

MINUTES OF REGULAR MEETING OF THE CITY OF SAN JUAN COMMISSION

DATE:

Tuesday, September 25, 2018

TIME:

6:30 p.m.

PLACE:

San Juan Memorial Library
Multipurpose Meeting Room
1010 S. Standard
San Juan, Texas 78589

MEMBERS PRESENT:

Mario Garza, Mayor
Pete Garcia, Mayor Pro-Tempore
Lenny Sanchez, Commissioner
Jesse Ramirez, Commissioner
Rick Palacios, City Attorney

STAFF PRESENT:

Benjamin Arjona, City Manager
Diana Cavazos, City Secretary
Tirso Garza, Chief of Fire
Juan Gonzalez, Chief of Police
Leroy Gonzales, Director of Finance
Adelaida Cordero, Director of Human Resources
Armandina Sesin, Library Director
Patrick Willingham, Director of Parks & Recreation
Robert Escobar, Director of Planning
David Salinas, Interim Director of Sanitation/ Public Works
Rene Jaime, Purchasing/Risk Management
David Salinas, Director of Utilities
Mary Enriquez, Court Administrator
Amy Martinez- Nagy, Interim Director of Information Technology

ORDER OF BUSINESS

I. CALL MEETING TO ORDER

Mayor Mario Garza called meeting to order at 6:30p.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

Mayor Mario Garza led the Pledge of Allegiance.

V. PRESENTATIONS

- a. Presentation of Departmental Reports: Department of Finance, Police Department, Municipal Court, Fire Department and Department of Utilities.

DISCUSSION: City Manager Benjamin Arjona informed the commission that the directors for the departments were present for any questions. Mayor Pro Tem Pete Garcia asked Mr. Patrick Willingham, Director of Parks and Recreation, what has been the delay on the mural. Mr. Willingham responded that he had been in a meeting with City Manager, Benjamin Arjona. Mr. Willingham further stated that the only delay was that they are looking at the whole complex. We are looking at the complete complex and seeing what upgrades, expansions if any are going to take place. Mr. Willingham informed that he was asked to hold off on any improvements until everything is finalized and then move forward.

Mayor Pro Tem Garcia stated that when is approved by the Commission he expects people to ably with the Commission’s request. The commission approved the mural, action was expected. Mayor Pro Tem asked why the mural has been stopped for a year and a half.

Mayor Mario Garza explained that the mural hadn’t been stopped; it was asked to be held off. Since the City is working on an Interlocal agreement with the school district as a courtesy they were going to ask if they were okay with the Mural. Commissioner Jesus “Jesse” Ramirez stated

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to echo what Mr. Willingham said, he was given the direction to stop working on it. Mr. Arjona, City Manager responded that he was not told to stop, but to hold off on the project. Pete Garcia, Mayor Pro Tem responded so when you say hold off that means the project is not moving forward. He further stated regardless of the verb it is not moving forward. If the item was approved if you want to stop it and make a change then we should rescind the item.

Mayor Mario Garza asked Mayor Pro Tem; on the agenda you added the sports complex, right? To which Mayor Pro Tem Garcia responded yes, the mural that is in the sports complex. Mayor Mario Garza responded that those were two different items.

City Attorney, Rick Palacios advised to wait and discuss the items in order.

- b. Proclamation Recognizing October 23-31, 2018, as National Red Ribbon Week in San Juan, Texas.

DISCUSSION: Mr. Benjamin Arjona, City Manager stated that the Proclamation recognizes October 23rd-31st as National Red Ribbon Week and proceeded to read it to the audience.

VI. PUBLIC HEARING/ ORDINANCES

- a. Hold Second and Final Public Hearing and Consider Ordinance Adopting the Budget for the City of San Juan, Texas, for fiscal Year Beginning October 1, 2018 to September 30, 2019.

DISCUSSION: Mr. Leroy Gonzalez, Finance Director informed the commission that he had included the budget highlights for the fiscal year 2018-2019 in their packet. If they had any questions he was readily available.

