

MINUTES OF REGULAR MEETING OF THE CITY OF SAN JUAN COMMISSION

DATE: Tuesday, February 11, 2020

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
Ernesto "Neto" Guajardo, Commissioner
Marco "Markie" Villegas, Commissioner
Ricardo Palacios, City Attorney

STAFF PRESENT: Benjamin Arjona, City Manager
Nayeli Guerrero, Records Manager
Tirso Garza, Chief of Fire
Juan Gonzalez, Chief of Police
Leroy Gonzalez, Director of Finance
Adelaida Cordero, Director of Human Resources
Armandina Sesein, Library Director
Patrick Willingham, Director of Parks & Recreation
Roberto Escobar, 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 6:00 p.m.

II. INVOCATION

Benjamin Arjona, City Manager led the Invocation.

III. PLEDGE OF ALLEGIANCE

Mayor Mario Garza led the Pledge of Allegiance.

IV. PUBLIC COMMENTS

Flor Martinez stated that at Loma Linda subdivision a sidewalk needed to be added for the children that walk to school.

Blanca with La Union del Pueblo Entero (LUPE) stated an invitation was given to the Commission to join the Cesar Chavez march that will be held on March 28, 2020 at 9:00 a.m. starting at Municipal Park.

V. PRESENTATIONS

A. Presentation on Foxtail Cottage Development.

DISCUSSION: City Manager, Benjamin Arjona stated Mrs. Alma and Stephanie with Foxtail Cottage Development were there to give a brief presentation on the project. Mrs. Alma Cordova stated the site for the project is 16.29 acres on Eldora Road. Mrs. Cordova further stated an application to TDHCA was in the process for state funding for a mixed income development. Mrs. Cordova added as you can see on the development narrative there will be 88 units of new construction ranging from 1 bedroom, 2 bedrooms and 3 bedrooms. The 2 bedroom, one bath will

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range from \$257-\$800, 2 bedrooms 2 bath will range from \$304-\$930 and 3 bedroom 2 bath from \$345-\$1150. The property will have a sizeable club house, maintenance building, small kiosk, resort style swimming pool, fitness center, fully furnished gazebo/barbeque area, kids playground, dog park and a walking area.

Ms. Stephanie further stated they were asking for the city's support to move forward with a resolution to start with the development that would help families in the community by providing a better quality of living. Ms. Stephanie further stated the type of financing that was applied for with the state agency is very competitive without the resolution from the City, the company wouldn't have a competitive application. Mayor Mario Garza asked if the homes were portable to which Mrs. Cordova responded some units are portable as well as conventional. Mayor Garza asked if they had developed elsewhere locally to which Mrs. Cordova responded yes in Donna, Weslaco and Alamo, Texas. Mrs. Cordova added Foxtail is a 20 year-old company that started with just development and now it's a full integrated company that manages their own properties and does their own screenings. Mayor Mario Garza asked if they ran background checks, to which Mrs. Cordova responded yes. Commissioner Marco "Markie" Villegas asked if they had any restrictions, to which Mrs. Cordova responded they have income guidelines and tight qualifications individuals must meet. Mayor Garza asked if it was a first come, first serve basis to which Mrs. Cordova responded yes all their developments in Texas have a waiting list. Mayor Garza asked if they work with the Housing Authority to which Mrs. Cordova responded yes. Mayor Mario Garza added there's a list of residents waiting and believes this will be a good opportunity. Mrs. Cordova stated there's a crisis not only in Texas but in the United States, unfortunately there's no affordable housing and the rents continue increasing which is the reason we want to develop here in the City of San Juan to provide for the people that cannot afford those higher rates.

- B. Presentation of Departmental Reports: Department of Planning and Zoning, Department of Sanitation, San Juan Memorial Library and Department of Parks and Recreation.

DISCUSSION: City Manager, Benjamin Arjona stated before we start I would like to share that there will be a ground breaking ceremony taking place February 15, 2020 at 11:30 a.m. right next to HEB for Taco Palenque, Wing Barr, AT&T and Smile Magic Dentist. Mr. Arjona further stated a speed study had been completed for Stewart Road school zone and the speed limit will be reduced as well as the school zone will increase. Mr. Arjona further stated that 495 the school zone speed limit is currently being worked for the schools between Veterans Road and Cesar Chavez. Additionally there will be a meeting with the individuals working on the side walk who are working with City of Pharr, TX Dot, City of San Juan and Alamo to finalize the details of the project.

