

MINUTES OF REGULAR MEETING OF THE CITY OF SAN JUAN COMMISSION

DATE:

Tuesday, February 28, 2023

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
Rick Palacios, City Attorney

STAFF PRESENT:

Benjamin Arjona, City Manager
Brenda Escalante, City Secretary
Tirso Garza, Chief of Fire
Leandro Sifuentes, Interim Chief of Police
Leroy Gonzales, Finance Director
Adelaida Cordero, Director of Human Resources
Armandina Sesin, Library Director
Patrick Willingham, Director of Parks & Recreation
Daniel Tijerina, Director of Planning
Israel Garza, Director of Sanitation/ Public Works
Juan Carlos Martinez, 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 6:00 p.m.

II. INVOCATION:

Benjamin Arjona, City Manager led the Invocation.

III. PLEDGE OF ALLEGIANCE:

Mayor Mario Garza led the Pledge of Allegiance.

IV. PUBLIC COMMENTS:

DISCUSSION: Guadalupe Acevedo asked, if possible, to pave the street around Sylvia Circle and asked for more police patrolling due to possible drug activity. Tony Saldana, a city resident, praised Israel Garza, Director of Sanitation, for the recent clean-up event and thanked the City Commission for all the support.

V. PRESENTATIONS:

A. Presentation on Proclamation Honoring and Recognizing Raul Abrego.

DISCUSSION: Benjamin Arjona, City Manager, gave a brief biography of Raul Abrego. Mayor Mario Garza presented and read the proclamation honoring Mr. Raul Abrego. Mayor Garza and the City Commission thanked Mr. Abrego for his service and sacrifice. Mr. Abrego thanked the city for its recognition. Mr. Arjona stated that they would go out of order, skipping to public hearings for item A.

I. PUBLIC HEARINGS / ORDINANCES

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

DISCUSSION: Benjamin Arjona, City Manager introduced the item and stated this was a public hearing for an Ordinance of the City of San Juan, Texas, Renaming a Certain Portion of 3rd Street From Veterans Boulevard "I

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Road" to Washingtonia Palm Avenue to be Renamed as "Raul Abrego Street"; Authorizing the Mayor to Execute the Documents Needed to Accomplish Said Renaming of a Public Roadway; Providing for Effective Date; Providing for Publication; Providing for Codification; Providing for a Severability Clause; and Providing for a Repealer Clause.

Mayor Mario Garza opened the public hearing at 6:15 p.m.

Mayor Mario Garza along with the entire City Commission thanked and congratulated Mr. Raul Abrego. Mr. Abrego emotional thanked the City Commission for the honor.

Mayor Mario Garza closed the public hearing at 6:17 p.m.

Commissioner Ernesto "Neto" Guajardo motioned to approve and was seconded by Mayor Pro-Tem Leonardo "Lenny" Sanchez. Motion Passed (5-0)

B. Presentation on Proclamation Supporting the Hidalgo County's Prosperity Task Force.

DISCUSSION: Commissioner Adina "Dina" Santillan read the proclamation supporting Hidalgo County's Prosperity Task Force. Mario Reyna, representing Hidalgo County, asked for the city's cooperation.

C. Presentation of the Texas Amateur Athletic Federation City of The Year Award to the City of San Juan Parks and Recreation Department. [Patrick Willingham, Director of Parks, and Recreation]

DISCUSSION: Patrick Willingham, Director of Parks and Recreation, informed the City Commission about their recognition in the City of Grand Prairie, Texas, as they received the City of the Year award by the Texas Amateur Athletic Federation in the small city category. Mayor Mario Garza Mr. Willingham was asked if he foresees an increase in participation once the new facility opens, to which he replied yes.

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

1. Department of Finance Monthly Report. [Leroy Gonzales, Director of Finance]
2. Fire Department Monthly Report. [Tirso Garza, Fire Chief]
3. Police Department Monthly Report. [Leandro Sifuentes, Interim Chief of Police]
4. Municipal Court Monthly Report [Mary Enriquez, Court Administrator]
5. Department of Utilities Monthly Report. [Juan Carlos Martinez, Interim Director of Utilities]

