

MINUTES OF REGULAR MEETING OF THE CITY OF SAN JUAN COMMISSION

DATE:

Tuesday, June 27, 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
Marco “Markie” Villegas, Mayor Pro-Tempore
Ernesto “Neto” Guajardo, Commissioner
Adina “Dina” Santillan, 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
Maria Beltran, Assistant Director of Finance
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, Interim Director of Utilities
Mary Enriquez, Court Administrator
Pat Karr, Director of Information Technology
Ruben Guajardo, Assistant Director of Parks & Recreation. PAL Director.

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: Lupe Chavez addressed several concerns brought to his attention, including audits, spending patterns, and inflation, all of which are producing systemic failures. Trenchless Solutions' Mario Salazar presented the city with a window-frame image collage showcasing their efforts, expressing gratitude for being given the opportunity to work with the city. This organization, according to City Manager Benjamin Arjona, is highly trustworthy and skilled in its job.

Jose A. Ortega, who resides at 215 E. 18th Street in the Las Flores Subdivision, asked the City Commission to look into the cart port requirement. Mayor Mario Garza stated that he informed Mr. Arjona of the situation and that someone will go out to his location tomorrow to investigate. He went on to clarify that they would handle the situation case by case.

V.

PRESENTATIONS

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

DISCUSSION: Commissioner Adina "Dina" Santillan inquired of Patrick Willingham, Director of Parks and Recreation, about the broken lighting at San Juan Municipal Park. Mr. Willingham stated that they had previously repaired the blown fuses and that they were now operational. Mayor Pro Tem Marco "Markie" Villegas asked Court Administrator Mary Enriquez how many judges the city has, to which Ms. Enriquez replied four, two of whom are volunteers. Mayor Pro Tem Villegas inquired about the quantity of court cases assigned to each judge. Ms. Enriquez stated that since COVID 19, every judge has done their arraignments independently. Mayor Mario Garza asked Interim Chief of Police Leandro Sifuentes whether they were already looking at National Night Out, to which Chief Sifuentes answered that he and Ruben Guajardo will be meeting to begin preparing the National Night Out. Mayor Garza suggested scheduling the event tours at the end of August, towards the start of the school year, so that other communities may join us.

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VI. PUBLIC HEARING/ ORDINANCES

- A. Hold a Public Hearing to Obtain Public Comment on the Proposed “Northside” Park Located off West Sioux Rd and Veterans Blvd, next to the City of San Juan Water Plant, to be Funded in Conjunction with the Texas Parks and Wildlife Local Parks Grant.

DISCUSSION: The following is the first of two public hearings required for Phase II of the Northside Park in conjunction with an application to the Texas Parks and Wildlife Local Parks Grant, according to Patrick Willingham, Director of Parks and Recreation. Mayor Mario Garza inquired whether this public hearing was for Phases I and II, to which Mr. Willingham responded that it was for Phase II because Phase I was already underway.

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

According to Lupe Chavez of South Pharr-Las Milpas, a grant for the Texas Wildlife Department, like state and federal programs, has stipulations that need a public hearing, which Mr. Willingham, Director of Parks and Recreation, completed today. Mr. Chavez stated that he is concerned about how the city allows the public to participate and that he has regularly requested a meeting with the City Manager and staff to discuss what he deems key issues. Mr. Chavez further stated that if he is unable to contact staff members owing to his position as a non-citizen, non-resident of the city, and vendor, he has a non-profit organization that will help them. Mr. Chavez indicated that he researched the municipal charter and believes he discovered that the city did not adhere to the city rules. A move to enable the individual to speak might have been made, but he believes the meeting minutes will be invalid since the city did not follow proper process. Furthermore, he added that the corporation that gave the city a gift, which he regarded illegal, Ricardo Palacios, the City Attorney, advised Mr. Chavez to limit his comments on the public hearing to a minimum, to which Mr. Chavez answered that his comments were about federal financing and whether the city was following its own processes. Mr. Palacios requested, for the second time, that his comments be kept for the agenda item, to which Mr. Chavez stated that when he contacts the state, he would inform them that the city broke their own charter in open meetings at the public hearing. Mr. Palacios asked Mr. Chavez if he had any other comments on the agenda item, to which Mr. Chavez responded that he was against due to the city's organizational structure. Mr. Chavez proceeded by mentioning the Pharr-San Juan-Alamo Independent School District partnership and information exchange. For the third time, Mr. Palacios asked Mr. Chavez to limit his comments to the item "Public Hearing Regarding Northside Park Located off West Sioux Rd. and Veterans Blvd. between the City of San Juan Water Plant Funded in Collaboration with Texas Parks and Wildlife." Mr. Chavez went on to add that if the process is not followed correctly, the city may lose funds. Mr. Palacios