Mayor Mario Garza asked if they are still registering for baseball right now to which Mr. Patrick Willingham, Director of Parks and Recreation responded yes. Mayor Garza asked if basketball season had already started to which Mr. Willingham responded the second half of the season started for the boys' basketball and the girls' soccer would start on Saturday. Mayor Garza asked if kids could still be able to register for soccer to which Mr. Willingham responded only if there's a slot available but everything is pretty much full. Commissioner Ernesto "Neto" Guajardo asked how they were doing in the fields to which Mr. Willingham responded the south field frame is complete and now they started on the trenching for the drainage. Mr. Willingham added the contractor should be done by the end of the month and the north field the target date is April 3, 2020. Mayor Garza added there will be artificial turf in the infield and natural grass in the outfield with an irrigation system. Mr. Arjona, City Manager stated a status report on the parks would be included for the next meeting as well as a video.

Mayor Pro Tem "Leonardo" Sanchez asked for a projected date for PAL to which Mr. Willingham responded by the end of the month they would be submitting all the paperwork currently they are working on the articles of incorporation, once approved by City Attorney the goal is to submit by the end of the month for full acceptance to the National PAL. Commissioner Villegas asked how long is the process to which Mr. Willingham responded it shouldn't be too long because they once all the paper work is received the approval should be received a couple of weeks after. Mayor Garza asked what sports they were planning to have in the PAL program to which Mr. Willingham responded for now track and field and the new sport would be boxing. Commissioner Guajardo asked if the PAL program would benefit other sports as well to which Mr. Willingham replied yes as they go sports can be added. Mr. Willingham added that PAL could also be used for community outreach and mentorship programs. Commissioner Villegas asked on the study for additional brush pick up to which Mr. Arjona responded they were still looking at numbers to look at the cost

for the city to get a full second round or the other option would be to consider a second container to the citizen's right after the holidays.

VI. PUBLIC HEARING

- A. Hold a Public Hearing for a Conditional Use Permit to allow "My Party Venue" Event Center in a commercial area located at 654 E. Nolana Avenue Suite 2, legally described as Lots 4A and 4B, Wolverine Subdivision, as Requested by Ricardo Sanchez.

DISCUSSION: Roberto Escobar, Director of Planning and Zoning stated the item was for a conditional use permit of an existing event center "My Party Venue" located on Raul Longoria and Nolana. Mr. Escobar further added Mr. Saenz has submitted the application, paid the fees, it was advertised on the newspaper, letters were sent out to residents within a 200 foot radius, a zoning map and photos were included in the packet as well. Mr. Escobar added it was zoned C2 general business which allows events centers and the conditions that they have are no sale of alcohol because they didn't apply for TABC. Mr. Escobar stated the event center has parking, complies with the noise ordinance and requirements, security cameras, are required to get a conditional use permit, occupational license, and a health permit if they are planning on selling food and comply with the non-smoking ordinance. Mr. Escobar added the Planning and Zoning Commission approved the item.

Mayor Mario Garza opened the Public hearing at 6:20 p.m.

Mayor Mario Garza closed the Public hearing at 6:20 p.m.

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

- B. Hold a Public Hearing for a Conditional Use Permit to allow "Sebastian's Event Center" in a commercial area located at 2211 S. Veterans Boulevard, Suite 10, legally described as Lot 3, Hacienda Palms Subdivision, as Requested by Paola Guzman.

DISCUSSION: Mr. Roberto Escobar, Director of Planning and Zoning stated the existing event center is located on Moore Rd and I Road on the plaza next to Stripes. Mr. Escobar further stated Mrs. Guzman submitted the application, paid the fees, it was advertised on the newspaper, letters were sent out to the residents within the 200 foot radius, zoning map and photos were included in the packet. Mr. Escobar added the conditions were no sale of alcohol because they didn't apply for TABC, they met the parking and complied with the noise ordinance and requirements, security cameras and needed their conditional use permit, occupational license, a health permit if they are planning on selling food and comply with the non-smoking ordinance. Mr. Escobar added the Planning and Zoning Commission approved the item.

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

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

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

- C. Hold a Public Hearing for a Conditional Use Permit to allow "The Hall Event Center" in a commercial area located at 502 N. Veteran's Boulevard Suite E, legally described as Knights South 125.50 feet, of the West 196.00 feet of Lot 15, Block 5, SJ TR and West 196.00 feet of Lot 1, as Requested by Maria L. