

MINUTES OF A REGULAR MEETING OF THE CITY OF SAN JUAN COMMISSION

DATE:

Tuesday, June 13, 2017

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
Jesus Ramirez, Mayor Pro-Tempore
Raudel Maldonado, Commissioner
Pete Garcia, Commissioner
Rick Palacios, City Attorney

MEMBERS ABSENT:

Carmen Gonzalez, Director of Sanitation

STAFF PRESENT:

Benjamin Arjona, City Manager
Palmira Cepeda, Interim City Secretary
Juan Gonzalez, Chief of Police
Tirso Garza, Chief of Fire
Oscar Cuellar, San Juan EDC Director
Leroy Gonzales, Interim Finance Director
Adelaida Cordero, Director of Human Resources
Armandina Sesin, Library Director
Patrick Willingham, Director of Parks and Recreation
Xavier Cervantes, Director of Planning
Mario Nuñez, Sanitation
Rene Jaime, Purchasing/Risk Manager
David Salinas, Director of Utilities
Mary Enriquez, Court Administrator
Eder Castañeda, Information Technology

GUEST: Jennifer Martinez and Omar H. Puentes- Students at PSJA Early College High School, Andre De Mattos- PBK Architects, Mr. Alaniz- Parks Advisory Board, Iran Gutierrez- Perdue, Brandon, Fielder, Collins & Mott

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. PRESENTATIONS

- a. Presentation on Departmental Reports: Department of Planning and Zoning, Department of Parks and Recreation, San Juan Memorial Library, Department of Sanitation. (Benjamin Arjona, City Manager)

DISCUSSION: Benjamin Arjona, City Manager presented the items and asked if there were any questions. Commissioner Pete Garcia stated that the City will be having a 4th of July event and asked when the event was brought up to the Commission for discussion and approval. Mr. Arjona stated that it was an administrative decision since the cost was \$6,000 and as City Manager he could make that decision. Mr. Arjona also mentioned that there would be a presentation regarding the 4th of July event during the meeting. He went on to say that he had a discussion with Mayor Mario Garza and Mayor Pro-Tem Jesus Ramirez in regards to the Mayor wanting to do something for the City of San Juan at no cost. Mr. Garcia stated that it should have been brought to the City Commission because more than likely the amount of money will be increasing and they should not wait for the number to go up to be able to submit for approval.

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Mayor Pro-Tem Jesus Ramirez asked if there were any other occasions where Mayors requested an event without requiring approval and Mr. Arjona stated that there had been events such as the Sanclovia event.

Commissioner Pete Garcia asked if they had checked with the City Attorney in reference to insurance covers for any possible accidents during the 4th of July event and Mr. Arjona stated that the Fire Department was overseeing that. Mayor Mario Garza asked Tirso Garza, Fire Chief, if he had been contacted by any companies that specialize in fireworks display. Chief Garza stated that he had been contacted by one company and was still pending information. Mayor Garza asked if the Fire Department would be involved in the fireworks display and Chief Garza replied that they would only assist in covering the perimeter that was required and the company would take care of the rest.

Mayor Pro-Tem Jesus Ramirez asked Xavier Cervantes, Director of Planning what the status was on operation crackdown. Mr. Cervantes replied that currently they had four houses with the property owners consent to demolish and he would be scheduling the demolition with the Public Works Department.

Commissioner Raudel Maldonado asked Patrick Willingham, Director of Parks & Recreation how the All-Stars were doing. Mr. Willingham responded that they currently have 11 teams and are on the second week of Regionals and the following week starting on Sectionals.

Benjamin Arjona, City Manager asked Patrick Willingham, Director of Parks and Recreation to give presentation on the 4th of July celebration event. Mr. Willingham stated that it would be on Saturday, July 1st, 2017 and it consisted of a fireworks display, live music and six inflatable moonjumps. They would section 30 areas for people to BBQ at no cost using their own BBQ pit. He also mentioned that vendors would be selling food and drinks and the Police Department and Security were also scheduled to secure the event.

- b. Presentation of Scholarship Awards by San Juan Fire Department. (Tirso Garza, Fire Chief)

DISCUSSION: Benjamin Arjona, City Manager presented the item and asked Tirso Garza, Fire Chief to give presentation. Chief Garza stated that they had done their yearly selection for the scholarships. Out of 25 applicants they were able to award a \$500 scholarship to Jennifer Martinez, Omar H. Puentes and Liliana Estrada.

