

MINUTES OF REGULAR MEETING OF THE CITY OF SAN JUAN COMMISSION

DATE: Tuesday, November 23, 2021

TIME: 6:00 p.m.

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

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

STAFF PRESENT: Benjamin Arjona, City Manager
Brenda Escalante, Interim City Secretary
Tirso Garza, Chief of Fire
Rodolfo Luna, Acting Lieutenant
Leroy Gonzalez, Director of Finance
Adelaida Cordero, Director of Human Resources
Armandina Sesein, Library Director
Patrick Willingham, Director of Parks & Recreation
Monica Gomez, Interim Director of Planning
Roel Garza, Director of Sanitation/ Public Works
Juan Carlos Martinez, Water Distribution Crewleader
Mary Enriquez, Court Administrator
Pat Karr, Director of Information Technology

ORDER OF BUSINESS

I. CALL TO ORDER

Mayor Mario Garza called meeting to order at 6:00 p.m.

II. INVOCATION

Benjamin Arjona, City Manager led the Invocation.

III. PLEDGE OF ALLEGIANCE

Mayor Mario Garza led the Pledge of Allegiance.

IV. PUBLIC COMMENTS

No public comments.

DISCUSSION: Benjamin Arjona, City Manager reported a fire incident that occurred on that morning. He thanked Chief Tirso Garza and his staff for their work. Mayor Mario Garza also thanked the Fire Department. Commissioner Adina "Dina" Santillan asked to keep them updated with the victim's progress.

V. PRESENTATIONS

A. New City Hall/Transit Terminal Update.

Benjamin Arjona, City Manager introduced Oscar Cancino, Project Manager and Gilbert Enriquez, General Contractor for the New City Hall/Transit Terminal project. Mr. Cancino stated the design team was present. He further stated they have issued and given a notice to proceed as they are in the process of coordinating and adjusting onsite utilities. Mr. Gilbert Enriquez with ECON thanked the commission for the opportunity to build the future City Hall facility. He gave a construction update and stated they were working on the site demo as they were waiting for all the communication lines to be relocated. Mayor Mario Garza asked if they were given a turnaround date. Mr. Enriquez stated once the communication and electrical lines are relocated around mid-December they would start excavating and working in the building pad. Mayor Mario Garza thanked Mr. Enriquez for coming on board. Mayor asked Mr. Arjona to continue providing

construction updates. Mr. Arjona stated he would bring updates at least once a month. Mayor Garza asked the design team to keep close communication with the City Manager. Mr. Enriquez replied they are always available should the City Commission have any questions. Mayor Garza asked about the projected time frame for this project. Mr. Enriquez replied in November of next year. Brian Godinez with ERO Architects stated they are serving as architect record for this project and would be working alongside Mr. Cancino, Project Manager and ECON until the close down of the building.

- B. Presentation on Departmental Reports: Department of Finance, Fire Department, Police Department, Municipal Court and Department of Utilities.

DISCUSSION: David Salinas, Director of Utilities introduced

1. Department of Finance Monthly Report.
2. Department of Utilities Monthly Report.
3. Fire Department Monthly Report.
4. Municipal Court Monthly Report.
5. Police Department Monthly Report.

DISCUSSION: Benjamin Arjona, City Manager stated all Directors were present should the City Commission have any questions. Commissioner Ernesto “Neto” Guajardo thanked the Fire Chief Tirso Garza for their tremendous teamwork. Commissioner Adina “Dina” Santillan asked Chief Garza for the status of the Café D’Rut fire inspection denial. Chief Garza stated the violation was adjusted. Mayor Mario Garza asked Mary Enriquez, Court Administrator how she was scheduling staff on court hearing Tuesdays. He mentioned there was a concerned citizen inquiring about the long lines during court hearings. Ms. Enriquez stated she has two clerks one goes out to lunch 12:00 p.m. thru 1:00 p.m. and the second one takes lunch 1:00 p.m. thru 2:00 p.m. Mayor Garza directed Ms. Enriquez to have two clerks on site on Tuesdays to speed up the process. He asked Ms. Enriquez if the Municipal Court had the option to pay citations online or over the phone. Mrs. Enriquez replied they accept online payments but not over the phone. Mr. Pat Karr, Director of Information Technology mentioned they are currently working on an automated solution to take care of over the phone payments. Mayor Garza asked if the ticket writers had been used. Mr. Arjona replied not at the moment. He noted that Mary and himself are working on getting 2 or 3 ticket writers and adding laptops to every single unit.