DISCUSSION: Benjamin Arjona, City Manager recognized them, and the Finance Department was notified that they were awarded the distinguishing presentation award. Leroy Gonzales, Director of Finance, stated they would place it in the next city meeting. Commissioner Marco "Markie" Villegas praised Israel Garza, Director of Sanitation, for taking care of an illegal dumping that included 50 tires. Mayor Pro-Tem Leonardo "Lenny" Sanchez asked Leandro Sifuentes, Interim Chief of Police, to keep an eye out for illegal dumping activity during the late hours. Mayor Mario Garza asked Chief Sifuentes to look into the pricing of cameras, and Chief Sifuentes stated that they were looking into the possibility of getting two under a grant. Mr. Arjona mentioned that he is working with Mr. Garza and the IT Department on getting some utility pole cameras. Commissioner Villegas asked Mr. Garza to maybe mark the street or put up a don't block sign on El Dora and Raul Longoria due to heavy traffic. Mayor Garza asked Mary Enriquez, Municipal Court Administrator, to create a list of judges that includes the number of arraignments, civil cases, and citations they issue.

II. PUBLIC HEARINGS / ORDINANCES

B. Hold a Public Hearing for the Rezoning Request from Single-Family Residential District (R-S) to Multi-Family Residential District (R-MF) for a 3.87-Acre Tract of Land out of Lot 16, Block 8, John Closner Subdivision Excluding the West 100' (Drain Ditch), as Requested by Javier A. Peña. [Daniel Tijerina, Director of Planning]

DISCUSSION: Daniel Tijerina, Director of Planning and Zoning, stated that Mr. Pena is applying for a rezoning request from Single-Family Residential District (R-S) to Multi-Family Residential District (R-MF) for the property located just north of the Dollar General Store. Furthermore, the surrounding properties consist of both commercial and residential uses. And the property owner will be required to subdivide the property in order to make any improvements to the property. He stated that staff mailed a notice of the public hearing before the Planning and Zoning Commission to thirteen (13) property owners within a two hundred (200) foot radius and received no comments in favor or against this request. Mr. Tijerina stated that staff recommended approval of this request.

Mayor Mario Garza opened the public hearing at 6:45 p.m.

Mayor Mario Garza asked if the owner was aware of the front part being C2 and the back being multi, to which Mr. Tijerina replied yes, as they've met several times. Benjamin Arjona, City Manager, stated that the property owner is willing to develop the front part as a motor retail business strip. Mayor Mario Garza closed the public hearing at 6:45 p.m.

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

- C. Hold a Public Hearing for a Conditional Use Permit for the Sale of Alcoholic Beverages (BG – Wine and Beer Retailer’s Permit) at “Cazadores Bar and Grill” Located at 901 N. Raul Longoria Road, Legally Described as Pecan Estates Block 2, as Requested by Alberto Cortez Lopez. [Daniel Tijerina, Director of Planning]

DISCUSSION: Daniel Tijerina, Director of Planning and Zoning stated that Mr. Cortez Lopez is requesting a Conditional Use Permit for the Sale of Alcoholic Beverages (BG-Wine and Beer Retailer’s Permit) for On-Premise Consumption and late hours permit until 2:00 a.m. at the proposed “Cazadores Bar & Grill” Restaurant, located at the Northeast corner of Sgt. Leonel Trevino and Raul Longoria Road, where Papa John’s was located. The applicant is proposing a Lounge and Grill place to relax after work counting with live music, pool tables, karaoke nights, big screens and dance floor with operation hours, seven days at week from 4:00 p.m. to 2:00 a.m. (See attached letter, food menu and layout). Furthermore, the applicant will need to comply with the Texas Alcoholic Beverages Commission (TABC) requirements. Additional permits may be required with the City of San Juan for different alcohol permit. Staff mailed a notice of the public hearing before the Planning and Zoning Commission to eighteen (18) property owners within a two hundred (200) foot radius and received no comments in favor or against this request.

Mayor Mario Garza opened the public hearing at 6:48 p.m.

Ruben Navarro asked for location confirmation and stated that he believes a could be a safety hazard due to the heavy traffic in the intersection. Commissioner Adina “Dina” Santillan asked for clarification regarding the permitted hours of operations to which Mr. Tijerina stated that the Planning and Zoning recommendation which is 1:00 a.m. instead of 2:00 a.m. Mayor Mario Garza asked what type of alcohol would be sold. Raul Santiago representing the requestor stated only beer and wine would be sold. Mayor Garza asked if the applicant is willing to comply with all the requirements, to which Mr. Tijerina replied that they agreed.

Mayor Mario Garza closed the public hearing at 6:17 p.m.

