

MINUTES OF REGULAR MEETING OF THE CITY OF SAN JUAN COMMISSION

DATE: Tuesday, October 12, 2021

TIME: 6:00 p.m.

PLACE: San Juan Memorial Library
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
Diana Cavazos, City Secretary
Tirso Garza, Fire Chief
Ruben Morin, Chief of Police
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
David Salinas, 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 6:00P.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:** There were no comments from the public.

DISCUSSION: Commissioner Ernesto "Neto" Guajardo thanked Chief of Police, Ruben Morin for having a wonderful ceremony that was followed to the cemetery during his brother-in-law funeral service. He also thanked everyone for all the condolences and birthday wishes that he received. Commissioner Guajardo thanked Mr. Patrick Willingham and Mr. Ruben Guajardo for the use of the tent for the Jamaica and apologized for any inconvenience. He also thanked the City of Pharr because they lent them a small tent that was able to be used to have a bingo, and they also lent us their trailer stage. Commissioner Marco "Markie" Villegas thanked Chief Morin for the escort drive that they had with horses. He stated he received a lot of calls and compliments.

- V. **PRESENTATIONS:**
 - A. **Presentation on Department Reports: Department of Planning and Zoning, Department of Parks and Recreation, San Juan Memorial Library and Department of Sanitation.**

DISCUSSION: Commissioner Adina "Dina" Santillan asked Patrick Willingham, Director of Parks & Recreation, if he was able to find all the volunteer coaches that he was asking for, to which Mr. Willingham responded that technically the coaches are filled since he has staff that are coaching. Commissioner Ernesto "Neto" Guajardo asked if the coaches were also for football, to which Mr. Willingham responded yes. Commissioner Marco "Markie" Villegas mentioned to Roel Garza, Director of Sanitation/Public Works, that during the Waste Management Conference, he met with vendors and was considering attending some of the sessions to investigate how we can help our citizens and see what the vendors have to offer. Benjamin Arjona, City Manager, responded that they will provide him with a cost analysis and discussed it as a whole commission as to what will be best for the city.

- VI. **PUBLIC HEARING/ ORDINANCES**

**CITY OF SAN JUAN
CITY COMMISSION MEETING
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- A. Hold a Public Hearing for a 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 Steward Road, as per map recorded in Volume 1, Pages 24 thru 26, Map Records, Hidalgo County, Texas, as Requested by 193 S. Heathwood Drive.**

DISCUSSION: Monica Gomez, Interim Director of Planning and Zoning, stated this is the first public hearing for a voluntary annexation petition submitted by Heathwood Drive. It is a 10-acre tract located south of Sorenson Elementary along Steward Road. Furthermore, they are proposing a residential subdivision, and part of the property is located outside the city limits of San Juan ETJ. On September 14, 2021, the City Commission accepted the petition and approved resolution number 21-21. A copy of the voluntary annexation petition and a location map are attached to your packet for your reference.

Mayor Mario Garza opened the public hearing at 6:07 p.m.

Mayor Garza closed the public hearing at 6:07 p.m.

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

- B. Hold a Public Hearing for a Rezoning Request from Single Family Residence District (RS) to Heavy Commercial District (C3) for property located at 504 W. Sioux Road, legally described as the 5.00-acre tract of land out of the West 165 feet, of the East 463 feet of Lot 9, Block 6, John Closner Subdivision, located approximately a half of a mile West of Raul Longoria Road, along the North side of Sioux Road, as Requested by Saul Salinas.**

DISCUSSION: Monica Gomez, Interim Director of Planning and Zoning, stated this is a public hearing for a rezoning request from single family to heavy commercial district for a 5-acre tract located at 504 West Sioux Road, where the old La Posada Lounge was located. The surrounding properties consist of residential and multi-family uses to the east; they are in the southern part of the subdivision. Furthermore, Mr. Saul Salinas applied for a fence permit back in May, and now he is proposing to rezone his property into a heavy commercial district in order to open a trucking company. She mentioned they mailed out letters to residents within a 200-foot radius and advertised in the newspaper; as a result, we had some responses in both favor and opposition to the request. Ms. Gomez informed the City Commission that Mr. Salinas was available in case they had any questions. Ms. Gomez added that the Planning and Zoning Board and staff recommend denial because it is considered spot zoning and Stewart is not considered a truck road.

