

MINUTES OF REGULAR MEETING OF THE CITY OF SAN JUAN COMMISSION

DATE:

Tuesday, September 26, 2023

TIME:

6:00 p.m.

PLACE:

San Juan Memorial Library
1010 S. Standard
San Juan, Texas 78589

MEMBERS PRESENT:

Mario Garza, Mayor
Marco “Markie” Villegas, Mayor Pro-Tempore
Leonardo “Lenny” Sanchez, Commissioner
Ernesto “Neto” Guajardo, Commissioner
Adina “Dina” Santillan, Commissioner
Criselda Palacios, City Attorney

STAFF PRESENT:

Benjamin Arjona, City Manager
Brenda Escalante, City Secretary
Tirso Garza, Fire Chief
Leandro Sifuentes, Chief of Police
Leroy Gonzalez, 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
Melissa Sanchez, Administrative Assistant III
Greg Trevino, Public Information Officer
Ruben Guajardo, Assistant Director of Parks & Recreation. PAL

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: There were no Public Comments.

V. PRESENTATIONS

A. Presentation on a Proclamation Proclaiming October 2023 as Manufacturing Month.

DISCUSSION: Commissioner Adina “Dina” Santillan read the proclamation proclaiming October 2023 as Manufacturing Month. Belinda Vargas with PSJA School District ISD stated that she is thankful and appreciated for the partnership that they have with the City of San Juan and added that they need a workforce so that they can bring more companies here in the area. The only way we can accomplish this is by supporting Manufacturing Day.

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

DISCUSSION: Commissioner Ernesto “Neto” Guajardo informed the community that today we had a ribbon cutting for Care Now Urgent Care, which is a clinic that provides residents with convenient and quality urgent care services. This urgent care clinic is located at the intersection of N. Veterans Blvd. and US-83 Frontage Rd., near Blue Wave Express Car Wash.

VI. APPOINTMENTS

A. Consideration and Action to Appoint, Re-appoint and/ or Remove Board Member(s) of the Keep San Juan Beautiful Board.

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DISCUSSION: Brenda Escalante, City Secretary, stated we received a resignation letter from Monica Leal from the Keep San Juan Beautiful Board, and at this moment, we are asking for consideration to appoint a new member to replace Monica Leal.

Mayor Pro Tem Marco “Markie” Villegas made motion to appoint Jaime Castillo and was seconded by Commissioner Ernesto “Neto” Guajardo. Motion Passed (5-0).

VII. PUBLIC HEARING/ ORDINANCES

- A. Hold a Public Hearing and Consider an Ordinance Regarding the Conditional Use Permit for the Sale of Alcoholic Beverages at “Carlitos Snacks and Drinks” Located at 205 W. Nolana Avenue, Suite 14, Legally Described as Lot 1, San Juan Plaza Subdivision, as Requested by Carlitos Snacks and Drinks, LLC.**

DISCUSSION: Daniel Tijerina, Director of Planning, stated this item is a conditional use permit to sell alcoholic beverages for off-premise consumption at the commercial plaza located in front of Delia’s Tamales on Nolana. The business is a snack shop that will sell prepared drinks. The property has two entrances along Nolana Avenue with plenty of parking. They will comply with the alcoholic beverages commission requirements as well as with our city ordinance. Mr. Tijerina added that they mailed out letters to property owners within a 200-foot radius, and they advertised in the newspaper as well. On August 30th, 2023, they had the public hearing before the Planning and Zoning Commission, and staff recommended approval.

Mayor Mario Garza opened the Public Hearing at 6:09 p.m.

Commissioner Adina “Dina” Santillan stated one of the requirements is that they have cameras. We have many businesses that are operating without the cameras when they supposed to. They need to be in compliance before they do receive the permit to open and we need to follow up with all of our previous businesses and make sure they’re in compliance. Commissioner Leonardo “Lenny” Sanchez asked Mr. Tijerina if we do an evaluation before issuing a permit. Mr. Tijerina responded what we do is that once the owner comes in and applies for an occupational license where three different inspections are made. One by the Fire Department, Health and Building and Code Enforcement. Mayor Mario Garza asked if they go to current businesses to make sure that they are in compliance to which Mr. Tijerina responded yes.

Mayor Mario Garza closed the Public Hearing at 6:11 P.M

Commissioner Adina “Dina” Santillan made motion to approve and was seconded by Mayor Pro Tem Marco “Markie” Villegas. Motion Passed (5-0).