VI. PUBLIC HEARINGS/ORDINANCES

- A. Hold a Second Public Hearing for a Voluntary Annexation Petition of the 10.28-acre tract of land of Lot 2, Block 31, Alamo Land and Sugar Company’s Subdivision, located approximately 800 feet South of Sam Houston Boulevard, along the Eastside of Stewart Road, as per map recorded in Volume 1, Pages 24 thru 26, Map Records, Hidalgo County, Texas as Requested by 193 S. Heathwood Drive, LLC.

DISCUSSION: Monica Gomez, Interim Director of Planning stated this was a second public hearing for a voluntary petition that was approved recently. Furthermore, this is a 10-acre tract of land located South of Sorensen Elementary School along Stewart and Sam Houston Blvd. Mrs. Gomez mentioned a public notice was advertised in the newspaper.

Mayor Mario Garza opened the Public Hearing at 6:15 p.m. There were no public comments.

Mayor Mario Garza closed the Public Hearing at 6:16 p.m.

Commissioner Marco “Markie” Villegas made motion to approve and was seconded by Mayor Pro-Tempore Leonardo “Lenny” Sanchez. Motion passed (5-0).

- B. Hold a Public Hearing for a Conditional Use Permit to allow “Take 5 Oil Change” an Automobile Service Center at Property located at 100 S. Cesar Chavez Road, legally described as Lo 5B, San Juan Corners/St. Ives Subdivision, as Requested by Sierra Gorda Investments, LLC.

DISCUSSION: Monica Gomez, Interim Director of Planning stated this was the first public hearing for a conditional use permit to allow “Take 5 Oil Change” at the commercial located just South of the Bank of America along Cesar Chavez Road. Mrs. Gomez mentioned this property was replatted back in 2014 and attached to the packets they would find a map of the subdivision. She stated to the North side they have the Bank of America to the South a commercial plaza, to the West the Popeyes Restaurant and Walmart to the East. This property is zoned in the Expressway Corridor District which requires a conditional use permit

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for an automobile service center. Applicant is proposing a 1.40 sq. building with entrance and exit along Cesar Chavez Road. Mrs. Gomez stated attached to the packet they would find the site plan and the requirements.

Mayor Mario Garza opened the Public Hearing at 6:17 p.m.

City of San Juan resident Kevin Rios stated he was in favor and thinks it's a good idea. Mayor Mario Garza asked if the applicant is aware of the requirements. Mrs. Gomez responded yes.

Mayor Mario Garza closed the Public Hearing at 6:18 p.m.

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

- C. Hold Public Hearing for a Rezoning Request from General Business District (C-2) to Single-Family Residence District (R-S) of Lots 1 thru 3, Castle Heights Subdivision, located approximately 800 feet North of FM 495 along the East side of Veterans Boulevard, as Requested by Vica Texas Enterprise, LP. Voluntary Annexation Petition of the 10.28-acre tract of land out of Lot 2, Block 31, Alamo Land and Sugar Company's Subdivision, located approximately 800 feet South of Sam Houston Boulevard, along the East side of Stewart Road, as per map recorded in Volume 1, Pages 24 thru 26 Map Records, Hidalgo County, Texas as Requested by 193 S. Heathwood Drive, LLC.

