

MINUTES OF REGULAR MEETING OF THE CITY OF SAN JUAN COMMISSION

DATE:

Tuesday, October 24, 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
Ernesto Guajardo, Commissioner
Pete Garcia, Commissioner
Rick Palacios, City Attorney

MEMBERS ABSENT:

Raudel Maldonado, Commissioner
Adelaida Cordero, Director of Human Resources

STAFF PRESENT:

Benjamin Arjona, City Manager
Diana Cavazos, City Secretary
Tirso Garza, Chief of Fire
Juan Gonzalez, Chief of Police
Oscar Cuellar, San Juan EDC Director
Leroy Gonzales, Interim Finance Director
Patrick Willingham, Director of Parks and Recreation
Xavier Cervantes, Director of Planning
Carmen Gonzalez, Director of Sanitation
Rene Jaime, Purchasing/Risk Manager
David Salinas, Director of Utilities
Mary Enriquez, Court Administrator
Robert Rangel, Director of Information Technology
Armandina Sesin, Library Director

GUEST:

ORDER OF BUSINESS

I. CALL MEETING TO ORDER

Mayor Mario Garza called meeting to order at 6:00 p.m.

II. INVOCATION

Pastor Nuno Rodriguez.

III. PLEDGE OF ALLEGIANCE

Mayor Mario Garza led the Pledge of Allegiance.

IV. NO PUBLIC COMMENTS

- a. Hold a Public Hearing to solicit input from interested parties regarding the Urban County Program 5-Year Consolidated Plan.

Xavier Cervantes, Director of Planning addressed the Mayor and Commissioners stating that to be in compliance with the US Housing and Urban Development Department the City of San Juan is required to conduct a public hearing to assist the Hidalgo County Urban County Program with the development of a new 5-year consolidated plan. The overall goal is to strengthen partnerships with jurisdictions and among all levels of government; private sectors and including profit and non-profit organizations. This will enable them to provide in-housing to establish and maintain a suitable living environment and expand economic opportunities to all citizens particularly those with very low income. Therefore, we need to have a public hearing.

Public Hearing was open at 6:06pm. Mayor Garza asked if there was anyone for or against and with no response the hearing closed at 6:06pm.

CITY OF SAN JUAN
CITY COMMISSION REGULAR MEETING
Tuesday, October 24, 2017

V. PRESENTATIONS

Benjamin Arjona, City Manager addressed the Mayor and Commissioners stating that present in the meeting were the distinguished ladies that represented the City of San Juan in the Lion's Club Pageant. He asked Xavier Cervantes, Director of Planning to provide additional information. Mr. Cervantes stated that it was a successful event and the City had proclamations for the four new queens. Mayor Garza congratulated them and thanked those that participated. He also thanked the parents for their support and acknowledged the San Juan Lions Club for organizing the event. Mayor Pro-Tempore Ramirez also congratulated the reigning queens and wished them the best during their reign.

Benjamin Arjona, City Manager mentioned the next item which was regarding the Homeland Security Grant Program – the HSGP notification. Juan Gonzalez, Chief of Police stated that on behalf of the grant writers, he was presenting the system that had been awarded to the Regional Specialized Emergency Response Unit at the San Juan Police Department. The HSGP notification system was \$113,164.43 and was made possible through the Homeland Security Grant Program. In his presentation, Chief Gonzalez stated that they serviced the counties of Hidalgo, Cameron, Willacy, Starr, Brooks, and Jim Wells. They get activated between 35-50 times a year and serve high risk warrants through local, state, county and federal agencies. His team is composed of eight law enforcement agencies which are all across the Rio Grande Valley. At the present time, we have a team that was formed in South Padre Island which entails – South Padre, Laguna Vista, Port Isabel and Los Fresnos and they are also part of the Regional Emergency Response System. There are a total of 38 members, which includes medics and snipers. They have been in existence since 2009 and through Homeland Security have received close to \$500,000 in equipment. This added equipment will be utilized to service high risk warrants. It is the fifth system awarded in the State of Texas and the only other cities that have this system are Harris County, Houston Police Department, Montgomery's Sheriff's Department and Dallas-Fort Worth. Presently, we are the only team in the Rio Grande Valley that has this system and it is available to all the different agencies. Chief Gonzalez thanked Benjamin Arjona, City Manager for allowing them to participate in high risk calls stating that safety is their main concern and without the support they would not be able to service other agencies. Mr. Arjona then inquired on the value of the system and Chief Gonzalez responded that it was \$113,164.43 and had been awarded through the Homeland Security Grant. Mayor Garza asked about the previous unit and Chief Gonzalez stated that this new system would go on top of the other one, it would be an addition for the high elevated areas and a much needed upgrade especially with the recent events happening across the country. The system would be utilized more in the South Padre Island area in large events and also in areas with barriers and obstacles. He added that recently they had served a high risk warrant for the Brooks County Sheriff's Department. Mayor Garza asked if there were any questions or comments. Mayor Pro-Tempore Ramirez commended Chief Gonzalez stating "You guys always keep us on the map, Congratulations and Thank you!" Mayor Garza included that he hopes we never have to use it here in San Juan and also thanked Chief Gonzalez for doing the work that he does and to keep up the good work.