Mayor Mario Garza opened the public hearing at 6:09 p.m.

Eric Lazo stated he resides in the neighborhood east of where Mr. Saul Salinas requested the rezoning. He is speaking on behalf of several of his neighbors because most of them are all elderly and they are for the rezoning, and the main reason is because of the way Mr. Salinas has it well maintained and clean. Mr. Saul Salinas stated the property was sold to him as a commercial property. He requested a permit to install a fence because they were doing illegal dumping. He cleaned the property and maintains it clean, and he is asking if they can please consider supporting him with his request. Mayor Pro Tem Leonardo "Lenny" Sanchez asked if that street could carry heavy loads. Benjamin Arjona, City Manager, responded that for this property, the Stewart Road is unfortunate but not for heavy traffic, and the other thing is that this is a spot zone as mentioned on the item. Mayor Pro Tem Sanchez stated that eventually, within time, those trucks are going to destroy the homes, and we will have complaints from all the citizens from across the area that travel back and forth east and west. Commissioner Adina "Dina" Santillan asked Mr. Arjona if they had that street set up for anytime in the future for fixing reconstruction or anything like that, to which Mr. Arjona responded that he does not think that the street is in the position that needs to be repaved; he believes it is in fair condition, so as far as us doing a repaving on that street to require something heavy traffic will not be any time soon. Commissioner Santillan asked about the letters for and against, and Ms. Gomez responded that they received some calls and emails asking if the city will increase the property taxes for those properties around the area and what type of business they are proposing to open because they notice that some of the trucks are already parked on the property. Mayor Mario Garza asked Ms. Gomez if she knew by any chance if we have any trucking companies around the city where the streets are about the same caliber as Stewart Road. Ms. Gomez responded that she was not in this area. Commissioner Santillan asked what the reason was for which the Planning and Zoning Board denied the application and if it was because the road was not suitable to maintain the heavy traffic. Ms. Gomez added that they do not have other zoning, like heavy commercial, in that area.

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

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

- C. Hold a Public Hearing for a Conditional Use Permit to allow "Amaro's Mechanic Repair Shop" at 1310 E. Sgt. Leonel Trevino Road, legally described as 1.50-acre tract of land out of the East 300 feet of the South 218.2 feet of Lot 13, Block 39, Alamo Land and Sugar Company Subdivision, located the Southwest corner of Sgt. Leonel Trevino and Cesar Chavez Road, as Requested by Cesar Amaro.**

DISCUSSION: Monica Gomez, Interim Director of Planning & Zoning, stated Mr. Amaro is applying for a conditional use permit for a mechanic and repair shop at the northwest corner of Sgt. Leonel Trevino on Cesar Chavez Road. The property is 1.5-acre tract of land, a house and two commercial buildings were established back in 1970 when the property was located outside the city limits of San Juan. The applicant is willing to comply with a list of requirements given by the staff and some of the requirements are that they need to have an enclosed area where they work and have a parking area, no storage of materials outside the property, comply with the City of San Juan noise ordinance, conditional use and occupational permit. Ms. Gomez stated Mr. and Mrs. Cesar Amaro were present to answer any questions.

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

Cesar Amaro stated that he had only rented this property for three months when he was informed that it was not a commercial property and that he needed to apply for permits with the City of San Juan. Furthermore, stated has kept it clean and maintained it, and now he is asking for permission to work there. Mayor Garza inquired as to what kind of machinery will be repaired, and Mr. Amaro responded that small engines like tractors and land movers would be fixed.

Mayor Garza closed the public hearing at 6:19 p.m.

