

MINUTES OF REGULAR MEETING OF THE CITY OF SAN JUAN COMMISSION

DATE: Tuesday, November 26, 2019

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
Leonardo “Lenny” Sanchez, Mayor Pro-Tempore
Jesus “Jesse” Ramirez, Commissioner
Ernesto “Neto” Guajardo, Commissioner
Marco “Markie” Villegas, Commissioner
Ricardo Palacios, City Attorney

STAFF PRESENT: Benjamin Arjona, City Manager
Diana Cavazos, City Secretary
Tirso Garza, Chief of Fire
Reymundo Casarez, Police Captain
Patrick Willingham, Director of Parks & Recreation
Roberto Escobar, Director of Planning
Roel Garza, Director of Sanitation/ Public Works
Rene Jaime, Purchasing/Risk Management

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

V. PRESENTATIONS

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

DISCUSSION: Benjamin Arjona, City Manager stated department directors were available should the commission have any questions regarding the reports. Mayor Pro-Tem Leonardo “Lenny” Sanchez asked about a status on the speedbumps project to which Captain Casarez responded at the moment calls from citizens requesting speed bumps were being taken, but unfortunately there aren’t any in stock. Mayor Pro-Tem Sanchez asked about the citywide assessment to which Captain Casarez responded the areas are getting assessed once the citizens submit requests. Mayor Pro-Tem Sanchez asked to double check with Chief Juan Gonzalez, as the report stated conducting a citywide assessment meaning it’s in progress. Mr. Arjona, City Manager responded there was a city assessment taken by the Police Department some time back to which he added he would check on the status. Mayor Pro-Tem Sanchez asked about the initiation of more patrols on Stewart Road to which Captain Casarez responded patrolling was being done every morning and afternoon by an officer. Commissioner Jesus “Jesse” Ramirez asked who was going to be responsible for getting the speed bumps to which Mr. Arjona responded the Streets Department would be taking care of it. Mr. Arjona stated the assessment is being conducted because the last thing they wanted was to place speed bumps all over the city. Commissioner Ramirez added he was asking because at one point in time the Police Department was in charge of purchasing them. Commissioner Ramirez asked if there was funding for speed bumps to which Commissioner Marco “Markie” Villegas stated they should be budgeted for. Commissioner Ramirez asked for speed bumps to be added as a budget line item in the future fiscal budgets to which Mr. Arjona added that forfeitures asset funds could be used for the

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purchase. Mayor asked who was technically responsible for them to which Mr. Arjona responded it was a combination of both departments. Commissioner Villegas asked what the average amount of calls received regarding the speed bumps was to which Captain Casarez responded in the past two weeks he received two requests. Mayor Mario Garza asked if there were any delayed calls with MEDCARE to which Chief Garza stated that there was only one that had a four to five minute delay to which Mayor Garza responded it was an improvement. Mayor Garza asked if EMT was still meeting with him to which Chief Garza responded yes and that they were currently working on having a training course for his staff.

B. Presentation on Lighting of Christmas Tree on December 2, 2019.

DISCUSSION: Benjamin Arjona, City Manager stated that he placed an itinerary before the commission that would be taking place next week. Mr. Arjona asked the Commission to consider rescheduling the Lighting of the Christmas Tree from Monday, December 2nd to Thursday, December 5th due to some delays. Commissioner Marco “Markie” Villegas stated that it would be fine as long as the school district agreed with the date. Mr. Arjona asked Mr. Patrick Willingham to contact the district, vendors and sponsors to inform them about the change of date. Mayor Mario Garza asked Mr. Pat Karr to make sure to announce the date has been changed to December 5th on the website and on social media. Mayor Garza added to inform the person in charge of promoting the event on the radio station about the change as well. Mr. Arjona stated he would have Mrs. Laura Rodriguez contact Cultura Marketing so they could reach out to the radio station and Telemundo.

VI. PUBLIC HEARINGS

- A. Hold a Public Hearing for a Conditional Use Permit to operate “Hacienda El Rincon” Event Center at 2811 N. Veterans Boulevard, legally described as Lot 1, Kay Subdivision, as Requested by Hector Espino.