V. PUBLIC HEARING/ORDINANCES

- a. Conduct a Public Hearing and Consider an Ordinance in First Reading for the Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption at the proposed “Oak Barrel Liquor, Wine and Spirits” store located at 502 N. Veterans Boulevard, legally described as the West 193 feet of the North 162 feet of the South 318 feet of Lot 2, Knights Subdivision, as Requested by Sharon Garcia. (Xavier Cervantes, Director of Planning)

DISCUSSION: Benjamin Arjona, City Manager presented the item and asked Xavier Cervantes, Director of Planning to give presentation. Mr. Cervantes stated that 15 surrounding property owners received notices and no one has opposed. The permit is for off-premise consumption Monday to Saturday 10:00 A.M. to 9:00 P.M. The Planning and Zoning Commission unanimously recommended approval during the May 18th meeting.

Mayor Mario Garza opened the Item for discussion for For or Against the item at 6:22 P.M. and asked the Commission if they had any questions. Item Closed at 6:22 P.M.

Motion was made by Commissioner Raudel Maldonado to approve and seconded by Mayor Pro-Tempore Jesus Ramirez. Motion passed. (4-0)

- b. Conduct a Public Hearing and Consider an Ordinance in First Reading for a Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption at H&H Food Mart”, store located at 914 W. Sam Houston Boulevard, legally described as the West 209 feet of the North 192 feet of lot 1, Clark Mellenbruch Subdivision, as Requested by HH & A, Inc. (Xavier Cervantes, Director of Planning)

DISCUSSION: Benjamin Arjona, City Manager presented the Item and Xavier Cervantes, Director of Planning gave presentation. Mr. Cervantes stated that the hours of operation would be Monday through Friday 7:00 A.M. to 12:00 A.M., Saturdays 7:00 A.M. to 1:00 A.M., and Sundays 12:00 P.M. to 12:00

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A.M. The surrounding property owners received notices and no one opposed. The Planning and Zoning Commission unanimously recommended approval during the May 18th meeting.

Mayor Mario Garza opened the Item for discussion for For or Against at 6:24 P.M. and asked the City Commission if they had any questions. Item was closed at 6:24 P.M.

Motion was made by Mayor Pro-Tempore Jesus Ramirez to approve and Seconded by Commissioner Pete Garcia. Motion passed. (4-0)

- c. Conduct a Public Hearing and Consider an Ordinance in First Reading for a Conditional Use Permit for a recreational facility (soccer field) in a commercial zoned property legally described as Lot 2, Jesus Quiroz Subdivision, located at 2603 N. Veterans Boulevard, as Requested by Jesus Quiroz. (Xavier Cervantes, Director of Planning)

DISCUSSION: Benjamin Arjona, City Manager presented the item and Xavier Cervantes, Director of Planning gave presentation. Mr. Cervantes stated that the soccer field will have a fence and a net to prevent the soccer balls from going into Veterans Boulevard. Soccer field will include restrooms and parking lot and the proposed hours will be Monday through Friday 6:00 P.M. to 9:00 P.M., and Saturdays and Sundays 8:00 A.M. to 9:00 P.M. The Planning and Zoning Commission unanimously recommended approval during the May 18th meeting.

Mayor Mario Garza opened the Item for discussion for For or Against at 6:25 P.M., and asked the City Commission if they had any questions. Item was closed at 6:25 P.M.

Motion was made by Commissioner Raudel Maldonado to approve and it was seconded by Mayor Pro-Tempore Jesus Ramirez. Motion passed. (4-0)

VI. APPOINTMENTS

- a. Consider to Appoint the Alternate and Policy Committee for the Hidalgo County Metropolitan Planning Organization. (Palmira Cepeda, Interim City Secretary)

DISCUSSION: Benjamin Arjona, City Manager presented the item and mentioned Mayor Mario Garza was selected at the previous City meeting to be the MPO. Mr. Arjona stated that they needed to select an alternate in case he was not able to attend. Rick Palacios, City Attorney stated that he would select a member of the Commission or a City employee. Mayor Garza nominated Xavier Cervantes, Director of Planning and Benjamin Arjona, City Manager as proxy.