- B. Hold a Public Hearing and Consider an Ordinance Regarding the Conditional Use Permit for the Sale of Alcoholic Beverages (Wine and Beer) for On-Premise Consumption at “Tremendoz Drive-Thru” Located at 2201 N. Cesar Chavez Road, Legally Described as Lot 1, C&B Subdivision, as Requested by Tremendoz Drive Thru, LLC.**

DISCUSSION: Daniel Tijerina stated this is a conditional use permit for an existing facility, Tremendoz Drive Thru, which has been in operation since 2017. They’re applying for an on-premise consumption permit to allow them to open a wine and beer store to add to their products. They will be preparing a variety of mixed drinks to go on site, but the TABC requires that they obtain this license. He added that they sent out notices to property owners, which they published in the newspaper. They had a public hearing before the Planning and Zoning Board, and staff recommended approval subject to the conditions outlined in the ordinance.

Mayor Mario Garza opened the Public Hearing at 6:12 p.m.

Mayor Mario Garza closed the Public Hearing at 6:13 p.m.

Commissioner Leonardo “Lenny” Sanchez made motion to approved and was seconded by Commissioner Ernesto “Neto” Guajardo. Motion Passed (5-0).

- C. Hold a Public Hearing and Consider an Ordinance Regarding the Conditional Use Permit to Operate a Group Home Child Daycare at 202 E. 14 1/2 Street, Legally Described as Lot 22, Lincoln Heights Subdivision, as Requested by Xochitl Rodriguez.**

DISCUSSION: Daniel Tijerina, Director of Planning, stated this is a conditional use permit for a child care facility in a residential area. The lot size is about 6,050 square feet, and the house is about a little over a thousand square feet. The proposed hours of operation are Monday through Friday, from 7:15 a.m. to 5:30 p.m. They mailed out notices to 35 property owners within a 200-foot radius and received three emails against the request due to the additional traffic that might come in. Mr. Tijerina stated that after speaking to Ms. Rodriguez, it would only be her mother and herself, and she would be in compliance with state requirements. He stated that both staff and the Planning and Zoning Commission recommended approval. Commissioner Adina “Dina” Santillan asked Mr. Tijerina what we should do in regards to the traffic concerns. Mr. Tijerina responded that he doesn’t see any issues regarding traffic since it’s only a service that they are providing to the neighborhood and not a drop-off or pick-up service. Commissioner Santillan recommended having a speed awareness sign for the drivers. Xochitl Rodriguez, the applicant, mentioned that they were licensed to take only 3–4 kids and therefore would only be expecting one or two parents.

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Mayor Mario Garza opened the Public Hearing at 6:15 p.m.

Mayor Mario Garza closed the Public Hearing at 6:19 p.m.

Commissioner Ernesto “Neto” Guajardo made motion to approve and was seconded by Commissioner Adina “Dina” Sanllan. Motion Passed (5-0).

- D. Hold a Public Hearing and Consider an Ordinance Regarding a Rezoning Request from Single-Family Residence District (R-S) to Institutional District (IN) at 1212 S. Wyoming Avenue, Legally Described as Lots 23-26, Block I, L.F. Moore Subdivision, Block I, as Requested by Jesus Ramirez.**

DISCUSSION: Daniel Tijerina stated Mr. Ramirez is requesting a rezoning of his two-lot property at 12th Street and Wyoming Avenue for institutional use. The property has two entrances and exits along Wyoming Road, and the surrounding properties are residential. Mr. Tijerina mentioned the activities that are allowed in the institutional district, which are: public and private schools, community or other civic buildings, including museums, libraries, and auditoriums; institutions of an educational, charitable, or philanthropic nature, but not penal or mental institutions; nursing homes; or convalescent homes. Mr. Tijerina stated they mailed out letters to 27 property owners within a 200-foot radius and received no comments in favor or against. Staff is recommending denial of the rezoning request.

Mayor Mario Garza opened the Public Hearing at 6:21 p.m.

Maria Rios stated she lives behind Mr. Ramirez's house, and the reason she's against this rezoning request is because the street is too narrow and the cars have no space to go in and out. The canal is also too close, and it's not safe. Della Alvarez, who lives close to Mr. Ramirez's house, stated that the street is not going to change due to conflict between the county and the city and added that it's not going to work out very well due to safety issues and additional traffic, she recommended denial of request. Mayor Mario Garza asked if Mr. Ramirez was present, to which Mr. Tijerina responded that he was contacted and was not present at the Planning and Zoning Commission Meeting either, and there's speculation as to what his plans are. Mayor Garza stated he needed more information in reference to the request. Mayor Pro Tem Marco "Markie" Villegas inquired about any challenges with emergency services, to which Tirso Garza, Fire Chief, responded that they had issues but assured them that in the event of an emergency, they would get in.

