

MINUTES OF REGULAR MEETING OF THE CITY OF SAN JUAN COMMISSION

DATE: Tuesday, February 09, 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
Ruben Morin, Chief of Police
Leroy Gonzalez, Director of Finance
Adelaida Cordero, Director of Human Resources
Armandina Sesein, 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 MEETING TO ORDER:

Mayor Mario Garza called meeting to order at 6:00p.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, February 5, 2021 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, February 9, 2021. Your Request Should Include Your Name, Address, Telephone Number and Your Comment. We Ask for Everyone's Cooperation with this Procedure.

DISCUSSION: There were no public comments.

V. PRESENTATIONS:

- A. Presentation for It's Time Texas Community Challenge for all Texan's to Make Healthy Life Style Choices that Improve Physical, Mental and Emotional Well Being.

DISCUSSION: Diana Cavazos, City Secretary, read that after an unprecedented year, we're hitting restart as the coronavirus continues to impact our communities. Staying healthy is more important than ever, so commit by joining your community in the 2021 It's Time Texas Community Challenge. Mrs. Cavazos presented Joel Cavazos with the PSJA District, who gave a short presentation on the challenge. Mr. Cavazos stated the ITT Challenge is promoting good health and wellbeing for mental health, and it's been going on

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for several years, and he knows that PSJA went into this challenge to promote these initiatives for the past three or four years as a district. They didn't do so well the first year, but last year they got first place, and this year they're in first place again, passing Pasadena, and Mayors and residents are joining as well as our neighbor cities.

B. Presentation on Emergency Management Update for 2020, Upcoming 2021 Hurricane Season and Covid-19 Vaccine Community Clinic.

DISCUSSION: Tirso Garza, Fire Chief, gave a recap of the 2020 year. Chief Garza mentioned that for Hurricane Hannah, they compiled some numbers and submitted them to the county for our daily DSO summary and free landfall, and they had sandbag distribution with 3,000 sandbags distributed. He added that, as far as the public assistance that was submitted to the county for debris clearance, it was a total of \$38,017.18 and the emergency proactive measures that were taken in preparation for each landfall were \$23,566.99. Also, buildings and equipment, as far as damages, were worth \$22,529.62. The Public Utility System, Mr. David Salinas, had a pretty massive deficit with a total of \$52,550, and recreational was \$16,176. He added that some of these numbers might be additional, but there are the ones that were submitted to his office, and they were submitted to the county. Mayor Mario Garza asked who would have the reimbursement totals. Chief Garza replied that they go through risk management. Mayor Garza was asked to present a report at the next commission meeting. Chief Garza stated that in 2020, when the pandemic kicked off, they purchased masks and other supplies for the employees, and in July they contacted the state, and we now have 10,000 K95 masks for public safety and 10,000 three-ply masks. He stated that he met with Mr. Arjona to discuss the possibility of selecting a date to run the COVID vaccination clinic here in San Juan. Furthermore, he stated that he had already contacted the EMS provider to join them and that the school district was another option. Mayor Garza recommend Chief Garza to contact the Dioses, Chief Garza moved forward stating his plan. Mayor Garza advised to please post this information on social media once we have the set date.

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

DISCUSSION: Commissioner Jesus "Jesse" Ramirez asked Roberto Escobar, Director of Planning and Zoning under health department there was 20 letters sent out but only 8 renewed their business permit, what happened to the other 12. Mr. Escobar replied, it all depends where they're at in the process during that month when they mailed out the letters. Then they will end up coming in or they send out the health inspector. Commissioner Ramirez asked Mr. Patrick Willingham, Director of Parks and Recreation if the baseball fields were been rented out to which Mr. Willingham responded that for practices yes. Commissioner Ernesto Guajardo asked if the football field was available for everyone to which Mr. Willingham responded yes. Commissioner Ramirez asked Mr. Willingham for the outcome on the pony baseball. Mr. Willingham responded that they didn't have anything concrete; they were trying to pull the valley cities as far as who would be interested in hosting but they haven't received a definite response. But we do want to do something for the kids to keep them active. Commissioner Marco Villegas asked if they could please start generating monies for the pony league. Mayor asked Mr. Willingham to also consider the girls softball as well. Mr. Willingham agreed.