Mayor Mario Garza opened the Public Hearing at 7:01 pm

Rick Ramirez came forward and stated that he's against for simple reason that no actual numbers or an actual packet was presented the previous years. Specific information is not provided. Mayor Mario Garza asked if anyone else was for or against and if the commission had any questions. Commissioner Jesse Ramirez asked on Noche de Paz, about the Employee Christmas Event and Thanksgiving Event. Commissioner Ramirez asked Mr. Leroy Gonzalez, Finance Director, that he noticed that Noche de Paz doesn't fall under special events. Mr. Gonzalez replied that it falls under Hotel Motel.

Commissioner Ramirez asked Planning and Zoning, the numbers the commission approved \$12,000 for engineering and architectural services but on the number provided in the budget shows \$22,000. Mr. Gonzalez replied that there was a budget adjustment along the way. Commissioner Ramirez asked if it was brought to the commission for approval. Mr. Gonzalez explained that a budget undistinguished to any other it does not go to the commission if it's amended the budget then it will come into the commission. Commissioner Ramirez asked Mr. Gonzalez if there was any way for him to provide documentation that shows what adjustment has been done. City Manager, Benjamin Arjona advised that we can provide a report on all the budget amendments.

Commissioner Ramirez asked on the media \$30,000 he asked if we were hiring somebody in house or we were going off for RFQ's? City Manager, Benjamin Arjona informed that there's been someone who's been hiring and doesn't have to go through the commission for approval. Commissioner Ramirez asked in reference to the project manager and requesting \$60,000 on the budget. City Manager Mr. Arjona explained that it's in a reimbursement process, and we cannot put it as a reimbursement yet because we don't have the money. Once it's committed, then we'll do the amendments. This is a professional service therefore; it doesn't require a commission action.

Commissioner Ramirez asked for Parks and Recreation on the debt service of \$35,000 and loan interest of \$22,000. Commissioner Ramirez questioned Parks and Recreation for travel and training going from \$4,000 to \$17,000. Mr. Leroy Gonzalez explained that it was a budget adjustment along the way for a higher amount. Mr. Patrick Willingham, Director of Parks and Recreation explained that the adjustment was made due to teams going to Louisiana, Houston and 50 athletes going to Texas College Station, Texas A&M games. The money will be use to cover the expenses for hotel, and meals.

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Commissioner Ramirez explained that reclassification should have waited until they had received the comprehensive study or until being finalized. Mayor Mario Garza asked what the status on the study. Ms. Cordero, Director of Human Resources stated that they are already on board and have started the project. Commissioner Lenny Sanchez asked how long the company has been in place and when did they start. To which Ms. Cordero replied that it started in March and explained that what has been taking long has been the information from the departments regarding the job descriptions. The cities are going to be surveyed based on our job titles and salaries. Commissioner Lenny Sanchez asked Mr. Arjona, City Manager how long has the Comprehensive Plan been in process. Mr. Arjona answered, it started 6 maybe 8 month ago. Mr. Arjona stated that there are some job descriptions that are over 10 years old, therefore had to be redone. Documentation has gone back and forth until a final draft was created. Now they are surveying other cities, typically that's what takes longer. Mr. Arjona further stated that they learned that the consultant is critically ill a couple of weeks ago, maybe three weeks ago but prior to that we were not notified. Shortly after the consultant contacted the City that she found someone else to continue the study.

Commissioner Jesse Ramirez asked if the delay was on our part. He knows that they approved it when San Juanita Sanchez was Mayor, so it's been awhile and asked if the contract had a delivery due date. Ms. Cordero replied that there was a delivery we were obviously aiming for which was before the Final Budget approval. The last communication they had from the new person taking over, are the job description questionnaires to be able to compare with other cities such as rates; they're hoping that the comprehensive and job descriptions will be completed by November. Commissioner Ramirez asked if we were going to use the information for the upcoming budget cycle. Ms. Cordero replied that's what she was hoping for. Commissioner Lenny Sanchez asked for clarification that we will be using the historical information from the past until we receive the information for the following year. Ms. Cordero stated that from what they are providing, we're going to be current and as far as the surrounding cities that the commission approved it's going to be current as far as the pay. In Essence right now most of the cities are going through their budget so I think the pay is what's going to be the most current. Commissioner Lenny Sanchez, said that he's biggest concern was that the information we've been using has been from 2015. He advised that the city needs to reevaluate the study. Commissioner Ernesto Guajardo agreed that in three years there could be changes.