Mayor Mario Garza closed the Public Hearing at 6:27 p.m.

Benjamin Arjona, City Manager, suggested meeting with Mr. Ramirez for further clarification. He is aware that Mr. Ramirez intends to establish an institution for children with special needs that teaches them life skills, but this is clearly merely a rezoning request. Mr. Arjona pointed out that there is no issue between the county and the city, but the road is not owned by the city.

Mayor Mario Garza made motion to table this item and was seconded by Mayor Pro Tem Marco "Markie" Villegas. Motion Passed (5-0).

- E. Hold a Public Hearing and Consider an Ordinance Regarding a Rezoning Request from Single-Family Residence District (R-S) to Multi-Family Residence District (R-MF) at the Property Legally Described as 7.47-acre Tract of Land out of Lot 4, Block 39, Alamo Land and Sugar Company, as Requested by Gerardo Mireles.**

DISCUSSION: According to Daniel Tijerina, Director of Planning, this is a 7.47-acre parcel of property that the applicant has requested rezoning from single family to multifamily. The property has two entrances on Sioux Road, and the adjacent uses include a mix of mobile home parks and residential areas. The projected land use map designates this site as residential, which covers both single-family townhouses and multi-family uses. The subdivision plat will be requested before any changes may be made to the land. Mr. Tijerina added his staff mailed 13 notifications to property owners within a 200-foot radius and advertised the request in the newspaper. There were no comments in favor of or against the request. The Planning and Zoning Commission and staff recommended

Mayor Mario Garza opened the Public Hearing at 6:32 p.m.

Alfonso Guzman from Trimad Engineers claimed that he was representing Mr. Mireles and was available to answer any questions they may have. Mr. Guzman mentioned that they are attempting to develop this property, which is now unoccupied, by converting 16-18 multifamily lots into apartments.

Mayor Mario Garza closed the Public Hearing at 6:34 p.m.

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

- F. Hold a second and final public hearing and consider the ordinance adopting the budget for the City of San Juan, Texas, for the fiscal year beginning October 1, 2023, and ending September 30, 2024.**

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DISCUSSION: Leroy Gonzales, Director of Finance stated the budget process was initiated by the Department of Finance on April 17, 2023. The 2023-2024 budget preparation included one on one budget sessions with each department director on June 22, 2023 and June 24, 2023 to present the departments recommendations. Two budget workshops with the City Commission were held on August 24, 2023 and August 26, 2023 to present and discuss the proposed budget. This budget includes the following recommendation which are highlighted on their packets and stated this was the second and final public hearing.

Mayor Mario Garza opened the Public Hearing at 6:35 p.m.

Commissioner Adina “Dina” Santillan asked if we were going to stick to the 4% raise because she knows that Mayor Mario Garza wanted to budget for 5% at the last meeting. Mr. Gonzales responded that we are sticking to 4%. Mayor Garza stated for the record he mentioned 6% and will settle for 5% and hopes that we can at least come to terms, and whatever gets approved tonight will be increased next year. Benjamin Arjona, City Manager, stated that one of the things they’ve been looking into is different ways to make it happen. He acknowledged that things are tight; however, there’s a lot of businesses coming in, and hopefully by next year the city will be in a different position. Furthermore, after six months of expenditures, 5% will take us under, so that’s the reason of their 4% recommendation. Mayor Pro Tem Marco “Markie” Villegas stated that one of their priorities for next year will be to get a higher percentage. Commissioner Santillan asked if, with the 4% pay raise, we would have wiggle room to possibly do a one-time Christmas bonus to our staff of \$150. Mr. Gonzales responded, yes, it’s doable. Mr. Arjona stated that going from 4% to 5%, we are looking at about \$48,000 almost \$50,000 more. If we do the \$150.00 in the general fund, we are looking at \$13,000 more. So, it is either \$13,000 or \$48,000. Mayor Garza stated that 4% is not enough for our employees and that they deserve more due to the hard work that they do. Commissioner Leonardo “Lenny” Sanchez made a recommendation for 5%. Mayor Garza stated that by next year things will get better, and he strongly believes that the employees deserve every single percentage.

Mayor Mario Garza closed the Public Hearing at 6:43 p.m.

Commissioner Leonardo “Lenny” Sanchez made a motion to approve the ordinance adopting the budget with a 5% cost of living increase, and was seconded by Mayor Pro Tem Marco “Markie” Villegas. Motion Passed (5-0).

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

- A. Preliminary and Final Plat Approval of the Stewart Coves Phase I Subdivision being a 20.449-acre tract of land out of Lot 1 and 6, Stewart Addition to the Conway Gardens, located at the Northwest Corner of Moore and Stewart Road, as Requested by Melden & Hunt, Inc.

DISCUSSION: Daniel Tijerina, Director of Planning, stated that this is a development they’ve been looking at for a while. Mike Rhodes is the developer, and Melden & Hunt is the engineer for this project. The developer is proposing to subdivide a 20.449-acre tract of land into 95 residential lots with one entrance and one exit along Steward Road. The subdivision is located in a zone “B” area, which is an area of minimal flooding or no flooding as per FEMA maps. Water and sewer services will be provided by the City of San Juan and all their comments have already been incorporated into this plat. Mr. Tijerina stated that staff recommended approval of the preliminary and final plan for the Stewart Coves Phase I subdivision.

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

- B. Preliminary and Final Plat Approval of the Royal Heights Subdivision Being a 10.280-acre Tract of Land out of Lot 2, Block 31, Alamo Land and Sugar Company’s Subdivision, Located Approximately 0.15 miles South of Sam Houston Boulevard, Along the East side of Stewart Road, as Requested by Melden and Hunt, Inc.

DISCUSSION: Daniel Tijerina, Director of Planning, stated the development is on 10.28 acres of land located south of Sorensen Elementary School. They’re proposing 31 residential lots with an entrance and exit onto Steward Road. The proposed subdivision is a flood zone B. Furthermore, all their concerns had been addressed; therefore, staff and the Planning and Zoning Commission recommended approval of the preliminary and final approval of the Royal Heights subdivision.

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

- C. Consideration and Action Regarding Lift Station #19 Emergency Repair Change Order #1 in the Amount of \$69,126.00.

DISCUSSION: Juan Carlos Martinez, Interim Director of Utilities, stated Construct-Assurance LLC is requesting a change order in the amount of \$69,126.00 made to the original proposal for additional bypass pumping. This change will cover the time period of material procurement. Initially, pump bases were ordered as per As Build Plan Design (Grundfos Pumps), which was different from Field Equipment (Flygt Pumps). During the repair, it was determined that it was necessary to replace some electrical components in order for the pumps to operate. Mr. Martinez recommended approval. Commissioner Leonardo “Lenny” Sanchez asked what the prior amount was, to which Mr. Martinez responded that it was \$122,390.20.

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

IX. CONTRACTUALS

- A. Consideration and Action to Approve the Reimbursement Contract Between the City of San Juan and OC Development, LTD. Regarding the Subdivision Improvements at the Valley Ranch Subdivision.

DISCUSSION: Daniel Tijerina, Director of Planning, stated this is a reimbursement agreement between the City of Juan and OC Development LTD, Eddie Cantu. It's for the improvements built at Valley Ranch Subdivision for the lift station. With this agreement, any individual that wants to extend the improvements to their properties must participate in the original cost by reimbursing the developer through the city within 25 years of the completion of the improvements, subject to a 15% administrative fee retained by the city or payment to the City of San Juan. Anyone who owns property there and wants to develop it will have to pay \$2,123.09 per acre to Mr. Eddie Cantu. The developer constructed a lift station for a total cost of \$278,878. The Planning and Zoning Commission and staff reviewed the contract and both recommended approval of the reimbursement contract.

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

X. RESOLUTIONS

- A. Consideration and Action on a Resolution to Approve the Waterline Access Agreement Between the North Alamo Water Supply Corporation, the City of San Juan and McDonald's Real Estate Company.

DISCUSSION: Benjamin Arjona, City Manager, stated this is a standard agreement to connect with North Alamo Water Supply Corporation for McDonald's. Daniel Tijerina, Director of Planning, stated this agreement is for the new McDonald's that is under construction at the northeast corner of Raul Longoria and Nolana. It's an agreement that we take between the North Alamo Water Supply Corporation and the City of San Juan. Mayor Garza inquired as to how long the institution will take to finish, to which Mr. Tijerina said that they are progressing quickly, therefore it would take four months.