Motion was made by Mayor Pro-Tempore Jesus Ramirez to approve and seconded by Commissioner Pete Garcia. Motion passed. (4-0)

- b. Consider Appointments for the Housing Authority Board. (Palmira Cepeda, Interim City Secretary)

DISCUSSION: Benjamin Arjona, City Manager presented the item and Mayor Mario Garza removed Adriana Salazar from the Housing Authority Board and appointed Feliberto Garza. Rick Palacios, City Attorney stated that under the Texas local government code the Commission didn't have a vote since they were appointed by the Mayor.

- c. Consider Removal and Appointment of Board Members related to the San Juan Economic Development Corporation Board. (Palmira Cepeda, Interim City Secretary)

DISCUSSION: Benjamin Arjona, City Manager presented the item and Mayor Mario Garza asked the Commission if they had any nominees. Mayor Pro-Tem Jesus Ramirez motioned to remove Eddie Rodriguez and appoint Fred Rodriguez

Motion was made by Mayor Pro Tempore Jesus Ramirez to approve and seconded by Commissioner Raudel Maldonado. Opposed by Commissioner Pete Garcia. Motion passed.(3-1)
Mayor Mario Garza removed Dolores Barrientes and appointed Rubio Muñiz.
Motion was made by Mayor Pro-Tempore Jesus Ramirez to approve seconded by Commissioner Raudel Maldonado. Opposed by Commissioner Pete Garcia. Motion passed. (3-1)

- d. Consider Removal and Appointment of Board Members related to the San Juan Civil Service Board (Palmira Cepeda, Interim City Secretary)

DISCUSSION: Benjamin Arjona, City Manager presented the item and Mayor Pro-Tem Jesus Ramirez motioned to remove Mr. Vasquez and Mr. Alvarado and appoint Rolando Casas and Eric Sanchez.

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Motion was made by Mayor Pro-Tempore Jesus Ramirez to approve and seconded by Commissioner Raudel Maldonado. Opposed by Pete Garcia. Motion passed. (3-1)

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

- a. Discussion and Action on the Interior Finishes for the New Public Safety Building. (Xavier Cervantes, Director of Planning)

DISCUSSION: Benjamin Arjona, City Manager presented the item and Andre De Mattos from PBK Architects gave the presentation. Mr. De Mattos stated that this was the second presentation regarding the finishing of the building. Commissioner Pete Garcia asked Juan Gonzalez, Chief of Police if he agreed on the colors of the tile. Chief Gonzalez agreed and stated that everything was looking good. Commissioner Garcia stated that he was glad the Police Department was content with the interior of the building and mentioned that it would also keep the staff motivated to continue doing a great job. Motion was made by Commissioner Pete Garcia to approve and seconded by Mayor Pro-Tempore Jesus Ramirez. Motion passed. (4-0)

- b. Discussion and Possible Action to allow staff to Advertise and Accept Sealed BIDS for Water and Wastewater Treatment Chemicals, Analytical Laboratory and Solids Hauling and Disposal Services (David Salinas, Director of Utilities)

DISCUSSION: Benjamin Arjona, City Manager presented the item and David Salinas, Director of Utilities stated that he was asking for approval of the purchase of various chemicals for the water treatment and wastewater treatment.

Motion was made by Mayor Pro-Tempore Jesus Ramirez and seconded by Commissioner Pete Garcia. Motion passed. (4-0)

- c. Discussion and Authorization to ratify Change Order No. 1 to the City of San Juan 3.5 MGD Water Treatment Plant No.2 Expansion and Rehabilitation to Existing 3.5 MGD Plant Project Contract with The Vertex Companies, Inc. in the amount of \$39,484.60 and Authorize City Manager to execute any related documents. (Davis Salinas, Director of Utilities)

DISCUSSION: Benjamin Arjona, City Manager presented the item and David Salinas, Director of Utilities stated he was requesting approval to ratify the work that had already been done. There were a couple of things added and/or removed when the design was done. Mayor Mario Garza asked who was responsible for not having the correct information and Mr. Salinas replied that the project had been going on since 2010 and there had been changes in staff. Mayor Pro-Tem asked where the funding was coming from and Mr. Salinas responded that the funding was from monies leftover from a Texas water development project.