DISCUSSION: Monica Gomez, Interim Director of Planning stated this is a rezoning request for commercial to residential of lots 1, 2 and 3 of Castle Heights Subdivision. Vica Texas Enterprises developed this private subdivision located North of 495 along Veteran Blvd. back in 2015 and has 4 commercial lots along Veterans Blvd. The applicant is requesting the rezoning of 3 lots to residential property and the staff recommends denial on the request since it is considered spat zoning and the lots exceed the residential size.

Mayor Mario Garza opened the Public Hearing at 6:20 p.m.

Commissioner Adina "Dina" Santillan asked why the staff was against the request. Mrs. Gomez replied they don't want a multi-family apartment and when the property was purchased one of the conditions was to have a commercial lot in front.

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

Mayor Pro-Tempore Leonardo "Lenny" Sanchez made motion to deny and was seconded by Commissioner Ernesto "Neto" Guajardo. Motion passed (5-0).

- D. Hold a Public Hearing for a Conditional Use Permit for the Sale of Alcoholic beverage (wine and beer) for Off-Premise Consumption at "Drama Llama Daiquiris To Go #2" located at 912 E. Business 83, legally described as Lot 1, Mireles Subdivision, as Requested by Drama Llama Daiquiris, LLC.

DISCUSSION: Monica Gomez, Interim Director of Planning stated this is a public hearing for a conditional use permit to open a drive-thru business and for the sale of alcoholic beverages for on premises consumption at Drama Llama Daiquiris To Go #2 located at 912 E. Business 83. She mentioned the applicant is taking over the business and operation hours are Sunday through Thursday from 11:00 a.m. thru 11:00 p.m., Friday's from 11:00 a.m. thru 12:00 a.m. and Saturday's from 11:00 a.m. thru 1:00 a.m. She stated the Planning staff is recommending approval.

Mayor Mario Garza opened the Public Hearing at 6:22 p.m.

Ignacio Ibarra, owner thanked the commission and stated he was present should they have any questions or concerns. Mayor Mario Garza asked if he was okay with the requirements. Mr. Ibarra responded yes.

Mayor Mario Garza closed the Public Hearing at 6:23 p.m.

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

VII. APPOINTMENT

- A. Consider the Removal and/or Appointment of Board Members related to the Civil Service Board.

DISCUSSION: Mayor Pro-Tempore Leonardo “Lenny” Sanchez recommended accepting the applications of the current board Eric Sanchez and David Alvarado.

Mayor Pro-Tempore Leonardo “Lenny” Sanchez made motion to re-appoint Eric Sanchez and David Alvarado to the Civil Service Board and was seconded by Commissioner Adina “Dina” Santillan. Motion passed (5-0).

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

- A. Discussion and Possible Action to Accept the City of San Juan Fire Station Preliminary Design & Conceptual Plan and Authorize City Manager to Proceed with ERO on the Schematic Design Phase Contract.