DISCUSSION: Roberto Escobar, Director of Planning and Zoning stated the request was for a conditional use permit for Hacienda El Rincon Event Center which was located at 2811 N. Veterans Boulevard on I road and North of El Dora Road. Mr. Escobar stated that Hector Espino submitted the application with the fee and letters were distributed within the 200 feet radius. Mr. Escobar added the lot was currently C1 Neighborhood Commercial District and it is an existing business with a new owner. Mr. Escobar provided a list of conditions taken to the Planning and Zoning which included: no sell of alcohol, off street parking, security, comply with the noise and no smoking ordinance. Mr. Escobar further stated Mr. Espino needed to apply for the following: conditional use permit, occupational license and health permit. Mr. Escobar stated two conditions from the Planning and Zoning Commission were added which were to add an 8 foot block buffer fence because of the noise and that the event center could only stay open until 1:00 a.m.

Public Hearing opened at 6:11 p.m.

Mayor Mario Garza asked if the applicant was okay with the conditions to which Mr. Escobar stated they would meet with him. Commissioner Jesus “Jesse” Ramirez questioned the minutes stating the operating hours until midnight to which Mr. Escobar responded the Planning and Zoning gave him until 1:00 a.m. if he closed at midnight.

Public Hearing closed at 6:12 pm.

Mayor Pro Tem Leonardo “Lenny” Sanchez motioned to approve and was second by Commissioner Jesus “Jesse” Ramirez. Motion passed (4-0).

- B. Hold a Public Hearing and Consider Ordinance Adopting the Retirement “20 year any age” and City Matching Ratio “2 to 1” with TMRS (Texas Municipal Retirement System) for the City of San Juan, Texas to be Effective January 1, 2020.

DISCUSSION: Benjamin Arjona, City Manager stated two meetings ago the item was brought before the commission for approval to change the retirement years from 25 to 20 and to change the ratio from 1.5:1 to 2:1, effective January 1, 2020.

Public Hearing opened at 6:13 p.m.

Public Hearing closed at 6:13 p.m.

Mayor Pro-Tem Leonardo “Lenny” Sanchez motioned to approve and was seconded by Commissioner Marco “Markie” Villegas. Motion passed (4-0).

VII. DISCUSSION AND POSSIBLE ACTION ON ALL THE FOLLOWING MATTERS

- A. Consider Authorizing the City Manager to Enter into a Lease Purchase Agreement with Municipal Emergency Services (MES) a State Contract Vendor Under the Buy Board Program, for a total of 46 complete Sets of Structural Fire Bunker Gear.

DISCUSSION: Tirso Garza, Fire Chief stated they are looking into replacing all the gear for staff and funds were allocated in the budget for the down payment. Chief Garza added that TCFP is getting more strict with the requirements for fire gear. Chief Garza stated the gear is considered contaminated frequently so it has to be washed; some of the gear is reaching the life span of ten years to which he is recommending replacing all the gear, but keeping the old ones for backup. Mayor Mario Garza asked about last year’s request to Precinct 2 to which Chief Garza responded that a month ago he ran into Mr. Armando Garza and asked if the funding was approved and was told it was pending. Chief Garza added if Precinct 2 does contribute the moneys, it could be placed back to the line item. Mayor Garza asked if that could be done to which Mr. Benjamin Arjona, City Manager responded it was allowable, but he would rather just reimburse the money back to the city unless the Commission decides otherwise. Mayor Pro-Tem Leonardo “Lenny” Sanchez asked if the \$25,000 can only be utilized for gear or if it can be used for other equipment to which Chief Garza responded he would bring it back to the City Commission since it would be a capital purchase. Mayor Pro-Tem Sanchez asked for the due date of the first payment to which Chief Garza responded it would be next year in December. Chief Garza added the vendor gave the city a good deal for the 46 sets. Commissioner Jesus “Jesse” Ramirez asked if the first payment wasn’t due until next year when was the down payment due to which Chief Garza responded the down payment was in the capital line item.

Commissioner Jesus “Jesse” Ramirez motioned to approve and was seconded by Mayor Pro Tem Leonardo “Lenny” Sanchez. Motion passed (4-0).

- B. Discussion and Possible Action to Authorize the City Manager to Enter Into a Professional Service Contract with Construct-Ability, LLC for the Evaluation of Construct-Ability of the Wastewater Plant Improvements Phase One Sludge Dewatering Facilities and Authorize the Mayor to Execute a Budget Amendment as needed.

