

MINUTES OF REGULAR MEETING OF THE CITY OF SAN JUAN COMMISSION

DATE:

Tuesday, July 13, 2021

TIME:

6:00 p.m.

PLACE:

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

MEMBERS PRESENT:

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
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 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 MEETING TO ORDER

Mayor Pro Tem Leonardo “Lenny” Sanchez call meeting to order at 6:00 p.m.

II. INVOCATION

Benjamin Arjona, City Manager led the Invocation.

III. PLEDGE OF ALLEGIANCE All

IV. PUBLIC COMMENTS

- A. Pursuant to the Open Meetings Act Procedures Announced by Governor Abbott, the City will Continue with the Alternative for Residents to Make Public Comments During the Meeting if they Wish to do so by Email. You Must Submit a Request Beginning Friday, July 9, 2021 by (1) Sending an Email to publiccomments@sjtx.us no Later than 5:00 p.m. on Tuesday, July 13, 2021. Your Request Should Include Your Name, Address, Telephone Number and Your Comment. For those that Wish to Attend in Person Please Fill out the Form and Submit to City Secretary 15 minutes Prior to the Meeting.

No Public Comments from the public.

V. PRESENTATIONS

- A. Presentation on RGV BikeShare Project and Tourism Project by Lower Rio Grande Valley Development Council (LRGVDC).

DISCUSSION: Benjamin Arjona, City Manager stated we’ve been working with the LRGVDC for quite some time before the covid started if I’m not mistaken, it’s a project that supposed to spearhead of the bikes along the city’s but he’s here to give us a presentation and tell us what the bikes are, I know that it’s one of those that is going to be hard to write unless you actually pay for and it’s going to be on a credit card. Mr. Manuel Cruz, Executive Director from the LRGVDC thanked the city commission for allowing him to come before them and present on the bikeshare LRGVDC bike share program and as City Manager mentioned, we did have this particular grant for about a year and a half ago but due to the coronavirus was put on hold due to various other programs. Mr. Cruz stated most recently a couple of months ago when we initiated the process again it started to go through our various projects and one this one of them was the bike share program and the handouts that were provided is the presentation that he has. He began his presentation.

**CITY OF SAN JUAN
CITY COMMISSION MEETING
TUESDAY, JULY 13, 2021**

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

DISCUSSION: Benjamin Arjona, City Manager introduced the item and stated the department director are available to answer any questions. Mayor Pro Tem Leonardo “Lenny” Sanchez asked how are we doing with the flooded areas to which Mr. Roel Garza, Director of Sanitation/Public Works responded we are going slow at this time. Commissioner Marco “Markie” Villegas asked how are we doing with the brush pick up as you understand we’ve been having at the city commission meetings and we’ve gotten together and explore different options for help to come on the way, for the time being he asked if we were on schedule with the brush pick up to which Mr. Roel Garza responded we are on schedule. Commissioner Villegas stated I understand that our employees are trying to go as fast as they can and us as a commissioner, we are committed in making decisions to go ahead and get more resources or whatever we may need to do to help that problem. Mayor Pro Tem Sanchez stated if we need some help somewhere down the line, an outsource so we can help in conjunctions we can take care of it immediately before another storm gets here. So, if you need help, please reach out to Mr. Arjona and bring it out to the commissions attention so that we can address those issues. Mr. Arjona stated we talked about maybe possible hiring additional staffing for these particular purposes but that’s something that him and I are actually working on the numbers whether we can afford them, obviously has to come before you for approval but if it’s like an emergency basis, maybe we can do some temporary services for maybe a couple of weeks but if we can’t, I would like to maybe look into the possibility of hiring full-time staff for his department. Mr. Arjona further added I know the new budget for the new fiscal year is right around the corner, but that’s something that we need to look into especially now that we’re running into the hurricane season. Commissioner Ernesto “Neto” Guajardo asked Mr. David Salinas, Director of Utilities on Lucky drive west on Eldora, there’s a street that they did work and put sewer lines. Mr. Salinas responded yes Sir, that was back in 2017. Mr. Arjona stated it is privately owned, Mr. Garza and myself went over checked out the street and it is in real bad shape so what we are going to do is talk to the property owner so maybe they can dedicate an easement. Mr. Salinas stated there’s an easement for the sewer and the road way was out back to the same better grade than it was the time that we did the installation. Fortunately, it is a caliche driveway there’s traffic that goes in and out every day whether its raining or not, our garbage trucks go in there as well because they came to an agreement that they were going to put their trash cans there so they do tear up the road. The other option is for them to haul the truck, the trash cans all the way to Eldora, which is not feasible but it will limit the heavy equipment go in. He further added that they would have to in order for the city to do anything they would have to give up some kind of a right away or an actual easement. Commissioner Ernesto “Neto” Guajardo asked Mr. Patrick Willingham did we find a coach for the rest of the visual fields after all, to which Mr. Willingham responded we made adjustments to the ordinance and it will be on the next meeting because we also had to adjust our registration fees as well because everything is unfortunately going up and we were kind of behind on registration fees so its all ready go, I just received it back from Mr. Palacios’ office and it will be on the next meeting.