informed Mr. Chavez that if he did not limit his comments to the agenda issue, he would request that he be removed from the meeting with the assistance of the Police Chief. Mr. Chavez stated that he would depart because of a misunderstanding.

Mayor Garza closed the Public Hearing at 6:25 p.m.

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

- B. Hold a Public Hearing for the Voluntary Annexation Petition of the Proposed Valley Ranch Subdivision No. 5, 6 and 7; Tract 1: being a 36.99-acre tract of land out of Lots 14 and 15, Stewarts Addition to the Conway Garden Subdivision and Tract 2: being a 3.03-acre tract of land out of Lot 14, Block 27, Alamo Land and Sugar Company's Subdivision, as Requested by Esponjas Development, LTD.

DISCUSSION: The planning department is reviewing a residential development at the southeast corner of Stewart and Hall Acres Road, according to Daniel Tijerina, Director of Planning. Furthermore, the City has a policy of annexing subdivisions that are reviewed and accepted within the city's ETJ. The City Commission passed Resolution 2023-20 on June 13, 2023, recognizing the petition for voluntary annexation and setting dates and times for public hearings. Mr. Tijerina noted that staff proposes that the first public hearing be approved.

Mayor Mario Garza opened the public hearing at 6:27 p.m.

Mayor Mario Garza closed the public hearing at 6:27 p.m.

Mayor Pro Tem Marco “Markie” Villegas made motion to approve and was seconded by Mayor Mario Garza. Motion Passed (4-0).

- C. Hold a Public Hearing for the Voluntary Annexation Petition of the Proposed La Cantera Subdivision, being a 33.774-acre tract of land out of Lots 34, 37 and 38, San Juan Hacienda Estates Unit No. 1, located at the Northeast corner of Nebraska and Hall Acres Road, as Requested by Espino Construction, LLC.

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DISCUSSION: The planning department is pursuing a residential development at the northeast corner of Nebraska and Hall Acres Road, according to Daniel Tijerina, Director of Planning. The City's policy is to annex subdivisions that have been reviewed and authorized within the city's ETJ. The City Commission passed Resolution 2023-17 on April 25, 2023, recognizing the petition for voluntary annexation, and setting dates and times for public hearings. He indicated that the first public hearing was held on June 13, 2023, and that this would be the second public hearing for the above-mentioned voluntary annexation.

Mayor Mario Garza opened the public hearing at 6:28 p.m.

Mayor Mario Garza closed the Public Hearing at 6:28 p.m.

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

- D. Hold a Public Hearing and Consider an Ordinance for a Rezoning Request from General Business District (C-2) to the Multi-Family Residence District (R-MF) of a 1.21-acre tract of land out of Lot 11, Block 6, John Clonser Subdivision, located approximately 600 feet West of Oblate Street along the North side of FM 495, as Requested by Rafael Mendoza.

Mayor Mario Garza made motion to untable the item and was seconded by Commissioner Ernesto “Neto” Guajardo. Motion Passes (4-0).

DISCUSSION: Daniel Tijerina, Director of Planning stated that he was on receipt of an email where the requestor is asking to withdraw his application.

No Action

- E. Hold a Public Hearing and Consider an Ordinance for a Rezoning Request from Single-Family Residence District (R-S) to Multi-Family Residence District (R-MF) of a 4.87-acre tract of land out of Lot 11, Block 6, John Clonser Subdivision, located approximately 600 feet West of Oblate Street along the North side of FM 495, as Requested by Rafael Mendoza.

Mayor Mario Garza made motion to untable the item and was seconded by Commissioner Adina “Dina” Santillan. Motion Passed (4-0).

DISCUSSION: Daniel Tijerina, Director of Planning, stated this land lies behind the applicant's purchase of a 6.36-acre plot along FM 495 to the west of the Rio Bank. The plan seeks to change the zoning of the property's back half from Single-Family Residence District (R-S) to Multi-Family Residence District (R-MF). Staff mailed a notice of the public hearing before the Planning and Zoning Commission to forty-eight (48) property owners within a 200-foot radius, and the Planning Commission convened a public hearing. Mr. Tijerina indicated that while staff recommended approval, the Planning and Zoning Commission recommended denial.

Mayor Mario Garza opened the public hearing at 6:31 p.m.

The applicant, Rafael Mendoza, stated that the decision to withdraw the original request was based on a study of the business route. Mr. Mendoza indicated that staff recommended approval since the project would provide significant tax income for the city. Because this project will have access to the major route, 495 FM, it will not affect traffic in the adjacent areas. The goal is to establish a full community in urban planning. The commercial portion would allow local firms to expand, while the residential properties would help these businesses grow. He added that the proposal is now only for rezoning and reminded them that this is a modest 13-lot development designed for a gated, one-story home high-end fourplex. Commissioner Adina “Dina” Santillan asked about the accessibility for the back residents. Mr. Tijerina stated that he presumes is an internal street coming off 495.

Mayor Mario Garza closed the public hearing at 6:37 p.m.

Commissioner Ernesto “Neto” Guajardo made motion to approve and was seconded by Mayor Mario Garza. Motion Passed (4-0).

- F. Hold a Public Hearing and Consider an Ordinance for a Rezoning Request from Manufacture Home District (R-MH) to a Multi-Family Residence District (R-MF) of a 54.72-acre tract of land out of Lot 1, Block 47, Alamo Land and Sugar Company's Subdivision, located at the Southeast corner of Owassa and Raul Longoria Road, as Requested by Mario Salinas.

DISCUSSION: Daniel Tijerina, Director of Planning, stated that this property is located at the southwest corner of Owassa and Raul Longoria Road, a total of 54.72 acres currently zoned Manufactured Home

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District (R-MH). The request is to rezone to a Multi-Family Residence District (R-MF). A public hearing was held before the planning and zoning commission. Staff mailed a notice of the public hearing before the Planning and Zoning Commission to forty-nine (49) property owners within a two hundred (200) foot radius and received no comments in favor or against the request. Mr. Tijerina stated that staff and the Planning and Zoning Commission recommended approval of the request.

Mayor Mario Garza opened the public hearing at 6:39 p.m.

Mayor Mario Garza closed the public hearing at 6:39 p.m.

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

VII. APPOINTMENTS

- A. Consider Appointment of One (1) Board Member to the San Juan Noche de Paz Pageant Board.

DISCUSSION: Brenda Escalante, City Secretary, stated that the San Juan Noche de Paz Pageant Board received five (5) new members at the City Commission meeting on May 31, 2023. Staff recommended that one (1) new member be nominated to replace recently appointed Rachel Molina, who declined the position.

Commissioner Adina “Dina” Santillan made motion to nominate Maribel Martinez and was seconded by Mayor Pro-Tem Marco “Markie” Villegas. Motion Passed (4-0).

- B. Consider Removal and Appointment of Board Members to the San Juan Housing Authority Board.

DISCUSSION: Mayor Mario Garza thank former Commissioner Fred Rodriguez and announce his resignation to the board. And as Mayoral appointment Mayor Garza appointed Juan Cadena Jr. to the San Juan Housing Authority.

VIII. DISCUSSION AND POSSIBLE ACTION ON ALL THE FOLLOWING MATTERS

- A. Preliminary and Final Plat Approval of the Valley Ranch Subdivision No. 5, being a 7.51-acre tract of land out of Lot 14, Stewarts Addition, located at the Southeast corner of Stewart and Hall Acres Road, as Requested by Quintanilla, Headley and Associates, Inc.