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

- D. Hold a Public Hearing on Texas Parks and Wildlife Local Parks Grant on a proposed Northside Park located off of W Sioux Rd and Veterans Blvd, next to the City of San Juan Water Works, to be funded in conjunction with Texas Parks and Wildlife Local Parks Grant. In Order to meet the goals of the San Juan Master Parks Plan, and in compliance with the 2019-2024 Lower Rio Grande Valley (LRGV) Regional Strategic Plan, the open play and exercise area, Including a basketball court and two soccer fields and two walking trails. Due to San Juan’s growing population, the Parks will fill a gap in safe, accessible outdoor recreation for residents in the area of the city, many of whom live below the poverty line.**

DISCUSSION: Benjamin Arjona, City Manager, stated that, as we may recall, we passed the ordinance the last time and it was submitted to Texas Parks and Wildlife, but we need a resolution so that we can apply for the grant. Mayor Mario Garza asked if we were on schedule with the process to which Mr. Arjona stated that we are hoping for everything to be in order. Mayor Mario Garza asked if we had been in touch with Mr. Pankratz and what he thought about this. Mr. Arjona mentioned that this is the last piece that needs to be submitted to Texas Parks and Wildlife.

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

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

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

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

- A. Preliminary and Final Plat Approval of the San Juan City Hall Subdivision being a 1.47-acre tract of land out of Lots 19 through 36, Block 28, San Juan Original Townsite, located at the Northwest corner of 6th Street and Raul Longoria Road, as Requested by SAMES Engineering.**

DISCUSSION: Monica Gomez, Interim Director of Planning and Zoning, stated SAMES Engineering is requesting preliminary final plat approval of the San Juan City Hall Subdivision, which is a 1.47-acre tract. The Property is located at the northwest corner of 6th Street and Nebraska Avenue; also, the subdivision is in flood zone C, which is not considered a flood zone according to the FEMA map. Water and sewer services are provided by the City of San Juan, and additional fire hydrants will be installed within 300 feet, and the existing hydrant and an 8-inch waterline shall be looped as per fire department requirements. Attached is a copy of the subdivision plot, subdivision zoning, and location map for their reference.

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

- B. Discussion and Possible Action to Authorize Staff to Solicit Request for Proposals for Water and Sewer Infrastructure Improvements Related to the New City Hall Project and Authorize the Mayor to Execute all Related Documents and Budget Amendment and Required.**

DISCUSSION: David Salinas, Director of Utilities, stated as part of the construction sewer, and water lines in that region need to be either updated or entirely abandoned and relocated. Although this project must stay under budget, we had already begun executing part of the work internally. Unfortunately, the cost of the supplies caused us to go over budget, so we must now seek bids.

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

- C. Discussion and Possible Action to Approve the Final Pay and Acceptance of the Wastewater Treatment Plant Improvement Phase I Dewatering Facility and Authorized the City Manager to Execute all Related Documents and Budget Amendment as Needed.**

DISCUSSION: David Salinas, Director of Utilities, stated that a couple of years ago, we came to the commission for approval to build a dewatering facility at the wastewater plant with some funding from the Texas Water Development Board. That project is now complete, and I would like approval of a final payment in the amount of \$58,230.85.

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

- D. Discussion and Possible Action to Accept the City of San Juan's Wastewater Treatment Plant Improvements Project - Phase 1 - Sludge Dewatering Facilities (TWDB CWSRF Project No. 73796) as completed by JMJ Construction and that the work was constructed in accordance with the approved plans and specifications and Authorize the Mayor to Execute all Related Documents.**

DISCUSSION: David Salinas, Director of Utilities stated this is just an authorization to submit the final letter to the Texas Water Development Board stating that the project has been completed.

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

- E. Discussion and Possible Action to Authorize Staff to Solicit for Bids for Water and Wastewater Analytical Services and Authorize the Mayor to Execute all Related Documents and Budget Amendment as Needed.**

DISCUSSION: David Salinas, Director of Utilities, stated this is an authorization to be able to solicit for proposals to run the analysis required.

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

- F. Discussion and Possible Action to Approve a Budget Amendment for the Amount of \$65,827 to General Fund, \$23,076 to Utility Fund, \$16,158 Sanitation Fund, \$2,869 Stormwater Fund for 1.5% Increase in Salaries for the Fiscal Year 2021-2022.**

DISCUSSION: Benjamin Arjona, City Manager stated during the last meeting you were very generous to give all the staff a 1.5 % increase and this is the reflect of that salary inquiry.