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

- B. Consideration and Action on a Resolution Regarding the Nomination of Candidate(s) for the Hidalgo County Appraisal District Board of Directors 2024-2025.

DISCUSSION: Benjamin Arjona, City Manager, stated this is for the nomination of the Hidalgo County Appraisal District Board of Directors for 2024–2025. Ricardo Palacios, City Attorney, stated this is not the assignment of votes; this is just for nominations.

Mayor Mario Garza made motion to make no nominations at this time and was seconded by Commissioner Adina “Dina” Santillan. Motion Passed (5-0).

XI. CONSENT AGENDA

- A. Consider Second and Final Reading of an Ordinance to Amend Chapter 4 Business Regulations of the City of San Juan's Code of Ordinance by Adding Article 4.13 Amusement Redemption Machines to Ban Use and Operation of Such Amusement Redemption Machines; Providing for Effective Date; Providing for Publication; Providing for Codification; Providing for Severability Clause; and Providing for a Repealer Clause.

- B. Consider Approval of the Tax Collection Report for the Month of August 2023.

Commissioner Adina “Dina” Santillan made motion to approve and was seconded by Mayor Pro Tem Marco “Markie” Villegas. Motion Passed (5-0).

XII. 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 §551.0714 PERSONNEL MATTERS: Discuss the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline or Dismissal of a Public Officer or Employee (Interim Chief of Police).

Interim Chief Leandro Sifuentes asked and gave his consent to hold and discuss this item publicly. Mayor Mario Garza made a motion to enter the executive session at 6:56 p.m.

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DISCUSSION: Benjamin Arjona, City Manager, stated Leandro Sifuentes, Interim Chief of Police, has been doing an excellent job for our community and would like to recommend him as the Chief of Police. Commissioner Adina “Dina” Santillan stated that since Mr. Sifuentes became Interim Chief, they’ve seen the department grow. He also helped create the bike patrol, which the community really appreciates. He has an open-door policy and notices the positive interactions he has with his staff as well as his professionalism. Mayor Pro Tem Marco “Markie” Villegas stated that they haven’t had any disputes and believe that he perfectly fits for the job. Mr. Leandro Sifuentes, Interim Chief of Police, stated he wanted to thank God for the opportunity, and regardless of their decision today, he’s goal is to continue with his responsibilities’ serving the community and protecting the officers. Commissioner Leonardo “Lenny” Sanchez stated that ever since he met Mr. Sifuentes, he noticed something special about him. He sees the support he receives from his officers and staff. Commissioner Santillan added that great leaders lead by example; they don’t sit behind a desk waiting for things to happen. She sees him out there with the rest of his team, and that speaks volumes about the leadership qualities that he has. Commissioner Ernesto “Neto” Guajardo stated that he notices that the officers have positive attitudes and want to come to work due to the positive morale the Chief has created. Mayor Mario Garza stated that one thing he knew once he joined the City Commission was that he always wanted law enforcement to be very community-oriented, and that’s exactly what Mr. Sifuentes has accomplished.

XIII. RECONVENE

Mayor Mario Garza made motion to reconvene at 7:04 p.m. and was seconded by Mayor Pro Tem Marco “Markie” Villegas. 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 Meetings, and Requirements to Vote or Take Final Action in Open Meeting.

1. Pursuant to Section §551.0714 PERSONNEL MATTERS: Discuss the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline or Dismissal of a Public Officer or Employee.

Commissioner Adina “Dina” Santillan made motion as recommended by Benjamin Arjona, City Manager to appoint Leandro Sifuentes as the Chief of Police for the City of San Juan, was seconded by Mayor Pro Tem Marco “Markie” Villegas. Motion Passed (5-0).

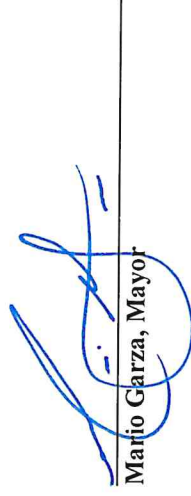
XIV. ADJOURNMENT

Commissioner Leonardo “Lenny” Sanchez made motion to adjourn at 7:05 p.m. and was seconded by Commissioner Ernesto “Neto” Guajardo. Motion Passed (5-0).

CITY OF SAN JUAN, TEXAS

ATTEST:


Brenda Escalante, City Secretary


Mario Garza, Mayor