

MINUTES OF REGULAR MEETING OF THE CITY OF SAN JUAN COMMISSION

DATE:

Tuesday, April 25, 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
Mayor Pro – Tempore Leonardo “Lenny” Sanchez
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, Interim 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:

There were no comments.

V. PRESENTATIONS

A. Presentation on a Proclamation Expressing Gratitude for the Work of Juanita Valdez-Cox.

DISCUSSION: In reading the proclamation, Mayor Mario Garza expressed appreciation for Juanita Valdez-Cox's work. In addition to thanking the City Commission for the honor, Mrs. Cox provided historical details on L.U.P.E. Tania Chavez, the recently appointed Executive Director, was presented by Mrs. Cox. Mrs. Cox inquired as to whether it could be possible to designate the current L.U.P.E. property as a historical site soon after the organization's main office relocate to their new facility.

B. Presentation on a Proclamation Recognizing Guadalupe F. Rojas, Jr. for 44 Years of Service with the City of San Juan Fire Department.

DISCUSSION: Commissioner Marco “Markie” Villegas read the proclamation recognizing Guadalupe F. Rojas for his 44 years of service with the City of San Juan Fire Department. Mr.

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Rojas thanked the City Commission for his recognition. The City Commission thanked Mr. Rojas for his years of service.

C. Presentation to Recognize the PSJA Lady Bears Golf Team for their District 31-6A Golf Championship.

DISCUSSION: Coach Javier Martinez recognized the PSJA Lady Bears Golf Team for winning the District 31-6A Golf Championship and moved forward to introduce the Lady Bears players. The City Commission congratulated the Lady Bears Golf Team on their championship.

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, stated that the Utilities Department competed in the 2023 Texas Water Hysteria Contest, where they came out in 3rd place with a time of 1 minute and 44 seconds. Mayor Mario Garza asked Juan Carlos Martinez, Interim Director of Utilities, how much practice he put in to hit the 1:44 minute mark. Mr. Martinez replied for about 2 months, an hour a day. Commissioner Ernesto "Neto" Guajardo praised Israel Garza, Director of Sanitation, for the drainage improvements. Mayor Garza asked Mr. Arjona for an update on the grapppler order, to which Mr. Arjona replied that currently they are working on an FA. Mayor Garza asked Israel Garza, Director of Sanitation, how long the orders were taking. Mr. Garza stated that the order is taking anywhere from 8 to 10 months.

VI. PUBLIC HEARING/ORDINANCES

A. Hold a Public Hearing and Consider an Ordinance for a Conditional Use Permit to Allow a Mobile Food Court and the Sale of Alcoholic Beverages (wine and beer) for On-Premise Consumption at 232 E. Business Highway 83, Legally Described as Lettered Blocks (San Juan) Lot 1, Block B, as Requested by Marivel Salinas. [Daniel Tijerina, Director of Planning]

DISCUSSION: MOBILE FOOD COURT: Daniel Tijerina, Director of Planning, stated that on February 28, 2023, the San Juan City Commission Meeting approved Ordinance 2023-04, which allows food trucks only inside a mobile food court through a conditional use permit. Furthermore, the first applicant is proposing a mobile food court at the southwest corner of Iowa and Business 83, behind Cheers Wine and Liquor, and the sale of alcoholic beverages for on-premise consumption. She is proposing to have nineteen (19) food truck spaces, a stage, a seating area, restrooms, a bar, and additional parking along the west side of the property. (See attached site plan.) Staff mailed a notice of the public hearing before the Planning and Zoning Commission to nine (9) property owners within a two hundred (200) foot radius and received no comments in favor or against the request. Mr. Tijerina stated that staff is recommending approval of this request.

Mayor Mario Garza opened the public hearing at 6:51 p.m.

Frank Gortarez, the developer for the mentioned project, stated he was for the project as he believed it would benefit the city. When Commissioner Adina "Dina" Santillan asked about the pavement requirements, Mr. Tijerina mentioned that it would be a combination of green areas and caliche spaces. As per the ordinance, the food trucks must be on a paved surface. Mr. Gortarez stated that the proposed food truck, seating area, and stage will be paved.

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

Mayor Mario Garza motion to approve and was seconded by Mayor Pro Tem Leonardo "Lenny" Sanchez. Motion Passed (5-0)

B. Hold a Public Hearing and Consider an Ordinance for a Conditional Use Permit for Mixed Beverages and Late Hours Permit at 901 W. 1st Street, Suite I-Space #2,

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Legally Described as Lot 3, B.T. No. 1 Subdivision, as Requested by Rod Squad, LLC. [Daniel Tijerina, Director of Planning]

DISCUSSION: A catering business called Rod Squad, LLC, whose director of planning is Daniel Tijerina, is moving their office from McAllen to San Juan. They want to use this space as a meeting place for prospective clients. They sell and serve alcoholic drinks as part of their catering services. They will be submitting a change of address form to the Texas Alcoholic Beverage Commission (TABC) in addition to their current mixed beverage permit with the City of McAllen. Alcohol storage is required by TABC, and neither drinking nor buying is permitted on the property. From 9:00 a.m. to 5:00 p.m., Monday through Friday, the business is open. For transportation, a Late Hours (LT) Permit is also necessary until 2:00 a.m. A notice of the public hearing before the Planning and Zoning Commission was mailed by staff to thirteen (13) property owners within a 200-foot radius, but no responses in favor or against to the request were received. According to Mr. Tijerina, the Planning and Zoning Commission and staff both suggest that this request be approved.