VI. PUBLIC HEARINGS

A. Hold a Public Hearing for the Conditional Use Permit for the Sale of Alcoholic Beverages for On-Premise Consumption at "Micheladas y Mariscos El Primo" located at 1209 E. FM 495, legally described as Lot 30, Morning wood Subdivision, located at the Northwest corner of FM 495 and Cesar Chavez Road, as Requested by Georgina Garza de Luna.

DISCUSSION: Roberto Escobar, Director of Planning and Zoning, stated this request was for a conditional use permit at a restaurant for the on-premise sale of alcohol and late hours. Mr. Escobar also stated this was a public hearing, which gave the public a chance to give any comments. He mentioned some of the conditions that the applicant had to comply with: TABC license, occupational license, fire inspection, and health permit. Furthermore, the Planning and Zoning Commission approved this request. Mayor Garza opened the Public Hearing at 6:31pm

Mayor Garza closed the Public Hearing at 6:31pm.

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

B. Hold a Public Hearing for a Conditional Use Permit to allow a Portable Food Concession Stand at 2023 N. Veterans Boulevard, legally described as the West 410.72 feet of the North 530.40 feet of Lot 10, Block 5, John Closner Subdivision, located at the Southeast corner of Sioux Road and Veteran's Boulevard, as Requested by Leticia and Juan Rodriguez.

DISCUSSION: Roberto Escobar, Director of Planning and Zoning, stated the applicant was requesting a conditional use permit for a portable food concession stand located at the corner of Sioux and Veterans Boulevard, submitted by Leticia Rodriguez. Mr. Escobar stated that the advertisement and notices were distributed to the residents. He mentioned that they've allowed concession stands in the past and that they would only have to obtain their occupational license, fire inspection, and health permit. concluded by stating that the Planning and Zoning Commission approved this request.

Mayor Garza opened the Public Hearing at 6:32pm

Commissioner Ernesto "Neto" Guajardo asked if this was located in the corner of Sioux and Veterans. Mr. Escobar responded, yes. Commissioner Guajardo asked if we required restrooms for the trailer that he wants to put on the property. Mr. Escobar responded, yes and they would have portables. Commissioner Jesus "Jesse" Ramirez mentioned that no minutes were provided for the meeting regarding this item, but he wanted to know the reason why one member voted against. Mr. Escobar responded that she mentioned that there was no pavement, so they had issues with having a lot of mud in the area, but Mr. Escobar mentioned that a lot of these trucks won't sell when it's raining.

Mayor Garza closed the Public Hearing at 6:34pm.

Commissioner Marco "Markie" Villegas made motion to approve and was seconded by Mayor Pro Tem Leonardo "Lenny" Sanchez. Opposed by Commissioner Jesus "Jesse" Ramirez. Motion Passed (4-1).

- C. Hold a Public Hearing for a Conditional Use Permit for the Sale of Alcoholic Beverages for On-Premise Consumption at "Wacky Snacks" at 4101 N. Veterans Boulevard, legally described as the West 132.37 feet of the North 120 feet of Lot 5, Block 5, John Closner Subdivision, located at the Northwest corner of 41st Street and Veterans Boulevard, as Requested by Merced Leal.

DISCUSSION: Roberto Escobar, Director of Planning and Zoning, stated the applicant is applying for an on-premise consumption permit for TABC sales. As they want to be able to open the alcohol to make the mixed drinks or micheladas. Mr. Escobar stated nobody is actually drinking on site, but they have to obtain this permit in order to sell those drinks.

Mayor Garza opened the Public Hearing at 6:35pm

Commissioner Ernesto "Neto" Guajardo asked if this was a drive-thru. Mr. Escobar replied, yes.

Mayor Garza closed the Public Hearing at 6:35pm.

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

- D. Hold a Public Hearing for the Voluntary Annexation Petition of the Proposed Meadows on Ridge being 5.42 acre tract of land out of Lot 12, Block 31, Alamo Land and Sugar Company's Subdivision, as per map recorded in Volume 1, Pages 24 thru 26, Map Records, Hidalgo County, Texas, located at the Southwest corner of Ridge and Cesar Chavez Road, as Requested by Esponjas Development, LTD.