Commissioner Marco “Markie” Villegas motioned to approve 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 Beverages (BG – Wine and Beer Retailer’s Permit) at “El Grullo Drive-Thru” Located at 912 E. Business 83, Legally Described as Lot 1, Mireles Subdivision, as Requested by Ricardo Lara. [Daniel Tijerina, Director of Planning]

DISCUSSION: Daniel Tijerina, Director of Planning and Zoning stated Ricardo Lara is requesting a Conditional Use Permit for a Drive-Thru Business and the Sale of Alcoholic Beverages (wine and beer) for Off-Premise Consumption. Furthermore, the applicant is taking over the Drama Llama Drive-Thru that was open in 2021. The proposed days and hours of operation are Monday thru Sunday from 10:00 a.m. to 12:00 a.m. Mr. Tijerina stated that the applicant will need to comply with the Texas Alcoholic Beverages Commission (TABC) requirements. Additional permits may be required with the City of San Juan for different alcohol permit.

The following are the list of requirements:

1. The applicant must comply with the City’s Security Cameras Ordinance.
2. Owner agrees to pay an annual fee to the City of San Juan to maintain the alcohol license, conditional use, occupational license, and health permits.
3. No loading or unloading of merchandise in a public street.
4. Must maintain the buffer with the residential uses.
5. There shall be no smoking inside the premises at any time.
6. The business must comply with the city’s noise ordinance.

Also, staff mailed a notice of the public hearing before the Planning and Zoning Commission to five (5) property owners within a two hundred (200) foot radius and received no comments in favor or against this request.

Mayor Mario Garza opened the public hearing at 6:54 p.m.

Commissioner Adina “Dina” Santillan asked if the hours of operation were the same as the previous business to which Mr. Tijerina replied they were the same.

Mayor Mario Garza closed the public hearing at 6:54 p.m.

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

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- E. Hold a Public Hearing for a Voluntary Annexation Petition for the Proposed Stewart Coves Subdivision, which is a 16.579-Acre Tract of Land out of Lots 1 and 6, Stewart's Addition to the Conway Gardens, located at the Northwest Corner of Moore and Stewart Road, as Requested by the Joyce E. Soulek Living Trust. [Daniel Tijerina, Director of Planning]

DISCUSSION: Daniel Tijerina, Director of Planning and Zoning stated that this item is a plan unit that they have been working on along with the City Attorney the annexation of a 16.579-acre tract of land to build the Stewart Coves Subdivision, which is 37.258 acres total. The property is located at the Northwest corner of Moore and Stewart Roads with 184 residential lots. The property owner of the subject property has submitted a petition for the voluntary annexation to the City of San Juan. Annexation of this 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. Resolution No. 2023-01 was approved by the City Commission on January 10, 2023 and dates and times of the public hearings were set to incite the annexation process.

Mayor Mario Garza opened the public hearing at 6:56 p.m.

Mayor Mario Garza asked if the city was ready with the man power because is a big development. Benjamin Arjona, City Manager stated that they need to come out with a plan maybe working an additional day and hiring more staff. Commissioner Marco "Markie" Villegas stated that with these huge new developments its their due diligence to find a way to get it done. Mr. Arjona mentioned that they have been working with the city financial advisor in creating the five-year CIP in order to bring more heavy equipment. Commissioner Adina "Dina" Santillan asked how far along are the development to which Mr. Tijerina replied they still need to go through the Plan Unit Development which is close to a year and a half before any house are build. Mayor Garza asked for workshop to discuss this matter.

Mayor Mario Garza closed the public hearing at 7:06 p.m.

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

- F. Consider Approval on Second and Final Reading of the Ordinance Amending Chapter 4. Business Regulations, Article 4.12. Food Establishment Regulations of the City of San Juan's Code of Ordinances by Adding Division 3. Mobile Food Court to Provide for Additional Regulations Applicable to Mobile Food Courts Located within the City Limits of San Juan; Providing for Effective Date; Providing for Publication; Providing for Codification; Providing for Severability Clause; and Providing for a Repealer Clause. [Daniel Tijerina, Director of Planning]

DISCUSSION: Daniel Tijerina, Director of Planning and Zoning stated that this item was the food court ordinance amended as requested per the City Commission on the Special Called meeting of January 31, 2023. Mr. Tijerina stated that changes needed were made to focus on mobile food court like the minimum square footage for food parks, distances between parks and the requirement of them acquiring a conditional use permit. Additionally, it included certain city inspection guidelines. Mr. Tijerina stated staff recommended approval of the second and final reading of the ordinance.