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

Leo Pedraza clarified that he is only renting a home bases office, no sales, no food, no cooking. Mr. Rodriguez stated that the rental of this space is for TABC purposes.

Mayor Mario Garza closed the public hearing at 6:57 p.m.

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

- C. Hold a Public Hearing and Consider an Ordinance Classifying Property Described as Being a 1.59 Acre Tract (69,270.55 Sq. Ft.) Tract of Land Being out of that Certain 5.85 Acre Tract out of the Southwesterly Portion, more or less, out of Lot 8, Block 35, Alamo Land and Sugar Company, Hidalgo County, Texas as "Surplus" Property and Authorizing the Transfer of that Certain Property to the San Juan Economic Development Corporation for no less than the Fair Market Value, Plus any and all Closing Costs; Providing for Codification; Providing for Severability; Providing for a Repealer Clause; and Ordaining all other Provisions Related to the Subject Matter Hereof.

DISCUSSION: Benjamin Arjona, City Manager stated that this item he would like to discuss it after executive session.

Mayor Mario Garza opened the public hearing at 8:07 p.m.

Mayor Mario Garza closed the public hearing at 8:07 p.m.

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

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

- A. Preliminary and Final Plat Approval of the Arctic Ice I Subdivision Being a 4.74-Acre Tract of Land out of the South 5.00 Acre Tract of the West 14.18 Acres of the South 26.80 acres of Lot 15, Block 6, John Closner Subdivision, as Requested by SAMEs Engineering and Surveying. [Daniel Tijerina, Director of Planning]

DISCUSSION: According to Daniel Tijerina, Director of Planning, the upcoming development is excellent news for the community as the developer plans to divide a 4.75-acre parcel of land close to the park that has been rezoned as light industry. Additionally, SAMEs Engineering was hired to develop the one-lot subdivision. However, because of the 20-foot right-of-way and the 30-foot irrigation easement that already exists, SAMEs Engineering is requesting a variance on the 15-foot utility easement that surrounds the subdivision and instead proposes leaving a 10-foot utility easement. The Planning and Zoning Commission and staff recommended that this request be approved. Mayor Mario Garza asked for data obtained from the railroad commission regarding whether they had been contacted by the city and their viewpoint. They had, per Mr. Tijerina, and they were.

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

- B. Consider Approval of a Mid-Year Budget Amendment to Increase the General Fund \$1,020,416, Utility Fund to \$696,967, Solid Waste \$53,965, and Stormwater Fund \$15,765 for Fiscal Year 2022-2023. [Leroy Gonzales, Director of Finance]

DISCUSSION: Leroy Gonzalez, Director of Finance, stated this budget amendment was made to pay for expenditures, such as those incurred by the EMS, pay raises with the 8% and other line items, such as appraisals. Mr. Gonzales stated that he is raising it to \$469,000 to cover expenses until September 30.

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

- C. Discussion and Possible Action to Contract TRIMAD Consultants, LLC. to provide Engineering Services for Sgt. Leonel Trevino Sanitary Sewer Improvements. [Juan C. Martinez, Interim Director of Utilities]

DISCUSSION: Benjamin Arjona, City Manager, stated that this project will re-route the Sanitary Sewer Force Main from East Gonzalez Drive to a larger line along E. Sgt. Leonel Trevino to better serve the residents of the City of San Juan. Since TRIMAD Consultants, LLC. is the second engineer on the rotation, they will be using their services; money for this project is provided by the American Rescue Plan (ARP) monies.

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

XII. RESOLUTION

- A. Consider Resolution to Approve a Waterline Access Agreement Between the North Alamo Water Supply Corporation, the City of San Juan and Taylors Ridge, LP. at the Oak Ridge Estates Subdivision. [Daniel Tijerina, Director of Planning]

DISCUSSION: The North Alamo Water Supply Corporation requires this agreement calls to be done formally, according to Benjamin Arjona, City Manager.

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

- B. Consider Resolution to Approve Waterline Access Agreement Between the North Alamo Water Supply Corporation, the City of San Juan and Omar Israel Rios at the Black Hills Subdivision. [Daniel Tijerina, Director of Planning]

DISCUSSION: The North Alamo Water Supply Corporation requires this agreement calls to be done formally, according to Benjamin Arjona, City Manager.