DISCUSSION: Daniel Tijerina, Director of Planning and Zoning, stated this item is for Valley Ranch No. 5, located at the Southeast corner of Stewart and Hall Acres Road. He is proposing a six-acre residential subdivision. The request was presented to the Planning and Zoning Commission. Water service will be provided by the Military Highway Water Supply Corporation. Sewer service will be provided by the City of San Juan. Additional fire hydrants shall be located every 500 feet from the existing fire hydrant. Water lines shall be looped to the 8-inch water line, as per San Juan Fire Department requirements. Mr. Tijerina stated staff recommended approval, and the Planning and Zoning Commission recommended approval with a (4-0-1).

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

- B. Preliminary and Final Plat Approval of the Valley Ranch Subdivision No. 6, being a 21.07-acre tract of land out of Lot 14, Stewarts Addition, located at the Southeast corner of Stewart and Hall Acres Road, as Requested by Quintanilla, Headley and Associates, Inc.

No Action

IX. CONTRACTUALS

- A. Discussion and Consideration to Approve an Agreement with Troy & Banks for Audit Services, Examine Relevant Accounting Data on Franchise/Tax from our Local Cable Provider.

No Action

X. CONSENT AGENDA

- A. Consider Second and Final Reading of an Ordinance for a Conditional Use Permit for the Sale of Alcoholic Beverages for On-Premise Consumption (BG – Wine and Beer Retailer’s Permit)

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at Guadalajara Express Restaurant located at 205 W. Nolana Avenue Suite 8, legally described as Lot 1, San Juan Plaza Subdivision, as Requested by Guadalajara Express Restaurant, LLC.

- B. Consider Second and Final Reading of an Ordinance for a Rezoning Request from Neighborhood Commercial District (C-1) to General Business District (C-2) of Lots 5, 6 and 7, Block 1, Granada Village Subdivision, as Requested by Camarillo Construction, LLC.
- C. Consider Second and Final Reading of an Ordinance for a Conditional Use Permit to Operate a Drive-Thru Business at 902 W. IH 2, legally described as Lot 3A, Re-plat of Lots 3 and 4, Texas National Subdivision, as Requested by Whataburger Restaurant.
- D. Consider Approval of the Budget Expenditure Report for the Month of May 2023.
- E. Consider Approval of the Tax Collection Report for the Month of May, 2023.
- F. Consider Approval of City Commission Meeting Minutes:
 - October 12, 2021
 - January 17, 2023

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

XI. EXECUTIVE SESSION

- 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 et seq., and 551.071 Consultation with Attorney.

- 1. Pursuant to Section §551.071, CONSULTATION WITH ATTORNEY; Discussion and Possible Action Regarding Legal Issues Concerning the Entertainment Agreement for Event to be held on September 30, 2023, Hosted by Keep San Juan Beautiful Board.

Commissioner Adina “Dina” Santillan made motion to enter into executive session at 6:49 p.m. and was seconded Mayor Pro Tem Marco “Markie” Villegas. Motion Passed (4-0).

XII. RECONVENE

Commissioner Ernesto “Neto” Guajardo made motion to reconvene at 7:11 p.m. and was seconded by Commissioner Adina “Dina” Santillan. Motion Passed (4-0).

- 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, Requirements to Vote or Take Final Action in Open Meeting.

- 1. Pursuant to Section §551.071, CONSULTATION WITH ATTORNEY; Discussion and Possible Action Regarding Legal Issues Concerning the Entertainment Agreement for Event to be held on September 30, 2023, Hosted by Keep San Juan Beautiful Board.

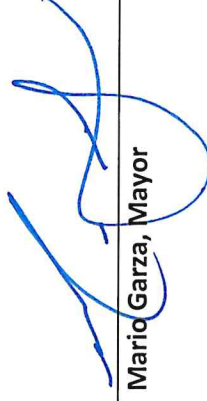
Mayor Mario Garza made motion to approve as discussed under executive session and was seconded by Commissioner Ernesto “Neto” Guajardo (4-0).

XIII. ADJOURNMENT

Commissioner Ernesto “Neto” Guajardo made motion to adjourn at 7:11 p.m. and was seconded by Commissioner Adina “Dina” Santillan. Motion Passed (4-0).

CITY OF SAN JUAN, TEXAS

ATTEST:


Mario Garza, Mayor

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Brenda Escalante, City Secretary