VI. PUBLIC HEARINGS

- A. Hold a Public Hearing for a Rezoning Request from Manufactured Home District (RMH) to Single Family Residence District (RS) of the property legally described as the North 0.34 acre tract of land out of the North 0.86 feet of the South 6.92 of the East 10.0 acres of the West 31.46 of Lots 1 and 2, Block 11, John Closner Subdivision, located at the Southwest corner of Orange Drive and Stewart Road, as Requested by Iden Trevino.

DISCUSSION: Mr. Roberto Escobar, Director of Planning and Zoning stated the applicant is trying to rezone a 1.0 acre tract located at the Southwest corner of Orange Drive and Stewart Road from manufactured home to residential district. A subdivision plat is in process to divide the property into three (3) lot subdivision. The Comprehensive Plan establishes this property as residential use. If approved, the proposed single- family development would need to comply with the city’s requirements, as applicable. The surrounding properties consist of mixture of single- family and manufactured uses along Stewart Road. Staff mailed a notice of the public hearing before the Planning and Zoning Commission to twenty- eight (28) property owners within a two hundred (200) foot radius and received no comments in favor or against the application.

Mayor Pro Tem Leonardo “Lenny” Sanchez opened the public hearing at 6:40 p.m. There being no comments from the public, the public hearing was closed at 6:41 p.m.

Commissioner Marco “Markie” Villegas made motion to approved and was seconded by Commissioner Adina “Dina” Santillan. Motion Passed (4-0).

- B. Hold a Public Hearing for a Rezoning Request from Single-Family Residence District (RS) to Multi-Family Residence District (RMF) of the 8.69 acre tract of land out of Lot 12, Block 8, John Closner Subdivision, located approximately 300 feet South of Nolana Avenue, along the West side of Raul Longoria Road, as Requested by OC Development, LTD.

DISCUSSION: Mr. Roberto Escobar, Director of Planning and Zoning stated the applicant is trying to rezone 8.69 acre tract located at Nolana Avenue and Raul Longoria Road from residential to multi-family district. The applicant

**CITY OF SAN JUAN
CITY COMMISSION MEETING
TUESDAY, JULY 13, 2021**

is proposing to leave the front part as commercial area to be consistent with the zoning around the area. The Comprehensive Plan establishes this property as residential use. If approved, the proposed single-family development would need to comply with the city's requirements, as applicable. The surrounding properties consist of mixture of single-family, multi-family and commercial uses along Raul Longoria Road. A subdivision plat will be required in order to do any improvements to the property. Staff mailed a notice of the public hearing before the Planning and Zoning Commission to twenty-four (24) property owners within a two hundred (200) foot radius and received no comments in favor or against the application.

Mayor Pro Tem Leonardo "Lenny" Sanchez opened the public hearing at 6:42 p.m. There being no comments from the public, the public hearing was closed at 6:43 p.m.

Commissioner Ernesto "Neto" Guajardo made motion to approve and was seconded by Commissioner Adina "Dina" Santillan. Motion Passed (4-0).

- C. Hold a Public Hearing for the Rezoning Request from Single-Family Residence District (RS) to Neighborhood Commercial District (C1) at the property located at 315 W. 1st Street, legally described as Lot 3, Block 6, San Juan Original Townsite Subdivision, as Requested by Maria Guadalupe Garcia.

DISCUSSION: Mr. Roberto Escobar, Director of Planning and Zoning stated the applicant is trying to rezone her lot into Neighborhood Commercial District (C-1). The Comprehensive Plan establishes this property as residential use. If approved, the building would need to comply with the city's requirements, as applicable. The surrounding properties consist of mixture of residential and commercial uses. Staff mailed a notice of the public hearing before the Planning and Zoning Commission to twenty-seven (27) property owners within a two hundred (200) foot radius and received no comments in favor or against the application. During the regular meeting on June 3, 2021, the Planning and Zoning Commission unanimously recommended denial of the rezoning request with a 4-0 vote.

Mayor Pro Tem Leonardo "Lenny" Sanchez opened the public hearing at 6:44 p.m. There being no comments from the public, the public hearing was closed at 6:46 p.m.

Mayor Pro Tem Leonardo "Lenny" Sanchez motion as per the planning and zoning recommendation to deny this item, was seconded by Commissioner Marco "Markie" Villegas. Motion Passed (4-0).

VII. ODRINANCES

- A. Consider an Ordinance in First Reading of the Voluntary Annexation Petition of the Proposed Valley Ranch Subdivision Phase 2 being a 9.76 Acre Tract of Land out of Lot 5, Block 27, Alamo Land and Sugar Company's Subdivision, Hidalgo County, Texas, as per map recorded in Volume 1, Pages 2426, Map Records, as Requested by OC Development, LTD.

DISCUSSION: Mr. Roberto Escobar, Director of Planning and Zoning stated the Planning Department is processing a residential subdivision located at the Northwest corner of Hall Acres and Cesar Chavez 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 subdivision processed and approved within the city's ETJ. In March 9, 2021, the City Commission approved a Resolution 21-06 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 the subdivision plat, building permits and inspections will be processed by City for proposed residences. Annexation of the 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.

Commissioner Ernesto "Neto" Guajardo made motion to approve and was seconded by Commissioner Marco "Markie" Villegas. Motion Passed (4-0).

- B. Consider an Ordinance in the First Reading Approving a Negotiated Resolution Between the City of San Juan and Texas Gas Service "TGS" Regarding the Company's April 29, 2021 Cost of Service Adjustment Filing; Declaring Existing Rates to be Unreasonable.

DISCUSSION: Mr. Benjamin Arjona, City Manager stated this is an ordinance of the city commission of the city of San Juan, Texas, ("city") approving a NEGOTIATED RESOLUTION between The City of San Juan and Texas Gas Service ("TGS" or "the company") regarding the company's April 29, 2021 cost of service adjustment ("COSA") filing; declaring existing rates to be unreasonable; adopting new tariffs that reflect rate adjustments consistent with the negotiated settlement and finding the rates to be set by the attached tariffs to be just and reasonable; providing for the recovery of the city's and TGS' reasonable and necessary rate case expenses; adopting a savings clause; determining that this ordinance was passed in accordance with the requirements of the Texas open meetings act;

**CITY OF SAN JUAN
CITY COMMISSION MEETING
TUESDAY, JULY 13, 2021**

declaring an effective date; repealing any prior ordinances inconsistent with this ordinance and requiring delivery of this ordinance to the company's and the city's legal counsel.

Commissioner Marco “Markie” Villegas made motion to approve and was seconded by Commissioner Ernesto “Neto” Guajardo. Motion Passed (4-0).

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

- A. Consider a Variance Request to the City of San Juan Standard Specifications to Allow Open Bottom Fiberglass Manholes at the Proposed Valley Ranch No. 2 and Meadows on Ridge Subdivision, as Requested by Quintanilla, Headley and Associates, Inc.

DISCUSSION: Mr. Benjamin Arjona, City Manager introduced the item and stated Mr. Alfonso Quintanilla was present. Mr. Quintanilla stated we were recently approved and we are getting ready to start the construction. Just like many things I've been hearing other items that you have been looking at tonight. Mr. Quintanilla stated in the residential and development and commercial development of subdivided properties making subdivisions we encounter a lack of material as well. He further stated it has been a challenge, Mr. Cantu, developer we were able to obtain the piping for the water and the sewer which is one of the projects that the city is going to participate to oversize the waterline. Mr. Quintanilla added we understand that the city requirements is a complete seal, pre-fabricated as such and the thing is that in order for our contractor to order them, that's when we start the project because we have to stake it on the ground of the location and depth and then generate a cut sheet and then it's submitted to the local supplier and then he submits it to the manufacturer of state. Mr. Quintanilla asked for the city commission to consider going this route because these are available and we can keep going obviously everything is tested and inspected. Mr. David Salinas, Director of Utilities stated Carroll states subdivision is the last subdivision that was approved and he is correct on the timeline, he verified with all the vendors that we do business that its 10-to-12-week lead time. On most of these manholes from the data. The suggestion if this is approved is that they do go to a 5000-psi concrete, at the bottom normally our standard would be 4000 but we have seen some issues with those concrete breaking and what we are trying to do with the sealed bottom manholes is to prevent infiltration just to give at the bottom of the mountain. Mr. Salinas stated I totally believe that we are going to have more contractors that are going to come and ask for this variance because we currently have besides there are three subdivisions that we are looking at. Mr. Salinas added after the warranties period is over, which is a one-year warranty. The city is responsible for any damages regarding the fiberglass. Mr. Salinas stated my recommendation is o go for the 5000 psi because it will be stronger.

Commissioner Marco “Markie” Villegas made motion to approve and was seconded by Commissioner Ernesto “Neto” Guajardo. Motion Passed (4-0).

- B. Consider Approval of a Budget Amendment to Increase the Utility Billing & Collection Division Water Meter Line Item in the Amount of \$25,000 for the Fiscal Year 2020-2021.

DISCUSSION: Mr. Benjamin Arjona, City Manager stated as we discussed in the previous meetings the growth of the city has been phenomenal and this is something that was not really forecasted as far as the growth last fiscal year and this is due to that because of the growth we're in the need of adding additional or buying some more water meters to our department which we already did because we just cant keep up with the rooftops of our community so this is just a budget amendment for that particular purpose.

Commissioner Ernesto “Neto” Guajardo made motion to approve and was seconded by Commissioner Adina “Dina” Santillan. Motion Passed (4-0).

- C. Discussion and Possible Action to Extend the City of San Juan Municipal Court Amnesty Program for July 19 through August 19, 2021.

DISCUSSION: Mr. Benjamin Arjona, City Manager stated The Municipal Court Amnesty Program ended on April 30, 2021. The Municipal Court is requesting to extend the Amnesty Program from July 19 through August 19, 2021. For individuals to take advantage of paying their delinquent warrants and fines. Commissioner Ernesto “Neto” Guajardo asked how we do every time that we extend the time limit, to which Ms. Mary Enriquez, Court Administrator responded on one of my reports I have the breakdown of each month and do see a significant increase.

Commissioner Marco “Markie” Villegas made motion to approve and was seconded by Commissioner Ernesto “Neto” Guajardo. Motion Passed (4-0).

IX. RESOLUTIONS

- A. Consider Resolution Authorizing the City of San Juan to Submit and Accept an Application for Funding to the Office of the Governor, VA-Victim of Crime Act Formula Grant Program Funds.