Benjamin Arjona, City Manager stated the next item on the agenda were the reports from the Sanitation Department, Utilities, Police, Fire, Finance and Municipal Court, and if anyone had any questions they were all there.

Mayor Garza asked Chief Gonzalez if they were ready for the ribbon cutting of the new Police Department on the south side and he responded that the ribbon cutting ceremony would be November 1st at 5:30pm and the public was invited. He added that his staff was excited and they were expecting a huge crowd. Additionally, he mentioned that this was the first phase and there were plans to expand through the years utilizing the forfeiture funds. They were grateful for the City providing the land and the share costs of the building. Public is invited to attend the ribbon cutting ceremony November 1st at 300 E. Ridge Road, it is a very beautiful building that the public will enjoy and the main priority is to serve the community better. Mayor Garza asked if they had moved all the furniture and done a walk through and Chief Gonzalez responded they had and they were just waiting for the internet and other minor details. He publicly thanked all the staff for helping them move the project forward, especially Xavier Cervantes, Director of Planning for being there throughout the process and Benjamin Arjona, City Manager for being the Project Manager of this much awaited building. Mayor Garza thanked them and Commissioner Pete Garcia asked if all the punch had been completed. Chief Gonzalez reiterated that they had done a walk through with the architect and everything was good. They were securing the fence which is one of the last couple of items that need to be completed.

Mayor Pro-Tempore Jesse Ramirez directed his comments to Carmen Gonzalez, Director of Public Works stating that she mentioned on her report that they were ready to be the sole vendors for business trash pickup and if he is not mistaken this is something that was approved two years ago. Carmen Gonzalez, Director of Public Works responded that all the containers were available and they had the burnt unit back. The one that was partially burnt will be the one picking up the trash for the businesses. One last trial will be done tomorrow and if it passes we will be able to mail out notices to the businesses and providers. On November 13th, the Department will commence issuing containers and on November 20th the trash

CITY OF SAN JUAN
CITY COMMISSION REGULAR MEETING
Tuesday, October 24, 2017

pickup will commence. Mayor Pro-Tempore Ramirez then asked how many vehicles were available and Ms. Gonzalez responded that the Department had two front loaders, one would be used for the businesses and the other for the schools. With that being said, Mr. Ramirez asked in what group would the churches be in, with the businesses or the schools and Ms. Gonzalez responded that she was not sure. The reason Mr. Ramirez asked was because he had received a text from a church where the trash had not been picked up and Ms. Gonzalez replied that the trash was picked up twice a week but the driver that normally did that was absent that day and his replacement was unaware of the schedule. As of now, trash is being picked up twice a week.

Second item that Mayor Pro-Tempore Ramirez addressed with Carmen Gonzalez, Director of Public Works was that since the trucks are equipped with video cameras, are we notifying the residents when their trash is not picked up. Ms. Gonzalez responded that usually the residents call the office and then staff views the video as to why it wasn't picked up and usually it is because a vehicle was parked in front of the trash can or brush was in the way. Lately the complaints have been minimal. Mr. Ramirez responded that she was correct and the only suggestion would be for the Department to contact the resident first because sometimes they contact the Commission before they contact the Department. Note that we, as the Commission, do not mind getting phone calls but it is appropriate for the Department to notify them first in a timely manner. Aside from that, Mr. Ramirez complimented the achievements of the Department. He thanked and congratulated the staff stating that five homes that were scheduled to be demolished were done and also mentioned much needed repairs that were done behind the Fire Department.