DISCUSSION: Brian Godinez with ERO Architects presented his partner Eli Ochoa, Associate Principal and Project Architect who was in charge of the feasibility study for the new Fire Station. Mr. Godinez briefly introduced the feasibility study as follows: programming, layout, cost estimate and project schedule. Mr. Juan Cantu with ERO Architects explained the table of context: building program, site survey, bubble diagram, site plan, floor plan, cost estimate, schedule and renderings. Mr. Cantu gave a breakdown of the 11,766 sq. ft. as follows: programming administration, fire station services and apparatus. Furthermore, the administration would have a lobby, conference room, restrooms, office for the Fire Marshall, Chief, Assistant Chief and Deputy Chief and an open area for investigators. Also, the fire station living headquarters will have a kitchen, dining room, day room, report writing, sleeping headquarters for both the captain and station officer, restrooms for women and men and a laundry room. Additionally, for services it will have an I.T., electrical, mechanical, rice and janitor room. The apparatus base will have four bays and a storage room. Mr. Cantu mentioned they were advised to use the existing City Hall and Fire Station site for the site survey. Furthermore, after receiving the site survey they established the need to remove both buildings in order to accommodate the eleven thousand sq. ft. The bubble diagram shows the space and the outside layout for the proposed site plan in case both buildings are removed. Mr. Cantu noted there will be some disclaimers in the floor plan cost estimate due to post COVID-19 pricing. Also, the demolition of the existing buildings is not part of their scope, but they did obtain an estimated price. Furthermore, the total building cost estimate for the 11,702 sq. ft. is \$2,261,617. Mayor Mario Garza asked for the demolition estimated price. Mr. Cantu stated they obtained an estimated price of \$130,000. Proposed design schedule is 6 to 7 months of design work and 12 months of construction. He mentioned they would begin around November once the City Hall building is completed. Mr. Brian Godinez assured there were discussions about renovating the existing buildings but once they saw the cost of renovating versus a new building it just made more sense to go with a new building. Mr. Cantu presented an aerial view of the new building. Commissioner Marco “Markie” Villegas asked for a time frame. Mr. Cantu replied 6 to 7 months and a year for construction. Mayor Mario Garza asked Chief Garza if the plan covered all their needs. Chief Garza stated they put everything that is needed and managed to stay on budget.

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

- B. Discussion and Possible Action to Accept the City of San Juan Parks and Recreation Preliminary Design & Conceptual Plan and Authorize City Manager to Proceed with ERO on the Schematic Design Phase Contract.

DISCUSSION: Brian Godinez with ERO Architects thanked the City Commission for the opportunity to develop a feasibility study for the potential Parks and Recreation Center. Mr. Godinez introduced Mr. Edgar Villanueva, Project Manager. Mr. Villanueva presented the findings of the feasibility study for the center which is located on Sioux Rd. and Veterans, East of the San Juan Water Treatment facility. Mr. Villanueva gave a breakdown of the program which consists of an administrative suite, three classrooms, an open gym and two indoor basketball courts totaling 27,000 sq. ft. He presented the full design of the park and amenities, along with the construction phases, as follow:

Phase 1: Includes infrastructure, grading, irrigation, landscape, trails & site furnishing with a total of \$1.28M.

Phase 2: Includes soccer fields, outdoor basketball court, outdoor fitness, picnic pavilions, playgrounds, splash pad & parking lot with a total of \$1.85M.

Phase 3: Includes pool & pool house total is to be discussed.

Phase 4: Includes the actual recreation building with a total of \$4.6M

Mr. Villanueva stated the total construction amount is \$7.73M not including the pools. Proposed design schedule is 6 to 7 months of design work and 1 year of construction if done all together. If phased out they would have a separate schedule. Benjamin Arjona, City Manager explained the reason for working in phases

due to the budgeting constraints the city has. He also mentioned the city is currently working on a couple of grants, one with the Texas Parks and Wildlife and a second one with CDBG that will give us enough funding to complete this project.

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

- C. Discussion and Possible Action to Accept the Only Bid Received for the New City Hall Sewer Line Replacement Project in the Amount of \$77,485.00 from Southern Trenchless Solutions from La Feria, Texas and Authorize the Mayor to Execute all Related Documents and Amendment as Needed.

DISCUSSION: Benjamin Arjona, City Manager stated in the last meeting they discussed the possibility of replacing a water line that is located on the north side of the new city hall site. Previously they hadn’t gone out for bids since the estimated cost was less than \$50,000 but when they received the actual numbers it exceeded the budget. He presented one and only bid received for the amount of \$77,485.00.

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

- D. Discussion and Possible Action to Declare Certain Fixed Assets in the Department of Utilities as Surplus/Salvage and Authorize the City Manager to Execute all Related Documents and Budget Amendments as Needed.

DISCUSSION: Benjamin Arjona, City Manager briefly stated this was to request authorization to auction some salvage items.