**CITY OF SAN JUAN
CITY COMMISSION MEETING
TUESDAY, JULY 13, 2021**

DISCUSSION: Mr. Ruben Morin, Chief of Police stated this resolution is in reference to a program that's out there for the first responders. Its in reference to creating basically peer to peer team for helping deal with traumatic incidents in reference to law enforcement and the fire department. This creates to fund the training so that we can have our own staff members to be able to help our own officers cope with critical incidents and have the fire department be part of this team and once we are established, they can also help with victims' crimes to help out since they are always a first responders.

Commissioner Marco "Markie" Villegas made motion to approve and was seconded by Commissioner Ernesto "Neto" Guajardo. Motion Passed (4-0).

- B. Consider Resolution Authorizing the City of San Juan to Submit and Accept an Application for Funding to the Office of the Governor, DJ-Edward Byrne Memorial Justice Assistance Grant Program for the City of San Juan, San Juan Equipment Project Program.

DISCUSSION: Mr. Ruben Morin, Chief of Police stated this provides us hopefully to be able to create what we already have, which is one operation, we have the systems there but we don't have the actual computers needed but we also need the systems to be able to do multiple dispatches.

Commissioner Marco "Markie" Villegas made motion to approve and was seconded by Commissioner Ernesto "Neto" Guajardo. Motion Passed (4-0).

- C. Consider Resolution Authorizing the City of San Juan to Submit and Accept an application for the 2021 Local Border Security Program Application to the Office of the Governor, Homeland Security Grants Division for the City of San Juan.

DISCUSSION: Mr. Ruben Morin, Chief of Police stated this grant is to expand the Local Border Security due to our high traffic.

Commissioner Ernesto "Neto" Guajardo made motion to approve and was seconded by Commissioner Adina "Dina" Santillan. Motion Passed (4-0).

- D. Consider Resolution Authorizing the City of San Juan to Submit and Accept an Application for Funding to the Office of the Governor, Homeland Security Grant Division for the City of San Juan Law Enforcement Emergency Regional Response Team (LEERT) 2022 PROJECT.

DISCUSSION: Mr. Ruben Morin, Chief of Police stated this is a fund and to be able to purchase a robotic surveillance unit mobile unit and also some drones that actually really handy because they have the capability to where it can go up to the windows and break the windows and proceed into it to where we don't jeopardize out personnel going in there and also to provide better service to the city.

Commissioner Ernesto "Neto" Guajardo made motion to approve and was seconded by Commissioner Marco "Markie" Villegas. Motion Passed (4-0).

X. CONSENT AGENDA

- A. Consider Second and Final Reading of an Ordinance for a Conditional Use Permit to Allow a Drive-Thru Window at "El Recreo Snack Shop" located at 2211 S. Veterans Boulevard Suite #1, legally described as Lot 3, Hacienda Palms Subdivision, located at the Southeast Corner of Dalia Avenue and Veterans Boulevard, as Requested by Josselyne Lugo.
- B. Consider Second and Final Reading of an Ordinance for a Rezoning Request from Single-Family Residence District (RS) to Multi-Family Residence District (RMF) of the property legally described as the North 0.34 acre tract of land out of the North 0.86 feet of the South 6.92 of the East 10.0 acres of the West 31.46 of Lots 1 and 2, Block 11, John Closner Subdivision, as Requested by Roberto Quintanilla, Jr.
- C. Tax Collection Report - April 2021
- D. Tax Collection Report- May 2021
- E. Budget Expenditure Report- April 2021
- F. Budget Expenditure Report -May 2021

Commissioner Marco "Markie" Villegas made motion to approve and was seconded by Commissioner Ernesto "Neto" Guajardo. Motion Passed (4-0).

XI. ADJOURNMENT 7:12 p. m.

Commissioner Marco "Markie" Villegas made motion to adjourn at 7:12 p.m. and was seconded by Commissioner Ernesto "Neto" Guajardo. Motion Passed (4-0).

CITY OF SAN JUAN
CITY COMMISSION MEETING
TUESDAY, JULY 13, 2021

CITY OF SAN JUAN, TEXAS

Mario Garza, Mayor

ATTEST:



Brenda Escalante, Interim City Secretary