DISCUSSION: Roberto Escobar, Director of Planning and Zoning, stated this property is located on Cesar Chavez and Ridge Road; there are 5.42 acres that are located outside the city and 27 acres that are within the city. Mr. Escobar stated it would be a residential development, and they were requesting a voluntary annexation. Furthermore, the city is required to have two public hearings on the ordinance and would also have to provide a service plan to the property, including water, sewer, police, fire, trash, and brush services. And once annexed, they would send letters to the agencies: the appraisal district, county, elections department, TXDOT, Texas Gas, North Alamo Water Supply Corporation, and the school district. Mr. Escobar also stated this was a public hearing, which gave the public a chance to give any comments.

Mayor Garza opened the Public Hearing at 6:36pm

Alfonso Quintanilla, with Quintanilla Headley & Associates Engineers from Edinburg, stated that he is the project engineer representing Mr. Cantu on this property. The entire property is 33.93 acres, during the submittal and review with the Planning Department, they were notified that this particular 5.42 acres is outside the city limits, and that's why we are asking to please consider annexation of that portion of the 5.42 acres.

Mayor Garza closed the Public Hearing at 6:38 p.m.

Commissioner Jesus "Jesse" Ramirez made motion to approve and was seconded by Mayor Pro Tem Leonardo "Lenny" Sanchez. Motion Passed (5-0).

- E. Hold a Public Hearing for the Voluntary Annexation Petition of the Proposed Valley Ranch Subdivision being 23.70-acre tract of land out of Lot 6, Block 27, Alamo Land and Sugar Company's Subdivision, as per map recorded in Volume 1, Pages 24 thru 26, Map Records, Hidalgo County, Texas, located at Northwest corner of Hall Acres and Cesar Chavez Road, as Requested by OC Development, LTD.

DISCUSSION: Roberto Escobar, Director of Planning and Zoning, stated this was a voluntary annexation request for Valley Ranch Phase 1, located on Cesar Chavez and Hall Acres Road. Mr. Escobar stated the city is required to have two public hearings on the ordinance and would also have to provide a service plan to the property, including water, sewer, police, fire, trash, and brush services. And once annexed, they would send letters to the agencies; appraisal district, county, elections department, TXDOT, Texas Gas, North Alamo Water Supply Corporation, and the school district.

Mayor Garza opened the Public Hearing at 6:39pm.

Alfonso Quintanilla, with Quintanilla Headley and Associates Engineers from Edinburg, is the project engineer representing Mr. Cantu. He stated this was approved several months ago and they were nearing completion of it, and they were both aware that it was outside the city limits, but they were making efforts to see how they could make it happen to bring it to the city, so the next item that they are going to consider is actually part of this process, but they were able to get the drainage district to agree to annex a portion so that it was adjacent to our current city limits so that we could possibly do our request.

Mayor Garza closed the Public Hearing at 6:40pm.

Commissioner Ernesto "Neto" Guajardo made motion to approve and was seconded by Commissioner Jesus "Jesse" Ramirez. Motion Passed (5-0).

- F. Hold a Public Hearing for the Voluntary Annexation Petition of the Drainage Canal being 5.68 acre tract of land out of Lot 4, 5 and 6, Block 27, Alamo Land and Sugar Company's Subdivision, as per map recorded in Volume 1, Pages 24 thru 26, Map Records, Hidalgo County, Texas, located at Northwest corner of Hall Acres and Cesar Chavez Road, as Requested by the Hidalgo County Drainage District.

DISCUSSION: Roberto Escobar, Director of Planning and Zoning, stated that this is a volunteer annexation petition for the drainage canal, this property is located east of the Valley Ranch Subdivision that was previously discussed. Mr. Escobar stated that this was the drainage to that subdivision, so they were annexing that as well to have it within the city limits. He mentioned the city is required to have two public hearings on the ordinance and would also have the service plan signed by the property owner. And once annexed, they would send letters to the agencies as well. Furthermore, this was not actually a property that they were going to build on; it was just for the drainage.

Mayor Garza opened the Public Hearing at 6:41pm.

Mayor Pro Tem Leonardo "Lenny" Sanchez asked if this was just for drainage and who was currently serving it. Mr. Escobar responded to the Hidalgo County Irrigation System District. Mayor Pro Tem Sanchez asked if, after annexation, we would be responsible for the drainage. Mr. Escobar responded, yes.

Mayor Garza closed the Public Hearing at 6:42pm.

Commissioner Jesus "Jesse" Ramirez made motion to approve and was seconded by Commissioner Marco "Markie" Villegas. Motion Passed (5-0).

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

- A. Preliminary and Final Plat Approval of the R.G. Complex Subdivision being a 0.895-acre tract of land out of Lot 9, Block 39, Alamo Land and Sugar Company's Subdivision, located at the Southwest corner of FM 495 and Hooper Avenue, as Requested by Pablo Soto Jr.

DISCUSSION: Robert Escobar, Director of Planning and Zoning, stated this was a preliminary and final plan approval for a complex subdivision, located at the intersection of FM 495 and Hooper Avenue. Mr. Escobar stated Pablo Soto was the applicant and that it was a one-lot neighborhood commercial district zone. He mentioned that, after the city engineer and staff review, they would be extending the eight-inch water line

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and the six-inch sewer line to the property. Furthermore, they will have on-site detention and will drain to the TXDOT system, where an eight-inch meter will be installed when completed. He also mentioned that in this location they would have apartments. They also stated that they were requesting a one-foot variance from a 15-foot easement to a 10-foot easement with the property's perimeter due to a lack of space. Mayor Mario Garza asked if 15 to 10 was enough room. Mr. Escobar responded yes; the city prefers 15, but 10 is more than enough.

Commissioner Marco "Markie" Villegas made motion to approve and was seconded by Commissioner Jesus "Jesse" Ramirez. Motion Passed (5-0).

- B.** Preliminary and Final Plat Approval of the Valley Ranch Subdivision No. 2 being a 18.32-acre tract of land out of Lot 5, Block 27, Alamo Land and Sugar Company's Subdivision, located at Northwest corner of Hall Acres and Cesar Chavez Road, as Requested by Quintanilla, Headley and Associates, Inc.

DISCUSSION: Roberto Escobar, Director of Planning and Zoning, stated Valley Ranch Subdivision No. 2 preliminary and final approval is a 69 residential subdivision. Mr. Escobar stated that the city engineer and staff reviewed and are planning to extend an eight-inch water line and an eight-inch sewer line to the property. Also, the 15-inch easement has been dedicated for this, and they would be draining to the drainage on the west side of the subdivision.

The project engineer is requesting the following variances:

1. To not comply with the park fees. They are proposing to pay half of the fee and the other half by individual requesting the building permit.
2. To not comply with the handicap ramps at corners on internal streets.
3. To not comply with the water line looping as requested by the City of San Juan.
4. To not comply with the secondary exit as requested by the City of San Juan.

Mr. Escobar stated that the Planning and Zoning Commission approved the last two variances but denied the first two. Mayor Mario Garza asked if they needed to pay everything upfront. Mr. Escobar said yes, and that the developers had to pay the entire amount up front. Mayor Garza stated that he believed this shouldn't be a problem. Mr. Escobar stated that the only issue he saw with coming was the city collecting the park fees. Commissioner Marco "Markie" Villegas asked if the city has ever dealt with this, to which Mr. Escobar stated the city has never dealt with something like this. Commissioner Villegas asked Mr. Escobar if he foresees this as a problem. Mr. Escobar replied that he thinks so because the ordinance does not include this fee, so there is no way to enforce it. Commissioner Ernesto "Neto" Guajardo asked if he were to buy a lot in this subdivision, then he would have to pay for the park fees. Mr. Escobar replied that it wouldn't be the property owner but the contractor paying for the park fees. Eduardo Cantu gave a brief presentation on the history of park fees and added that when they started doing four plex subdivisions, each slot was four times a park fee, making it a big burden when they asked to split the burden. Mr. Cantu stated that this has been successful in other cities like McAllen, Pharr, and Edinburg, and most of these contractors already know the process. Furthermore, at the end of the day, the City of San Juan gets the same benefits. Mayor Garza mentioned that it would just not be up front, to which Mr. Cantu concurred. Commissioner Guajardo inquired whether he would be required to pay park fees to the city if he purchased a property in this subdivision. Mr. Cantu replied, if approved tonight, yes. Ricardo Palacios, City Attorney, stated that if this item was to be approved, they would need to have an ordinance to try to collect those park fees from either the developer or the actual builder requesting the permit. Mr. Palacios stated that this item was to be approved for the variance and not the park fees. Commissioner Villegas asked how long the process of approving an ordinance takes. Mr. Palacios replied that it would need the first and second readings of the ordinance, and fast-tracking it would take 45 to 60 days. Mayor Garza confirmed that this item was just to approve the variance request. Mr. Palacios stated that what was being discussed at the moment was the park fee and the handicap ramp. Commissioner Villegas stated he recommended approval of the request so that we can start having new development and benefit the City of San Juan. Mr. Cantu stated that they were not trying to argue against the amount of the fee, all they're asking for is half of the burden and giving the land owner half of the burden, they don't have to buy the lot, they can go buy somewhere else where there are no park fees or where they don't split the park fees. Mr. Cantu also mentioned that there was one more variance request having to do with ramps in the sidewalks, as the City of San Juan is the only city that requires ramps to be built by the developer, which was odd to him. Commissioner Jesus "Jesse" Ramirez asked Mr. Cantu and Mr. Escobar that, as far as the park fees, we will collect those fees, but it doesn't mean that there's going to be a park in your neighborhood. Mr. Cantu responded that it will be up to the city to decide how to spend the funds. If this was approved, Commissioner Ramirez asked if the difference, or half of it, would be included in the contract with Mr. Cantu. Mr. Cantu responded that when the builder pays for the building permits and all the fees the city charges, the park fees will be included. Commissioner Ramirez added that that's why it should be included in an ordinance that the extra fees are going to be paid by the builder. Mr. Palacios advised that if council wanted to go that route, they simply had to instruct, obviously, our director or city manager, who could

help start drafting that ordinance and have something like that for the city so that when the situation arose, they could have something like that. Mr. Cantu stated they never had an issue; nobody has ever said anything about hidden park fees. Mr. Palacios advised that if this council was considering maybe adopting such an ordinance, then it would probably be better to not take action on this particular item right now. Mr. Cantu stated he didn't have any problem if they approved the other two variances on these subdivisions and held off on the park fees. Mayor Pro-Tem Leonardo "Lenny" Sanchez asked what governs the city to make sure the homeowner or builder makes those ramps. Mr. Cantu stated that they have to build the sidewalks. Mr. Palacios stated that he would need to meet with Mr. Escobar in order to pass an ordinance transferring responsibility for the ramp to the builders.

Commissioner Marco "Markie" Villegas made motion to approve upon the contingency of the park fees and the handicap ramp ordinances. Commissioner Jesus "Jesse" Ramirez seconded Opposed by Commissioner Ernesto "Neto" Guajardo. Motion Passed (4-1).

- C. Preliminary and Final Plat Approval of the Meadows on Ridge Subdivision being a 33.93-acre tract of land out of Lot 12, Block 31, Alamo Land and Sugar Company's Subdivision, located at the Southwest corner of Ridge and Cesar Chavez Road, as Requested by Quintanilla, Headley and Associates, Inc.

DISCUSSION: According to Roberto Escobar, Director of Planning and Zoning, this is the preliminary and final plat approval of the Ridge Subdivision, which is located on the south side of Ridge Road and Cesar Chavez, and the applicant is Quintanilla, Headley & Associates. Mr. Escobar stated that it's a 140-lot residential subdivision and that the city engineer and staff reviewed this request. Furthermore, they are requesting for an eight-inch water line to be extended and looped, and the sewer line to be extended as well. Mr. Escobar mentioned a list of variances that were requested by the engineer.

The project engineer is requesting the following variances:

1. To not comply with the park fees. They are proposing to pay half of the fee and the other half by individual requesting the building permit.
2. To not comply with the handicap ramps at corners on internal streets.
3. To not comply with the 20-foot rear setbacks for all lots. They are proposing 10-foot instead of the 20-foot required by code.
4. To not comply with the 6-foot side setback for all non-corner lots. They are proposing 5-foot side setback.
5. To not comply with the 20-foot front setback for cul-de-sac lots. They are proposing 15-foot front setback.
6. To not comply with the 15-foot utility easement. They are proposing a 10-foot utility easement instead of the 15-foot required by code.
7. To not comply with the 60-foot frontage for Single-family residential lots.
8. To not comply with the 6,500 sq. ft. lot area for corner lots in a single-family residential district.
9. To not comply with the 150-feet frontage for Multi-family residential district.
10. To not comply with the lot area for Multi-family residential district.
11. To not comply with the lot depth for Multi-family residential district.
12. To not comply with the block length of 800 feet.
13. To not comply with the 12-inch sanitary sewer along Cesar Chavez Road.