Public Hearing closed at 7:16 pm

Mayor Pro Tem Pete Garcia made a motion to approve and was seconded by Commissioner Ernesto "Neto" Guajardo. Commissioner Jesus "Jesse" Ramirez voted against. Motion Passed Unanimously (4-1)

VI. CONTRACTUALS/RESOLUTIONS

- a. Discussion and Possible Action Authorizing the City Manager to Enter Into an Agreement for the Purchase of Unleaded Plus and Diesel Highway Fuel.

DISCUSSION: City Manager, Benjamin Arjona presented the next item and informed that we went up for bids, however, when we went out for bids, there was only one response. Mr. Rene Jaime, Director of Purchasing came forward and informed to the commission that bid number 1873914 for the purchase of unleaded plus some diesel highway fuel was advertised in the advance news journal on August 29th and September 5th of 2018. He further stated that as the City Manager said there was only one response and was from the vendor that we're currently using which is Gold Star petroleum. Mr. Jaime explained that it was his understanding that we haven't had complaints from their service. They are also providing the tanks that we need to store the fuel and from the interim directors, their prices are in line with the market.

Commissioner Jesus "Jesse" Ramirez made motion to approve and was seconded by Mayor Pro Tem Pete Garcia. Motion Passed Unanimously (5-0)

- b. Consider Resolution in Support of Strengthening the Texas Trauma Network.

DISCUSSION: Mario Lizcano, Administrator of Corporate Affairs from Doctors Hospital at Renaissance came forward and introduced himself. He presented the item and hoped for approval from the commission. He further stated that the American College of Surgeons states that it's required that we have a trauma level when we have over a million people in our MSA. At this point we're about 1.4 million and we don't have a trauma level center. Just in comparison to Houston where you have the Woodlands and Sugar land areas both have trauma level centers with the same amount of MSA as ours. He informed that they are working diligently with all our surrounding cities, our counties as well as our University of Texas RGV to ensure that we have this network built. He mentioned that they are asking for help of the commission to move forward

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with this legislative session to look for funds. He asked for consideration this evening to support the trauma network. Mayor Garza asked if the session will be coming January 2nd 2019. Mr. Lizcano replied yes.

Commissioner Jesus “Jesse” Ramirez made motion to approve and was seconded by Mayor Pro Tem Pete Garcia. Motion Passed Unanimously (5-0)

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

- a. Consider Authorizing the City of San Juan, Texas Supporting a Grant Application for Financial Assistance Submitted Under the Fiscal Year 2017 for Assistance to Firefighters Grant in the Amount of \$12,110.

DISCUSSION: City Manager, Benjamin Arjona mentioned that this grant was submitted by Hollis and Rutledge Associates, it's a grant that was awarded to the city of San Juan. We are asking for eight automated external defibrillators for the City of San Juan. There is a 10 percent contribution from our side; our match is \$1,210 for a grant of \$12,110. Tirso Garza, Fire Chief informed that we complied the information for the consultant on this grant submitted for 15 but was limited to acquire eight. After speaking with Mr. Arjona, we are probably going to be utilizing 4 at the Fire Department which will leave us with four to set up either at the Library, Public Safety Building, or City Hall

. Commissioner Ramirez asked if one of the EDE machines can be used by Parks and Recreation considering the fact that they have a lot of participation with the sports. Fire Chief Garza replied that yes, once we get them we can pretty much determine where we want them placed and informed that we want something compatible to the school district.

Commissioner Leonardo “Lenny” Sanchez made motion approve and was seconded by Commissioner Jesus “Jesse” Ramirez. Motioned passed unanimously (5-0)

- b. B. Consider Awarding proposal for Emergency Ambulance Service to be provided to the City of San Juan and Authorize the City Manager to negotiate a Professional Services Agreement with the Selected Firm.