Motion was made by Commissioner Pete Garcia and seconded by Mayor Pro-Tempore Jesus Ramirez. Motion passed. (4-0)

- d. Discussion and Authorization to Ratify Change Order No.2 to the City of San Juan 3.5 MGD Water Treatment Plant No.2 Expansion and Rehabilitation to Existing 3.5 MGD Plat Project Contract with The Vertex Companies Inc., in an amount of \$5,711.60 (David Salinas, Director of Utilities)

DISCUSSION: Benjamin Arjona, City Manager presented the item and David Salinas, Director of Utilities stated there were additional valves that needed to be installed in order for the equipment to be functioning properly and efficiently.

Motion was made by Commissioner Raudel Maldonado and seconded by Commissioner Pete Garcia. Motion passed. (4-0)

- e. Discussion and Possible Action to Approve Parks and Recreation Advisory Board to attend a PSJA Board Meeting for Permission to Name Park Located to the East of Lalo Arcaute Park, behind Carman Elementary School.

DISCUSSION: Benjamin Arjona, City Manager presented the item and Mr. Alaniz with the Parks Advisory Board gave presentation. Mr. Alaniz stated that the park is located east to Lalo Arcaute Park and they currently have permission from the PSJA School District to use it.

Motion was made by Commissioner Raudel Maldonado and seconded by Mayor Pro-Tempore Jesus Ramirez. Motion passed. (4-0)

- f. Discussion and Possible Action with Naming the Baseball/Softball Complex Consisting of Mayfield Park, Lalo Arcaute Park and Unnamed Park behind Carmen Elementary School.

DISCUSSION: Benjamin Arjona, City Manager presented the item and Mr. Alaniz with Parks Advisory Board stated that it would be for the naming of all the parks as a complex.

Motion was made by Commissioner Raudel Maldonado and seconded by Mayor Pro-Tempore Jesus Ramirez. Motion passed. (4-0)

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- g. Discussion and Action to Authorize City Manager to Request Statement of Qualifications for City Engineers. (Benjamin Arjona, City Manager)

DISCUSSION: Benjamin Arjona, City Manager presented the item. Commissioner Pete Garcia asked who had put the item on the agenda and Mr. Arjona replied it was Mayor Mario Garza. Commissioner Garcia asked if they were going to choose by RFQs and Mr. Arjona responded yes. The Mayor Pro-Tem also asked how many they were going to choose after the RFQs and Mr. Arjona stated it was up to the Commission to decide.

Motion was made by Mayor Pro-Tempore Jesus Ramirez and seconded by Commissioner Raudel Maldonado. Motion passed. (4-0)

- h. Discussion and Possible Action Regarding Contract with Perdue, Brandon, Fielder, Collins & Mott, L. L. P. for Legal Services in Connection with Delinquent Ad Valorem Taxes and Mowing Lien Assessments for the City of San Juan. (Benjamin Arjona, City Manager) **(TABLED)**

DISCUSSION: Benjamin Arjona, City Manager presented the item and Mayor Mario Garza motioned to untable the item. Commissioner Pete Garcia asked for Iran Gutierrez with Perdue, Brandon, Fielder, Collins & Mott to give presentation. Mr. Gutierrez stated that compared to the previous year, they have gone up 18.88% on improvement of 1.62%. Mayor Mario Garza asked what the amount of collection was for the year 2016 and Mr. Gutierrez replied that the month of May it was 17.26%. He also mentioned that collections were down with the previous firm before he took over the accounts. Mayor Pro-Tem Jesus Ramirez made motion to terminate contract and Commissioner Pete Garcia stated for the record that he was against terminating the contract because the Company had done a good job.

Motion was made by Mayor Pro-Tempore Jesus Ramirez and seconded by Commissioner Raudel Maldonado. Motion passed. Opposed Commissioner Pete Garcia (3-1)

- i. Discussion and Possible Action Regarding Appointment of Legal Services in Connection with Delinquent Ad Valorem Taxes and Mowing Lien Assessment for the City of San Juan and Authorize City Manager to Execute an Agreement for Professional Legal Services Relating Thereto. (Benjamin Arjona, City Manager) **(TABLED)**

DISCUSSION: Benjamin Arjona, City Manager presented the item and Mayor Mario Garza motioned to untable the item.

Motion was made by Mayor Pro-Tempore Jesus Ramirez and seconded by Commissioner Raudel Maldonado. Motion passed. (4-0)

Mayor Pro-Tem asked City Attorney Rick Palacios if they need to get a request for qualifications (RFQ) or if they can make a recommendation. Mr. Palacios stated that the Commission did not have to wait and they could make a motion to hire a firm. Mayor Pro-Tem Jesus Ramirez made the motion to hire Linebarger and Associates.