14. To not comply with the 12-inch water line along Ridge and Cesar Chavez Roads.

Mr. Escobar stated that a subdivision similar to this was previously approved with these variances. He stated that one of the issues was that they wanted to propose an eight-inch water line loop and an eight-inch sewer line, but the city has a master plan for a 12-inch water line and sewer line to be placed there. In this master plan, the city would loop the water and the sewer through the city, so if they put in 8-inch lines, it would go with the city's master plan, so they are hoping they would install a 12-inch instead of an 8-inch. David Salinas, Director of Utilities, stated that our master plan calls for a twelve-inch water line, but the twelve-inch is already in place thanks to a project completed by Mr. Quintanilla a few years ago. Furthermore, the 12-inch will continue on to the south to provide sewerage for the southern properties. Also, there is no sewer in the area, and our CCN and our ordinance require that they extend the sewer to and through it. Mr. Salinas requested that it remain a 12-inch well in order to provide sewer and merge a longer distance in the 8-inch well. Second, during the Cesar Chavez widening, when it gets to that area, they are replacing the existing 8-inch with a 12-inch to be able to feed the tank that's on Ridge Road. That 12-inch loop will eventually continue all the way to feed that tank, which is why he requested that it be installed now so they don't have to come back and upgrade it later. Mr. Salinas mentioned that the work had already been done south of the expressway, they crossed it with a 16-inch and continued with the 12-inch from the expressway south to Carroll. Also, additional easements and rights-of-way will have to be acquired now that Cesar Chavez will be expanded to be able to continue the 12-inch loop further south to finish the 12-inch loop to feed the south tank. Alfonso Quintanilla touched on items related to water lines and sewer lines and stated that typically it required the owners to install an 8-inch line, and in the case that something bigger was required, they wanted to ask the city to join or assist the developer in installing the bigger lines. Mr. Quintanilla stated that they were complying with their development needs with the 8-inch lines. Furthermore, in regards to the sewer line, there is an existing sewer line on Ridge Road that was actually extended by Mr. Cantu, and they were planning on connecting to that line to service the subdivision. He mentioned that on Cesar Chavez there is an existing sewer, but it is a pressure main line, and unfortunately, they can connect a gravity line into a pressure line. Also, in the proposed subdivision, Mr. Cantu is dedicating or donating the additional right-of-way as required on both roads. Moreover, he acknowledged the previous discussion on the park fee and the handicap ramp inside the subdivision, not outside Ridge Road and Cesar. He also stated that some of the setbacks are because the west part of the subdivision will be multi-family. Commissioner Ernesto "Neto" Guajardo asked Mr. Salinas if his request for 12 inches was for future developments, to which Mr. Salinas replied yes, it's to meet the master plan. Mr. Salinas mentioned that this was the first time he heard that they were willing to propose that the city pay for the upgrade. He stated that this would be another option for them to pay for the 8-in, and the city would participate and upgrade it to a 12-inch. Furthermore, the city has an ordinance that allows for a reimbursement agreement between the city and the developers, so that if other developments tie into the section of the line, the developers will be reimbursed for the portion of the line that the other development will do. Benjamin Arjona, City Manager asked if they had an estimate on the cost. Mr. Quintanilla gave an estimated cost of \$40,000. Mayor Pro-Tem Leonardo "Lenny" Sanchez stated he would like to see a figure, not just a ballpark number. Mr. Quintanilla stated he would have to come back to the City Commission with the real numbers for both options. Mr. Escobar stated that the Planning and Zoning Commission denied the entire request. Mr. Cantu stated that the city's fourplex ordinance calls for a half-acre to do a fourplex, so for Carroll, they had to do all these variances because of the ordinance.

Commissioner Marco "Markie" Villegas made motion to approve subject to the contingency of the park fees and the handicap ramp, which was seconded by Commissioner Jesus "Jesse" Ramirez. Motion Passed (5-0).

- D.** Consideration and Action on the Variance Request at Carroll Estates Subdivision being a 25.0 acre tract of land out of Lot 11, Block 35, Alamo Land and Sugar Company's Subdivision, located approximately a quarter of a mile East from Stewart Road, along the South side of Carroll Road, as Requested by Quintanilla, Headley and Associates, Inc.

DISCUSSION: Roberto Escobar, Director of Planning and Zoning, stated that this subdivision was previously approved on November 7, 2019, and November 12, 2019. Mr. Escobar stated that they were coming forward for the park fees and the lack of handicap ramps at the Carroll Estates Subdivision; this plat had previously been approved; they had already done the construction, and the homes were already built. Benjamin Arjona, City Manager stated there were three (3) variances. Mr. Escobar stated the developer paid one hundred twelve thousand one hundred and they are requesting half of the apartment park fee, which is fifty-six thousand fifty. Mr. Cantu stated that the city would put money into a fund, then reimburse, and the builder would pay the city back as they constructed.

Variances Requested:

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1. To not comply with the park fees. They are proposing to pay half of the fee and the other half by individual requesting the building permit.
2. To not comply with the handicap ramps at corners on internal streets. Developer is proposing that person in charge of the building permit install those handicap ramps.
3. To refund half of the park fee that was paid to the city in December.

Commissioner Marco "Markie" Villegas made motion to approve subject to the contingency of the park fees and the handicap ramp, which was seconded by Commissioner Jesus "Jesse" Ramirez. Motion Passed (5-0).

- E. Consideration and Action on the Variance Request for Valley Ranch Subdivision being a 23.70 acre tract of land out of Lot 6, Block 27, Alamo Land and Sugar Company's Subdivision, located approximately a quarter of a mile West of Cesar Chavez Road, along the North side of Hall Acres Road, as Requested by Quintanilla, Headley and Associates, Inc.

DISCUSSION: Roberto Escobar, Director of Planning and Zoning, stated this was a variance request for Valley Ranch Subdivision and had previously been approved on February 6, 2020, and February 11, 2020, by the City Commission. Mr. Escobar stated they were requesting two variances for the park fees and no handicap ramps within the internal street of the subdivision, which was similar to the previous subdivision.

It is noted that Project Engineer is requesting the following variances:

1. To not comply with the park fees. They are proposing to pay half of the fee and the other half by individual requesting the building permit.
2. To not comply with the handicap ramps at corners on internal streets. Developer is proposing that person in charge of the building permit install those handicap ramps.

Commissioner Marco "Markie" Villegas made motion to approve subject to the contingency of the park fees and the handicap ramp, which was seconded by Mayor Mario Garza. Motion Passed. (5-0).

- F. Discussion and Possible Action to Approved the Wholesale Wastewater Treatment Interlocal Agreement by and Between the City of San Juan and North Alamo Water Supply Corporation and Authorize the Mayor to Execute a Related Documents.

DISCUSSION: David Salinas, Director of Utilities, stated this is an existing agreement, but unfortunately during the pandemic we kind of let it pass, and right now it's expired, which is why we are bringing it to you to renew it effective January 1st, 2021, and to include a vote to retroactively extend the last agreement for one year. Commissioner Jesus "Jesse" Ramirez asked if there was an increase. Mr. Salinas responded that it is from 73% to 75%, but it is based on what they use; for example, if they use 100 gallons of water, we only charge 85 for sewer, and the 75% increase is to offset some of that cost.

Commissioner Ernesto "Neto" Guajardo made motion to approve there was no second. Motion Died.

VIII. RESOLUTIONS

- A. Consider and Approve of Resolution by the City Commission of the City of San Juan, Texas Issuing Order and Notice of City Election May 1, 2021 for Mayor Place 1, Commissioner Place 2 and Commissioner Place 3 Pursuant to Chapter 41, Texas Election Code.

DISCUSSION: Diana Cavazos, City Secretary, stated this is the resolution for the general election for the City of San Juan for Saturday, May 1, 2021, for the purpose of electing the City Mayor, Place 1, Commissioner, Place 2, and Commissioner, Place 3, to hold office for a period of four years. Discussion of dates and designation of polling places for early voting and election day Mayor Mario Garza asked if the early voting times and dates are pretty much what the Secretary of State designated. Mrs. Cavazos responded that yes, the secretary of state designates the early voting dates as April 19th through April 27th, and the Election Day is a mandated date and time. Commissioner Jesus "Jesse" Ramirez asked who would be running the election, the city or the county. Mrs. Cavazos responds that we still haven't clarified that because we are still waiting on quotes.