DISCUSSION: Fire Chief, Garza informed that they went for proposals for the contract for Emergency Ambulance Services and that we received two proposals as presented earlier before the meeting. Fire Chief mentioned that we currently have Medicare EMS. Fire Chief made a recommendation for Medicare EMS and asked for commission approval. Mayor Garza asked Fire Chief how long he has been chief of Fire Department, Chief responded 13 years. Mayor asked for how long has Medicare been with the city and chief responded 8 years. Mayor Garza asked Fire Chief if within the 8 years if he has had any issues with the service, Fire Chief responded nothing offhand and informed that anything they received in writing from Fire Chief, they make it their priority.

Mayor Pro Tem Pete Garcia asked if they were going to have enough units. Fire Chief informed that they have their station on West 495 and they have 3 units available when we only require two. Commissioner Guajardo asked if Fire Chief monitors the ambulance when they are out and if he gets someone else to cover. Fire Chief responded that he stream lines all the calls through the radio and calls the dispatch for the volunteers.

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

- c. Consider Approval of Economic Development Corporation 2018-2019 Budget.

DISCUSSION: Mr. Villarreal, Director of EDC presented the budget for the year 2018-2019 and informed that a balance budget has been approved by the EDC Board. Mayor Garza asked if there were any questions for Mr. Villarreal.

Commissioner Ramirez asked under miscellaneous there is unused promotional expenses and asked what they were. Mr. Villarreal explained that the state allows us to budget 10 percent of our total budget for promotional expenses and out of that 10 percent we are using in City Events, Mini Grants, and Sponsorship, which leave us with \$30,000 and we call it unused. Commissioner Ramirez said unused but it's not designated. Commissioner Ramirez asked under City Events a \$40,000 has been broken down into what events. Mr. Villarreal responded that it has not been broken down. Commissioner Ramirez asked if from the current budget was there anything unused for that account. Mr. Villarreal answered that currently unused there is \$23,000.

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Commissioner Ramirez asked that he was under the impression that EDC was going to contribute to the 4th of July event but apparently they are not. City Manager Benjamin Arjona asked Mr. Villarreal if there were any minutes to reflect the action. Mr. Villarreal responded that he wasn't sure but if it was approved when he wasn't on board then all we are waiting on it's the invoice from the City. The City was informed that there are promotional leftovers. City Manager, Ben Arjona mentioned that there is some confusion as if it was approved or not and we've been looking at the undistinguished, he knows that at one point they had a vehicle budget at a \$20,000 and we came back and the vehicle was not approved. However, the monies were split into 2 whether it was for a bike or could remember for what but it was for the 4th of July. Mayor Pro Tem Pete Garcia said that that \$20,000 for the vehicles was taken off for a truck or a car.

Commissioner Jesus “Jesse” Ramirez made a motion to approve and was seconded by Mayor Pro tem Pete Garcia. Motion was passed unanimously (5-0)

d. Discussion and Action to Rescind the Commission Action Regarding the Expansion of the San Juan Sports Complex.