DISCUSSION: Benjamin Arjona, City Manager stated at the last tour of the Wastewater Plant the item was proposed and the City qualified for a grant loan with the Texas Water Development Board. Mr. Arjona further stated the item presented would be receiving an assessment through Construct-Ability, LLC and they are guaranteeing the project will not go over the amount due. Mr. Arjona added if there are any changes that take place it would be under them and not the city. Mr. Arjona mentioned that for the amount of money that they are charging the city versus what the city is going to be investing it can’t go wrong. Mayor Mario Garza asked what the amount was to which Mr. Arjona responded it was \$80, 645.00 for the professional service.

Commissioner Marco “Markie” Villegas motion to approve and was seconded by Commissioner Jesus “Jesse” Ramirez. Motion passed (4-0).

- C. Discussion and Possible Action on Transit Terminal/City Hall Interlocal Agreement with the Lower Rio Grande Valley Development Council for FTA Grant Process.

Commissioner Jesus “Jesse” Ramirez motion to approve and was seconded by Commissioner Marco “Markie” Villegas. Motion passed (4-0).

- D. Discussion and Possible Action on Transit Terminal/City Hall Interlocal Agreement with the Lower Rio Grande Valley Development Council for the Joint Development.

Commissioner Marco “Markie” Villegas motion to approve and was seconded by Commissioner Jesus “Jesse” Ramirez. Motion passed (4-0).

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- E. Discussion and Possible Action Regarding a Letter of Intent for the Creation of a Public-Private Partnership for Different Funding Options for the Building of the new City Hall/Valley Transit Terminal.

Mayor Pro Tem Leonardo “Lenny” Sanchez motioned to approve and was seconded by Commissioner Marco “Markie” Villegas. Motion passed (4-0).

DISCUSSION: Benjamin Arjona, City Manager stated that items C, D, and E fall under the City Hall Terminal Interlocal agreement and different funding options. Mr. Arjona asked to take the mentioned items under executive session and come back to vote on them since there are some legal questions on behalf the City Commission.

VIII. RESOLUTIONS

- A. Discussion and Possible Action on a Resolution of the City of San Juan, Texas, authorizing the City to enter into an agreement with the Texas Department of Transportation for events that require temporary street closures.

DISCUSSION: Benjamin Arjona, City Manager stated that in the past we would contact TXDOT for any type of event and have a permit issued, but now they are requiring a resolution to be passed. Mayor Mario Garza asked if it’s an annual basis to which Mr. Patrick Willingham, Director of Park and Recreation responded there wasn’t a timeline, but after doing some research the last resolution passed was back in 2009. Mr. Benjamin Arjona, City Manager added the resolution is to update the resolution passed back in 2009. Mr. Willingham added that once this resolution is passed detailed paperwork would have to be submitted per event.

Commissioner Jesus “Jesse” Ramirez motioned to approve and was seconded by Mayor Pro Tem Leonardo “Lenny” Sanchez. Motion passed (4-0).

- B. Consider Adopting a Resolution Amending Authorized Representatives to Conduct Business with TexPool Participant Services.

DISCUSSION: Benjamin Arjona, City Manager stated that the item was just to update names and signatures since the previous Director of Finance and Interim City Manager are the ones authorized to sign off on the investment.

Commissioner Jesus “Jesse” Ramirez motioned to approve and was seconded by Mayor Pro Tem Leonardo “Lenny” Sanchez. Motion passed (4-0).

IX. CONTRACTUALS

- A. Discussion and Possible Action to Extended the December 8, 2014 Wholesale Wastewater Treatment Interlocal Agreement by and Between the City of San Juan and North Alamo Water Supply Corporation for an Additional Sixty Days and Authorize the Mayor to Execute all Related Documents.

DISCUSSION: Benjamin Arjona, City Manager stated they were asking to extend the existing agreement that is in place with North Alamo Water Supply Corporation for an additional 60 days before the rates are brought back for restudy. Mr. Arjona added they wanted to keep both the City and North Alamo Water rates the same.

Commissioner Jesus “Jesse” Ramirez motioned to approve and was seconded by Mayor Pro Tem Leonardo “Lenny” Sanchez. Motion passed (4-0).