Commissioner Marco "Markie" Villegas made motion to approve and was seconded by Commissioner Adina "Dina" Santillan. Motion Passed (5-0).

- G. Discussion and Possible Action to Authorize the City Manager to Negotiate Contract for the New San Juan City Hall/Transit Terminal Building Awarded to ECON Group, LLC., on Monday, October 4, 2021, During a Special City Commission Meeting.**

DISCUSSION: Benjamin Arjona, City Manager stated if you may recall the project was awarded to ECON, now we need to negotiate a contract by then and hopefully we should have all the documents ready by Thursday.

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

VIII. CONTRACTUALS

- A. Consider Authorizing the City Manager to Enter into a Contract Agreement for Content Management Services (Docuware Cloud Professional II) with Toshiba America Business Solutions, Inc.**

DISCUSSION: Pat Karr, Director of Information Technology, stated this is an authorization for City Manager to enter into an agreement with Toshiba America Business so that they can turn around and buy content management solution for the city. CMS will make it more efficient for us to provide documentation for our citizens in the areas like birth certificates, death certificates and other items for a public record. It will also allow us to provide other request via forms and minimize the amount of paperwork that we have.

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

IX. RESOLUTIONS

**CITY OF SAN JUAN
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A. Consideration and Action on Resolution Adopting the City of San Juan current Corporate Boundary Map.

DISCUSSION: Monica Gomez, Interim Director of Planning and Zoning, stated we are working on upgrading our base map including all the annexations approved by the City Commission and he have a total of 11.75 square miles from Owassa Road to Military Road and Veterans Boulevard to Cesar Chavez. With approval of this resolution, the City of San Juan will adopt an official city limits maps based on official records and we can update the resolution every year and start showing all the annexation approved by the city. This resolution will be available at the Planning and Zoning Department, City Secretary Department and City Website.

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

X. CONSENT AGENDA

- A. Consider Second and Final Reading of the Ordinance for a Conditional Use Permit for the Sale of Mixed Beverages for On-Premise Consumption at “Tacos Kissi” located at 5004 N. Raul Longoria Road, legally described as Lot 3, Mesquite Acres Subdivision, located at the Southwest corner of Mesquite and Raul Longoria Road, as Requested by Oscar R. Kissi.**

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

XI. 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 §551.074 Personnel Matters, Discussion and Possible Action Regarding the Resignation of the City Secretary and Possible Appointment of an interim City Secretary.
2. Pursuant to Section §551.074 Personnel Matter, Discussion and Possible Action Regarding a Complaint Against the Parks and Recreation Director.
3. Pursuant to Section 551.071 Consultation with Attorney, Discussion and Possible Action Regarding a Festival Event to take Place on December 17, 2021 and December 18, 2021

Commissioner Marco “Markie” Villegas made motion to enter executive session at 6:33 p.m. and was seconded by Commissioner Ernesto “Neto” Guajardo. Motion Passed (5-0).

XII. RECONVENE

Mayor Pro Tem Leonardo “Lenny” Sanchez made motion to reconvene at 7:17 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 §551.074 Personnel Matters, Discussion and Possible Action Regarding the Resignation of the City Secretary and Possible Appointment of an interim City Secretary.

Commissioner Marco “Markie” Villegas made motion based on recommendation on appointing Nayeli Guerrero as Interim City Secretary, it was seconded by Commissioner Adina “Dina” Santillan. Motion Passed. (5-0).

2. Pursuant to Section §551.074 Personnel Matter, Discussion and Possible Action Regarding a Complaint Against the Parks and Recreation Director.

No Action

3. Pursuant to Section 551.071 Consultation with Attorney, Discussion and Possible Action Regarding a Festival Event to take Place on December 17, 2021 and December 18, 2021

No Action

XIII. ADJOURNMENT

Mayor Pro Tem Leonardo “Lenny” Sanchez made motion to adjourn at 7:18 p.m. and was seconded by Commissioner Ernesto “Neto” Guajardo. Motion Passed (5-0).

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CITY OF SAN JUAN, TEXAS



Mario Garza, Mayor

ATTEST:



Brenda Escalante, City Secretary