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

- G. Consider Approval on Second and Final Reading of the Ordinance Amending Appendix A. Unified Development Code, Chapter 2. Zoning Regulations, Article IV. District Use and Area Regulations, Section 5.00 General Business District (C-2), Subsection 5.02 Conditional Uses (Required Permits) of the City of San Juan's Code of Ordinances to Provide for the Requirement of a Conditional Use Permit for Mobile Food Courts; Providing for Effective Date; Providing for Publication; Providing for Codification; Providing for a Severability Clause; and Providing for a Repealer Clause. [Daniel Tijerina, Director of Planning]

DISCUSSION: Daniel Tijerina, Director of Planning and Zoning stated this ordinance goes along with the previous ordinance amending the sections that allows a mobile food court to operate through a conditional use permit in a C2, general commercial business district or higher.

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

III. APPOINTMENTS

- A. Consideration and Action to Appoint, Re-appoint and/or remove one (1) Board Member of the Planning and Zoning Commission. [Brenda Escalante, City Secretary]

DISCUSSION: Brenda Escalante, City Secretary stated that the Planning and Zoning Commission consists of seven (7) members serving two (2)-year staggered terms. Furthermore, as per the Planning and Zoning Commission Bylaws, if absent more than three (3) consecutive times, members shall be automatically dropped

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from membership. Mrs. Escalante stated staff is asking to consider the removal of one member, Victor Perez, Jr., and the appointment of one new member to serve the remainder of his unexpired term. Mayor Mario Garza asked if city staff had ever reached out to Mr. Victor Perez, Jr. Daniel Tijerina, Director of Planning and Zoning, stated that they have tried all measures via email, text, and phone with no luck.

Commissioner Adina “Dina” Santillan motioned to remove Victor Perez Jr. appoint Luis Mancillas and was seconded by Commissioner Marco “Markie” Villegas. Motion Passed (5-0)

Mayor Mario Garza motioned to stand in recess at 7:15 p.m. Motion Passed (4-0)

Mayor Pro-Tem Leonardo “Lenny” Sanchez motioned to reconvene at 7:18 p.m. and was seconded by Mayor Mario Garza. Motion Passed (4-0)

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

- A. Discussion and Action, if any, to Provide a Letter of Support to the Rio Grande Valley Metropolitan Planning Organization (RGVMPO) for their Rio Grande Valley Regional Transit Authority Feasibility Study (RGV RTA Feasibility Study) Application Under the Federal Transit Administration’s Areas of Persistent Poverty Grant Program (AoPP) and Authorize the Mayor to Execute any Related Documents.

DISCUSSION: Benjamin Arjona, City Manager stated the RGVMPO is asking for a letter for support as they will be applying for the feasibility study. Javier Dominguez with the Rio Grande Valley MPO stated he was present to answer any questions the City Commission had.

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

- B. Consider Authorizing the San Juan Interim Chief of Police to Dispose of and Trade in Recon Scout Robot to Recon Robotics Trade-it Program for a \$2,500 Discount on the New Robot.

DISCUSSION: Mayor Pro-Tem Leonardo “Lenny” Sanchez stated that this robot is the one they use for the alert team. As they want to trade the old one to get a new version with better working operating system.

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

V. RESOLUTIONS

- A. Consider and action, if any, on Resolution authorizing the San Juan Police Department to submit a grant application to the Office of the Governor, Rifle-Resistant Body Armor 2023 Project for FY 2023-2024. [Leandro Sifuentes, Interim Chief of Police]

DISCUSSION: Benjamin Arjona, City Manager stated that there was no local match.

Commissioner Adina “Dina” Santillan motioned to approve and was seconded by Commissioner Marco “Markie” Villegas. Motion Passed (5-0)

- B. Consideration and action, if any, on Resolution authorizing the San Juan Police Department to submit a grant application to the Office of the Governor, Body Worn Cameras Project for FY 2023-2024. [Leandro Sifuentes, Interim Chief of Police]

DISCUSSION: Benjamin Arjona, City Manager stated that this was a resolution to submit an application for the body worn cameras grant and this has a 25 percent local match. Mayor Pro-Tem Leonardo “Lenny” Sanchez asked if the city was going to purchase cameras for the city’s code enforcement officers. Mr. Arjona replied it was to replace and purchase additional cameras.