Motion was made by Mayor Pro-Tempore Jesus Ramirez and seconded by Commissioner Raudel Maldonado. Opposed Commissioner Pete Garcia. (3-1)

- j. Discussion and Possible Action to Authorize City Manager to Conduct Interviews for the Position of City Secretary and Recommend top three Applicants for Second and Final Interview by the City Commission. (Benjamin Arjona, City Manager)

DISCUSSION: Benjamin Arjona, City Manager presented the item and announced the top three candidates. Nonetheless, Commissioner Pete Garcia stated that the Commission would like to interview the top five candidates. Mayor Mario Garza recommended that all five candidates be interviewed at 5 minute intervals and Commissioner Garcia suggested to make a committee of three interviewers for the process.

Motion was made by Mayor Pro-Tempore Jesus Ramirez to approve and seconded Commissioner Pete Garcia. Motion passed. (4-0)

VIII. CONTRACTUALS/RESOLUTIONS

- a. Consider the Renewal of an Interlocal Agreement between the City of San Juan and the University of Texas Rio Grande Valley (UTRGV) to Continue to Participate in the Stormwater Task Force. (Xavier Cervantes, Director of Planning)

DISCUSSION: Benjamin Arjona, City Manager presented the item and Xavier Cervantes, Director of Planning gave presentation. Mr. Cervantes mentioned that they have been in partnership for a while and it has been working great. The purpose is to implement a regional stormwater management program mandated by the Texas Commission on Environmental Quality.

Motion was made by Mayor Pro-Tempore Jesus Ramirez to approve and seconded Commissioner Pete Garcia. Motion passed. (4-0)

IX. CONSENT AGENDA

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- a. Consider an Ordinance in Second Reading Amending the Code of Ordinances at Appendix "A". Unified Development Code, Chapter 2- Zoning Regulations, Article II- Establishment of Districts and Boundaries for the Expressway Corridor District, Article IV, Expressway Corridor District Including User and Area Regulations, Area and Heights Requirements, Definitions, Uses, Additional Requirements for Parking Driveway, Landscaping and Architectural Standards. (Xavier Cervantes, Director of Planning)

Motion was made by Mayor Pro-Tempore Jesus Ramirez to approve and seconded Commissioner Pete Garcia. Motion passed. (4-0)

- b. Consider an Ordinance in Second Reading for a Conditional Use Permit for the operation of a Gasoline Service Station and for the Sale of Alcoholic Beverages for Off-Premise Consumption at the proposed " Aziz Quick Stop" proposed for construction at the Northeast corner of Raul Longoria and Eldora Roads, legally described as a 1.78-acre tract of land out of Lot 14, Block 8, John Closner Subdivision, as Requested by Aziz Quick Stop, LLC. (Xavier Cervantes, Director of Planning)

Motion was made by Mayor Pro-Tempore Jesus Ramirez to approve and seconded Commissioner Raudel Maldonado. Motion passed. (4-0)

X. EXECUTIVE SESSION

- a. The 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:

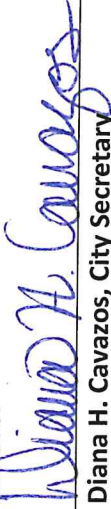
1. 551.074, to Deliberate the Appointment, Employment, Reassignment, Duties, Discipline, Renumeration, or Dismissal of Public Office or Employee. (Hussein Bakka, Director of Information Technology)

DISCUSSION: Benjamin Arjona, City Manager stated that they did not have to go into executive session.

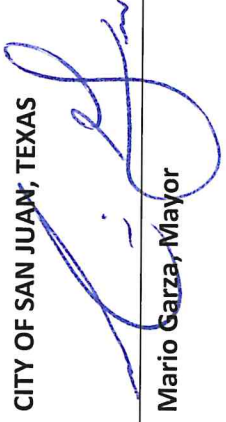
XI. ADJOURNMENT

Commissioner Raudy Maldonado motioned to adjourn meeting and seconded by Commissioner Pete Garcia. Motion passed. (4-0)

ATTEST:


Diana H. Cavazos, City Secretary

CITY OF SAN JUAN, TEXAS


Mario Garza, Mayor