Commissioner Ernesto Guajardo asked Ms. Gonzalez what was the reason the trash had not been picked up in Ebony, Citrus, and Alameda Streets and she replied that unfortunately one of the residents had put a piece of metal in the container and it had jammed the truck to the point that it took half of a day to take the metal out. She will inform the residents on the City website as to the reason the trash has not been picked up and also mention that leaves and grass will also jam the truck. Then Commissioner Guajardo asked if the trash was picked up the following day and Ms. Gonzalez responded that it had. Commissioner Guajardo reiterated to include on the website about not putting metal in the trash cans. Ms. Gonzalez asked if anything was being done about people dumping debris since she had informed Code Enforcement and they were going to send a letter that her Department could pick it up instead since it could be utilized. Mayor Garza asked who followed up on the letter and Ms. Gonzalez said they were. Mr. Cervantes, Director of Planning stated a letter was sent out for illegal dumping. The Code Enforcement Officer will go through the debris since sometimes residents leave letters with their addresses and that is how we can track who is doing the dumping, or if there is a witness we will find who did it and give them a citation. A lot of times we do not know who did it because they will put it up on the side of the Subdivision, therefore if we do not find evidence in the debris it is hard to track who did it.

Mayor Pro-Tempore Ramirez acknowledged and thanked Tirso Garza, Fire Chief and his staff for a job well done on the drug awareness presentation and fire prevention week. Mr. Garza mentioned they would be presenting it again Halloween night as part of the haunted house.

Mayor Garza asked if there were any other comments or questions for the Commission.

VI. PUBLIC HEARING / ORDINANCES

Mr. Xavier Cervantes, Director of Planning stated that Mr. Salinas is proposing to rezone 20 acres from a multi-family to single family residence district. In order to build a single family residential subdivision the owner will be required to properly subdivide the property. The surrounding zonings consist of single family residential and commercial zoning designations. Thirty-five surrounding property owners within 200 feet were notified and we received no comments in favor or against the request. The Zoning and Planning Commission met on October 5th and unanimously recommended approval of the rezoning request. This is in essence a down zoning which is kind of rare because we usually get requests for upzoning, but in my opinion it will be better for the area and it will be a successful subdivision because of the park on the east and the Boys and Girls Club close by. Mayor Pro-Tempore Ramirez asked if it had been done in the past and Mr. Cervantes responded it was done about 10 years ago with the multifamily zoning when an apartment complex was proposed but they were not successful with the apartment zoning.

Public Hearing was open at 6:29pm. Mayor Garza asked if there was anyone for or against and Arturo Salinas stated that he and his brother, Ricardo were present to answer any questions.

Commissioner Pete Garcia asked if they knew the rules the subdivision would require and Mr. Cervantes responded that they had started the process and would be having a subdivision review meeting next week. He added that the city engineers review the project and assure that the building is in compliance along with the rules and regulations. Commissioner Garcia then asked about the drainage and lighting and Mr.

CITY OF SAN JUAN
CITY COMMISSION REGULAR MEETING
Tuesday, October 24, 2017

Cervantes responded that would be during the subdivision process in about a month, right now they are working on the rezoning. Normally developers meet with us in reference to the requirements but in this case the family has owned the property for a long time and they have civil engineers in the family so they are familiar with the requirements.

With no more questions from the Commission, Mayor Garza closed the public hearing at 6:31pm. Motion to close by Mayor Pro-Tempore Jesse Ramirez and seconded by Commissioner Pete Garcia. Motion passed. (4-0)

Mr. Cervantes mentioned that during the 2017 Texas Legislative session the Legislature approved Senate Bill 1004 amending Chapter 284 of the Texas Local Government Code regarding small cell antenna's and related equipment within the City right-of-ways. This bill went into effect September 1, 2017. The bill also regulates the type of information the municipality may require for the permitting process, establishes a fee structure and sets deadlines the municipalities must follow. So basically, the State passed a law limiting what we can do with these types of antennas. The proposed ordinance will provide a framework for the deployment of network nodes and also propose the right of way by network providers. TML is recommending that we adopt a right of way protection ordinance and at the present time, an authorization is needed to commence with the Ordinance. With your approval, I will commence drafting the Ordinance and submit it to the City Attorney for legal review. As stated, this is being recommended by TML because otherwise they will be able to do whatever they want within our right of way. My concern is putting antenna's where we normally put water lines or sewer lines, I do not have any objections if it's in the right of way line, but if it is 10 feet from it, that is where we have the water and sewer lines. Mayor Pro-Tempore Ramirez asked if it was an additional pole or if something would be added to the existing pole. Mr. Cervantes responded that it's the small poles and they want to install them throughout the City in the right of way so that they won't deal with the property owners nor rent property. They were able to get the Legislature to adopt this law, which makes it very easy for them to get these permits. Unless we adopt an Ordinance, these will pop up all over the place and there is nothing that we will be able to do. The City of McAllen adopted something already and we are trying to follow their lead.