X. CONSENT AGENDA

- A. Consider Second and Final Reading of an Ordinance for a Rezoning Request from Neighborhood Commercial District (C-1) to Single-Family Residence District (R-S) of a 12.77 acre tract of land out of Lot 11, Block 35, Alamo Land and Sugar Company’s Subdivision, located approximately a quarter of a mile East from Stewart Road, along the South side of Carroll Road, as Requested by Esponjas Development, LTD.

- B. 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 a 9.34 acre tract of land out of Lot 11, Block 35, Alamo Land and

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Sugar Company Subdivision, located approximately a quarter of a mile East from Stewart Road, along the South side of Carroll Road, as Requested by Esponjas Development, LTD.

C. Consider Second and Final Reading of an Ordinance for a Rezoning Request from Single-Family Residence District (R-S) to General Business District (C-2) of the South 5.00 acres out of the North one-half of Lot 42, Stewarts Addition to the Conway Gardens, located approximately 500 feet North of Thomas Road, along the West side of Stewart Road, as Requested by Hector Espino, Sr.

D. Consider Approval of City of San Juan 2019 Tax Roll Certificates.

E. Meeting Minutes
- August 27, 2019
- August 31, 2019
- September 10, 2019

DISCUSSION: Benjamin Arjona, City Manager stated that under Consent agenda any item could be pulled for further discussion or amendment.

Commissioner Jesus “Jesse” Ramirez motion to approve and seconded by Mayor Pro Tem Leonardo “Lenny” Sanchez. Motion passed (4-0).

XI. EXECUTIVE SESSION: 6:24 P.M.

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 551.071 551.072 and 551.074.

1. Pursuant to Section 551.071, Consultation with Attorney and 551.074 Personnel Matters; Discussion, Deliberation and Possible Action Regarding Tirso Garza’s Grievance Matter.

DISCUSSION: Mayor Mario Garza stated that on Executive Session item A.1 they will have City Manager or City Attorney to proceed as instructed.

Mayor Mario Garza motion to approve and was seconded by Mayor Pro Tem Leonardo “Lenny” Sanchez. Motion passed (4-0).

2. Pursuant to Section 551.072, Deliberation Regarding Real Property and Section 551.071 Consultation with Attorney; Discussion and Possible Action on the new Transit Terminal/City Hall Interlocal Agreement with the Lower Rio Grande Valley Development Council for FTA Grant Process.
3. Pursuant to Section 551.072, Deliberation Regarding Real Property and Section 551.071 Consultation with Attorney; Discussion and Possible Action on the new Transit Terminal/City Hall Interlocal Agreement with the Lower Rio Grande Valley Development Council for the Joint Development.
4. Pursuant Section 551.072, Deliberation Regarding Real Property and Section 551.071 Consultation with Attorney; Possible Action on Letter of Intent for the Creation of a Public-Private Partnership for Different Funding Options for the Building of the new City Hall/Valley Transit Terminal.

DISCUSSION: Ricardo Palacios, City Attorney asked to back track item A.2 through A.4 as they are the same ones under Discussion and Possible Action. Benjamin Arjona, City Manager presented item C and D under Discussion and Possible Action.

Commissioner Marco “Markie” Villegas made motion to go into executive session at 6:24 p.m. and was seconded by Mayor Pro Tem Leonardo “Lenny” Sanchez. Motion passed (4-0).

XII. RECONVENE: 6:51 P.M.

A. The City Commission will Reconvene in Open Session to Take Necessary Action if any, in Accordance with Chapter 551, Open Meeting, Subchapter E, Procedures

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Relating to Closed Meeting 551, Requirements to Vote or Take Final Action in Open Meeting.

Commissioner Jesus "Jesse" Ramirez made motion to reconvene at 6:51 p.m. and was seconded by Mayor Pro Tem Leonardo "Lenny" Sanchez. Motion passed 4-0.

XIII. ADJOURNMENT: 6: 53

Mayor Pro Tem Leonardo "Lenny" Sanchez made motion to Adjourn and was seconded by Commissioner Marco "Markie" Villegas. Motion passed (4-0)

CITY OF SAN JUAN, TEXAS

Mario Garza, Mayor

ATTEST:



Diana H. Cavazos, City Secretary