Commissioner Marco “Markie” Villegas motioned to approve and was seconded by Commissioner Adina “Dina” Santillan. Motion Passed (5-0)

- C. Consideration and action, if any, on Resolution authorizing the San Juan Police Department to submit a grant application to the Office of the Governor, SHSP Regular Project for FY 2023-2024. [Leandro Sifuentes, Interim Chief of Police]

DISCUSSION: Benjamin Arjona, City Manager stated that the grant application from the Texas Office of the Governors-Homeland Security Grants Division, State Homeland Security Program (SHSP) is to purchase ballistics helmets, full body armor, and breaching tools. Furthermore, this equipment will assist officers in being prepared for threats and hazards that pose the greatest risk to the security of our community and the grant has no cost share.

Commissioner Adina “Dina” Santillan motioned to approve and was seconded by Commissioner Marco “Markie” Villegas. Motion Passed (5-0)

- D. Consideration and action, if any, on Resolution authorizing the San Juan Police Department to submit a grant application to the Office of the Governor, LETPA Project for FY 2023-2024. [Leandro Sifuentes, Interim Chief of Police]

DISCUSSION: Benjamin Arjona, City Manager stated that the grant application from the Texas Office of the Governors-Homeland Security Grants Division, Law Enforcement Terrorism Prevention (LETPA) grant project is to purchase communication radio headsets. Furthermore, this equipment will assist officers in being prepared for threats and hazards that pose the greatest risk to the security of our community and the grant has no cost share.

Mayor Pro-Tem Leonardo “Lenny” Santillan motioned to approve and was seconded by Commissioner Adina “Dina” Santillan. Motion Passed (5-0)

- E. Consideration and action, if any, on Resolution authorizing the San Juan Police Department to submit a grant application to the Office of the Governor, Justice Assistance Program for FY 2023-2024. [Leandro Sifuentes, Interim Chief of Police]

DISCUSSION: Benjamin Arjona, City Manager stated that the grant application from the Texas Office of the Governors-Criminal Justice Division, criminal justice grant project is to purchase in-car dash camera systems. Furthermore, his equipment will assist officers in improving the civility of police and citizen encounters and change citizens' perceptions of police transparency and the grant has no cost share.

Commissioner Marco “Markie” Villegas motioned to approve and was seconded by Commissioner Adina “Dina” Santillan. Motion Passed (5-0)

VI. CONSENT AGENDA

- A. Consider Approval of City Commission Meeting Minutes:
- February 13, 2023

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

VII. EXECUTIVE SESSION

- A. The San Juan City Commission Will Convene in Executive Session, in Accordance with the Texas Open Meetings Act, Vernon's Texas Statutes and Codes Annotated, Government Code Chapter 551 et seq. and §551.071 Consultation with Attorney.

1. Pursuant to Section §551.071 CONSULTATION WITH ATTORNEY and Section §551.087, ECONOMIC NEGOTIONS; Deliberation Regarding City/EDC Real Estate Properties.

Commissioner Marco “Markie” Villegas motioned to enter executive session at 7:27 p.m. and was seconded by Commissioner Ernesto “Neto” Guajardo. Motion Passed (5-0)

VIII. RECONVENE

Commissioner Marco “Markie” Villegas motioned to reconvene at 7:59 p.m. and was seconded by Commissioner Adina “Dina” Santillan. 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 Meetings, Subchapter E, Procedures Relating to Closed Meeting 551, Requirements to Vote or Take Final Action in Open Meeting.

1. Pursuant to Section §551.071 CONSULTATION WITH ATTORNEY and Section §551.087, ECONOMIC NEGOTIONS; Deliberation Regarding City/EDC Real Estate Properties.

No action was taken.

IX. ADJOURNMENT

Commissioner Adina “Dina” Santillan motioned to adjourn at 7:59 p.m. and was seconded by Mayor Pro-Tem Mario Garza. Motion Passed (5-0)

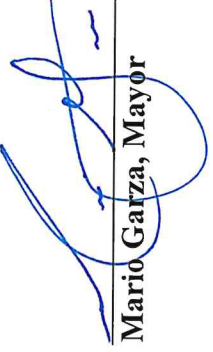
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ATTEST:



Brenda Escalante, City Secretary


Mario Garza, Mayor