With no more questions from the Commission there was a Motion to close by Commissioner Pete Garcia and seconded by Commissioner Ernesto Guajardo. Motion passed. (4-0)

VII. Appointment of Board Members due to vacancies in City Boards

Parks & Recreation Board - Diana Cavazos, City Secretary addressed the Mayor and Commissions stating there was a vacancy in the Parks & Recreation Board. She provided the Commission with the names of Elizabeth Saldana, Vicente Castillo, Nadia Baughman, Carmen Garza and Laura Ann Martinez who are available to fill the position.

Mayor Garza asked if there were any nominations and Mayor Pro-Tempore Ramirez nominated Laura Ann Martinez. Motioned by Mayor Pro-Tempore Ramirez also and seconded by Commissioner Garcia. Motion Passed. (4-0)

Library Board – Diana Cavazos, City Secretary also mentioned they had a vacancy in the Library Board. Mayor Pro-Tempore nominated Teresa Sloss to replace San Juanita Rodriguez. Motioned by Mayor Pro-Tempore Ramirez also and seconded by Commissioner Garcia. Motion Passed. (4-0)

VIII. Discussion and Possible Action to appoint Agent of Record

Commissioner Garcia made a motion to appoint Bob Trevino Insurance as the Agent of Record and Mayor Garza seconded the motion.

Mayor Pro-Tempore inquired as to what was an Agent of Record and Mayor Garza responded it was for volunteer products. Mr. Arjona, City Manager stated that for example, the last time there was open enrollment it was for medical, health, life and accidental death and dismemberment which for these are any volunteer products such as for cancer, stroke, accidental and additional life insurance. One of the things an agent of record does is get the best possible products at the best possible rates for the betterment of the employees. Mayor Pro-Tempore Ramirez asked what would be the cost to the City and the City Manager responded that it would be zero cost and the more participants the better the rates. This is just a recommendation, if you decide to go with an agent of record and wait till the end of the year. There may be some work that needs to be done or appointments that need to be scheduled if we do it by the end of the calendar year it will begin in the new year. Mayor Pro-Tempore Ramirez mentioned that he just did not want it to affect the employees and Mr. Arjona, City Manager stated that we would have an open enrollment by the middle part of December so it would kick in January 2018 for voluntary products. Motion carried. (4-0)

**CITY OF SAN JUAN
CITY COMMISSION REGULAR MEETING
Tuesday, October 24, 2017**

IX. Resolution requesting financial assistance

Mr. Arjona, City Manager stated that this resolution was to authorize the engineers, financial advisors and bond counsel to prepare the application to the Texas Water Development Board for financial assistance for up to \$7 million, hoping that we get a very good interest rate. This resolution does not obligate the City to enter into any loan yet, but only to submit an application. Once the application is approved by the Texas Water Development Board, the engineers, financial advisors and bond counsel will work with us and show the staff. Mayor Garza asked if this was just a beginning process and Mr. Arjona, City Manager responded it was just to submit the application.

David Salinas, Director of Planning stated that he was there for any questions. He referenced the reservoir at the North Plant that had an issue with liners and also water quality issues that they had with treating the water. Then Mr. Arjona, City Manager reiterated that Mr. Vela was present if there were any questions. Mayor Garza then asked if there were any questions. Mr. Arjona, City Manager reaffirmed that it was just for the application. Motioned by Commissioner Garcia and seconded by Commissioner Guajardo the motion passed. (4-0)

X. Interlocal Agreement

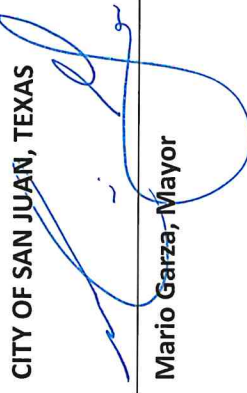
Mr. Arjona, City Manager stated that no cost would be incurred to the City, all would be done by the Hidalgo County Precinct 2. This would be for drainage improvements and for repairing 265 west of Cesar Chavez and Raul Longoria. Mr. Cervantes, Director of Planning stated that they would remove the old asphalt and put in the new and Mr. Arjona, City Manager reiterated that the work would entail drainage improvements and then whatever was affected would be repaved. There would be no improvements on the roadway. Mayor Garza asked if there were any more questions for Mr. Cervantes, Director of Planning and with no response it was motioned by Commissioner Garcia and seconded by Commissioner Guajardo. Motion passed. (4-0)

XI. ADJOURNMENT

Commission Pete Garcia motioned to adjourn meeting at 6:44 pm and seconded by Mayor Pro-Tempore Ramirez. Motion passed. (4-0)

ATTEST:


Diana H. Cavazos, City Secretary


CITY OF SAN JUAN, TEXAS
Mario Garza, Mayor