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

IX. CONTRACTUALS/RESOLUTIONS

- A. Consider Adoption of Resolution Establishing the Budget for Fiscal Year 35 (2022) of the Hidalgo County Urban County Program.

DISCUSSION: Benjamin Arjona, City Manager briefly stated this item was already discussed in the previous meeting, at this time it's to be voted and approved. He noted it's the same organizations from last year requesting for funds.

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

- B. Consideration and Action on a Resolution Accepting a Voluntary Annexation Petition, Setting Dates and Times of Public Hearing and Directing the Planning Department to Prepare Service for the Proposed Orchards of San Juan Subdivision being a 24.85-acre tract of land out of Lot 7, Stewart’s Addition to the Conway Garden Subdivision, located at the Southwest corner of Stewart and Moore Road, as Requested by Escon Development.

DISCUSSION: Benjamin Arjona, City Manager introduced the item. Monica Gomez, Interim Director of Planning stated this was a resolution to accept the voluntary annexation petition of the 20-acre tract located on the Southwest corner of Stewart and Moore Road. She mentioned the applicant is proposing to build a residential subdivision and part of the subdivision is outside of the city limits.

Mayor Pro-Tempore Leonardo “Lenny” Sanchez made motion to approve and was seconded by Commissioner Ernesto “Neto” Guajardo. Motion passed (5-0).

X. CONSENT AGENDA

- A. Preliminary Budget Expenditure Report – September 2021.

DISCUSSION: There were no comments or questions.

Mayor Pro-Tempore Leonardo “Lenny” Sanchez made motion to approve and was seconded by Commissioner Marco “Markie” Villegas. Motion passed (5-0).

XI. EXECUTIVE SESSION

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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 (Consultation with Attorney).

1. Pursuant to Section §§551.074 PERSONNEL MATTERS; Discuss the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline or Dismissal of a Public Officer or Employee. (Director of Planning and Zoning).
2. Discussion and Possible Action Regarding Cause No. C-2414-20-A Styled Hall-Mark Fire Apparatus-Texas, LLC v. City of San Juan, Texas in the 92nd Judicial District Court, Hidalgo County, Texas.

Mayor Pro-Tempore Leonardo "Lenny" Sanchez made motion to enter executive session at 6:55 p.m. and was seconded by Mayor Mario Garza. Motion passed (5-0).

XII. RECONVENE

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

Mayor Pro-Tempore Leonardo "Lenny" Sanchez made motion to reconvene at 7:03 p.m. and was seconded by Commissioner Marco "Markie" Villegas. Motion passed (5-0).

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

Mayor Mario Garza made motion to accept City Manager's recommendation and was seconded by Commissioner Marco "Markie" Villegas. Motion passed (5-0).

DISCUSSION: Benjamin Arjona, City Manager stated his recommendation to appoint Mr. Daniel Tijerina as Director of Planning and Zoning.

2. Discussion and Possible Action Regarding Cause No. C-2414-20-A Styled Hall-Mark Fire Apparatus-Texas, LLC v. City of San Juan, Texas in the 92nd Judicial District Court, Hidalgo County, Texas.

Mayor Mario Garza made motion for City Manager to execute all documents related to the Hall-Mark case and was seconded by Commissioner Marco "Markie" Villegas. Motion passed (5-0).

XIII. ADJOURNMENT

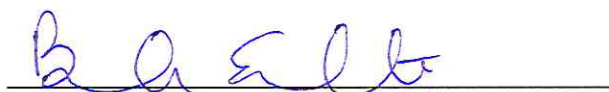
Mayor Pro-Tempore Leonardo "Lenny" Sanchez made motion to adjourn at 7:04 p.m. and was seconded by Mayor Mario Garza. Motion passed (5-0).

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Mario Garza, Mayor

ATTEST:



Brenda Escalante, Interim City Secretary

Brenda Escalante, Interim City Secretary