same terms and was seconded by Mayor Pro Tem Leonardo "Lenny" Sanchez. Commissioner Jesus "Jesse" Ramirez opposed. Motion Passed (3-1).

XII. ADJOURNMENT

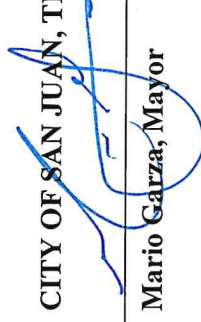
Commissioner Marco "Markie" Villegas made motion to adjourn at 7:33 p.m. and was seconded by Mayor Pro Tem Leonardo "Lenny" Sanchez. Motion passed (4-0).

ATTEST:



Diana H. Cavazos, City Secretary

CITY OF SAN JUAN, TEXAS


Mario Garza, Mayor