**CITY OF SAN JUAN
CITY COMMISSION MEETING
TUESDAY, FEBRUARY 09, 2021**

Commissioner Marco "Markie" Villegas made motion to approve the time, date and location and was seconded by Commissioner Jesus "Jesse" Ramirez. Motion Passed (5-0).

- B. Consider Adoption of Resolution Establishing the Budget for Fiscal Year 34 (2021) of the Hidalgo Country Urban County Program.

DISCUSSION: Robert Escobar, Director of Planning and Zoning, stated that for the Urban County funds for Year 34 (2021), there are \$301,060.00 available. Mr. Escobar gave a breakdown of the budget that included \$3,000.00 for General Administration, \$310,956.00 for Street Improvements, \$5,000.00 to Amigos del Valle, \$7,000.00 to Nuestra Clinica del Valle, \$3,000.00 for the Capable Kids Foundation and \$2,000.00 for CASA of Hidalgo. He mentioned that for the street improvements, they added some streets: Alfredo Street, Jaime Street, north Standard Street, and W. 12th Street. Commissioner Jesus "Jesse" Ramirez asked Mr. Escobar if, for the future, he could please include in his project sheet how many people are being served by those funds that they're providing.

Commissioner Jesus "Jesse" Ramirez made motion to approve and was seconded by Commissioner Marco "Markie" Villegas. Motion Passed (5-0).

IX. CONSENT AGENDA:

- A. Consider Second and Final Reading of an Ordinance for the Voluntary Annexation of the 9.32acre tract of land out of Lot 14, Block 47, Alamo Land and Sugar Company's Subdivision, ad per map recorded in Volume 1, Pages 24 thru 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.
- B. Consider Second and Final Reading of an Ordinance for the Conditional Use Permit to Allow a Social Event Center "Eventos Valadez" at 909 W. FM 495 Suites 12-13, legally described as Lot 2, McBride Subdivision, as Requested by Lillian Moreno.
- C. Consider Second and Final Reading of an Ordinance for a Conditional Use Permit to Allow a Social Event Center "My Baby Shower Party Place" at 1201 N. Raul Longoria Road Suite "N", legally described as Aguilera Medical Complex, as Requested by Mirna G. Garcia.
- D. Consider Second and Final Reading of an Ordinance Amending Chapter 3 Building Regulations, Article 3.05 Signs, by Amending Section 3.05.014 to Conform with State and Federal Regulation and by Adding Section 3.05.017 to Prohibit Signs on Public Property; Providing for an Effective Date; Providing for Publication; Providing for Codification; Providing for Severability; Providing for a Repealer Clause; And Ordaining other Provisions Related to the Subject Matter Hereof.
- E. Consider Second and Final Reading of an Ordinance Amending Chapter 8 Offenses and Nuisances by Adding Article 8.07 Electioneering on City Owned or Controlled Polling Place; Providing for an Effective Date; Providing for Publication; Providing for Codification; Providing for Severability; Providing for a Repealer Clause; And Ordaining other Provisions Related to the Subject Matter Hereof.
- F. Meeting Minutes:
- September 30, 2020
 - November 18, 2020
 - November 24, 2020
 - December 8, 2020

Commissioner Marco "Markie" Villegas made motion to approve and was seconded by Commissioner Jesus "Jesse" Ramirez. Motion Passed. (5-0).

X. EXECUTIVE SESSION: 7:15pm

- 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 et seq:
1. Pursuant to Section §551.071 Consultation with Attorney, Discussion and Possible Action Regarding Potential Litigations Matters.

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Commissioner Ernesto "Neto" Guajardo made motion to enter into executive session and was seconded by Mayor Pro Tem Sanchez. Motion Passed (5-0).

XI. RECONVENE: 8:30

Commissioner Ernesto "Neto" Guajardo made to reconvene and was seconded by Mayor Mario Garza. Motion Passed (5-0).

- 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.

No Action was taken.

XII. ADJOURNMENT 8:31 p.m.

Commissioner Ernesto "Neto" Guajardo made motion to adjourn and was seconded by Commissioner Marco "Markie" Villegas. Motion Passed (5-0).

CITY OF SAN JUAN, TEXAS



Mario Garza, Mayor

ATTEST:



Brenda Escalante, City Secretary