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

- C. Consideration and Action on a Resolution Accepting a Voluntary Annexation Petition, Setting Dates and Times of Public Hearings and Directing the Planning Department to Prepare a Service Plan at 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 Melden and Hunt, Inc. [Daniel Tijerina, Director of Planning]

DISCUSSION: Daniel Tijerina, Director of Planning, stated the property owner of the subject property had submitted a petition for the voluntary annexation petition to the City of San Juan. Annexation of this property was being undertaken in accordance with the provisions of the Texas Local Government Code, Chapter 43, Municipal Annexation, Section 43.028, and the City Charter. Mr. Tijerina stated that staff recommended the adoption of a resolution to accept the petition for voluntary annexation for the proposed La Cantera subdivision.

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

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XIII. CONSENT AGENDA

- A. Consider Second and Final Reading of an Ordinance for a Rezoning Request from Single-Family Residence District (R-S) to Multi-Family Residence District (R-MF) of the 3.24-Acre Tract of Land out of the South 5.00 Acre Tract of Lot 16, Block 8, John Clossner Subdivision, as Requested by Javier A. Pena. [Daniel Tijerina, Director of Planning]
- B. Consider Second and Final Reading of an Ordinance for the Voluntary Annexation Petition of the Stewart Coves Subdivision, which is 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 Joyce E. Soulek Living Trust. [Daniel Tijerina, Director of Planning]
- C. Consider Approval of the Investment Report for the Quarter Ending March 31, 2023. [Leroy Gonzales, Director of Finance]
- D. Consider Approval of the Budget Expenditure Report for the Month of March 31, 2023. [Leroy Gonzales, Director of Finance]

Mayor Pro-Tem Leonardo “Lenny” Sanchez made motion to approve all items under consent agenda and was seconded by Commissioner Ernesto “Neto” Guajardo. Motion Passed (5-0).

Mayor Mario Garza congratulated the Keep San Juan Beautiful Board for Saturday’s Earth Day event.

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 §551.071 Consultation with Attorney and Section §551.087, ECONOMIC NEGOTIATIONS; Deliberation Regarding City Real Estate Properties.

2. Pursuant to Section §551.072 of the Texas Government Code (Real Estate Matters) and §551.071 of the Texas Government Code (Consultation with Attorney), Discussion and Possible Action Regarding a Possible Transfer of Property to the San Juan Economic Development Corporation (EDC), Legal Description of a 1.59-Acre Tract of Land out of Lot 8, Block 35, Alamo Land and Sugar Company.

3. Pursuant to section §551.071, Consultation with Attorney Regarding Legal Issues on City Records.

Mayor Pro Tem Leonardo “Lenny” Sanchez made motion to enter executive session at 7:09 p.m. and was seconded by Commissioner Marco “Markie” Villegas. Motion passed (5-0)

XIII. RECONVENE

Commissioner Ernesto “Neto” Guajardo made motion to reconvene at 7:42 p.m. and was seconded by Mayor Mario Garza. 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 NEGOTIATIONS; Deliberation Regarding City Real Estate Properties.

Commissioner Marco “Markie” Villegas made motion to move forward as discussed under executive session and was seconded by Commissioner Ernesto “Neto” Guajardo. Motion Passed (4-0)

2. Pursuant to Section §551.072 of the Texas Government Code (Real Estate Matters) and §551.071 of the Texas Government Code (Consultation with

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Attorney), Discussion and Possible Action Regarding a Possible Transfer of Property to the San Juan Economic Development Corporation (EDC), Legal Description of a 1.59-Acre Tract of Land out of Lot 8, Block 35, Alamo Land and Sugar Company.

Mayor Mario Garza made motion to move forward as discussed under executive session and was seconded by Commissioner Ernesto "Neto" Guajardo. Motion Passed (4-0)

3. Pursuant to section §551.071, Consultation with Attorney Regarding Legal Issues on City Records.

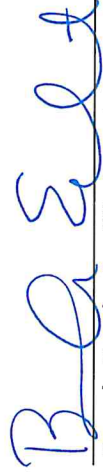
No Action was taken.

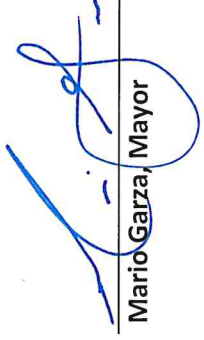
XIV. ADJOURNMENT

Commissioner Marco "Markie" Villegas made motion to adjourn at 8:08 p.m. and was seconded by Commissioner Ernesto "Neto" Guajardo. Motion passed. (4-0)

CITY OF SAN JUAN, TEXAS

ATTEST:


Brenda Escalante, City Secretary


Mario Garza, Mayor