DISCUSSION: Mayor Pro Tem Pete Garcia explained that he put this item because he wants to discuss it. He told Mr. Arjona that when he called him Mr. Arjona had told him that we had already taken action on this item since and Monday when we talked he said this was in the planning stage. Mr. Arjona had advised Mayor Pro Tem to put his approval for the mural in writing but Mayor Pro Tem Garcia asked why he needs to put something in writing when it has been approved in the commission meeting. City Manager, Ben Arjona informed Mayor Pro Tem Garcia that Mayor Garza and he have been visiting with Dr. King in reference to the mural and decided to put it on hold in case the mural was going to affect any type of work on the building. So we decide to put a hold to it but not to stop it. Commissioner Ramirez agreed to what Mayor Pro Tem stated. Mayor Garza explained that as a courtesy to the school district in reference to doing the upgrades of our parks and just letting them know what the situation on the mural was. We never said for the project to stop. Mayor Garza informed that he will be meeting with Dr. King on Friday. Mayor Garza explained that in reference to the Mayor Pro Tem Garcia mentioning that the project had stopped, he said he was not transpired on what happened a year to a year on a half, he's transpiring what happened a week ago. Commissioner Lenny Sanchez, agreed that we should proceed with the mural and if something needs to fix fixed later then we can reach out to the school district and let them know what we can do. Mayor Pro Tem Garcia asked if maybe Dr. King had an issue with the mural. Mayor Garza answered that that's what they are finding out if maybe Dr. King has an issue, Mayor guaranteed that once we finalize everything, it will come before the commission just like any type of Interlocal and that at the end of the day putting this item on the agenda, people read it and the first thing they will said is why are we hurting our kids and why are we trying to resend something. Mayor Pro Tem Garcia mentioned that he just doesn't want to be given the wrong information or for our public to receive wrong information. Mayor Garza confirmed that he will meeting with Dr. King Friday at 1:30pm to discuss the mural. Commissioner Lenny Sanchez added that we don't have to approve anything because it's already been approved. Commissioner Guajardo noted that he thinks we should move forward with the mural regardless cause it's already been voted, he agreed with Commissioner Sanchez about moving forward and added that we should see if the engineers can work around it where they can make it look better and let PSJA help us as well. Mayor Garza noted that as a courtesy to the great relationship we have with PSJA what he doesn't want if for them to offer to help us financially. Mayor noted that for the record never did anybody from Parks and Recreation or Mr. Arjona or himself ever put to project to a stop. Mayor Pro Tem Garcia noted that for the record, when the commission approves an item, he expects for action to take place and if someone else gives Mr. Arjona a different direction, for him to contact the commission.

No Action Taken

IX. COSENT AGENDA

- a. Consider Adoption of Ordinance in Second Reading for the Tax Rate Levy for the City of San Juan, Texas, for Fiscal Year Beginning October 1,2018 to September 30, 2019.
- b. Monthly Collection Report- August 31, 2018.

DISCUSSION: Mayor Garza asked if there was anything that needed to amended or modified under consent agenda.

Commissioner Jesus “Jesse” Ramirez made motion to approve and was Seconded by Mayor Pro Tem Garcia Motion passed unanimously (5-0)

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X. EXECUTIVE SESSION 7:42 PM

a. The San Juan City Commission will Convene in Executive Session, in Accordance with the Texas Open Meeting Act, Vernon's Texas Statutes and Codes Annotated, Government Code Chapter 551 et seq;

1. Pursuant to Section 551.074 PERSONNEL MATTERS; Discuss the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline or Dismissal of a Public Officer or Employee (City Manager)

XI. RECONVENE 9:12 PM

a. City Commission will Reconvene in Open Session to Take Necessary Action if any, in Accordance with Chapter 55, Open Meeting Subchapter E, Procedures Relating to Closed Meeting 551, Requirements to Vote or Take Final Action in Open Meeting.

DISCUSSION: Mayor Mario Garza made motion to renew contract with the same terms and was not seconded by the City Commission. Commissioner Ramirez made motion based on the discussion that they had in executive session. Commissioner Ramirez noted that the concerns were from the majority regarding the lack of communication; Commissioner Ramirez made motion that Mr. Arjona be placed on probation for a period of 3 months and then they will discuss it again. City Attorney, Rick Palacios asked of it would be for 3 month probation at the same salary terms, to which Commissioner Ramirez answered yes.

Commissioner Jesus "Jesse" Ramirez made a motion to approve and was seconded by Mayor Pro tem Pete Garcia. Mayor Garza opposed Motion was passed unanimously (4-1)

XII. ADJOURNMENT 9:14 PM

Commissioner Ernesto "Neto" Guajardo made motion to adjourn and was seconded by Commissioner Leonardo "Lenny" Sanchez . Motion passed unanimously (5-0)

CITY OF SAN JUAN, TEXAS

Mario Garza, Mayor

ATTEST:


Diana H. Cavazos, City Secretary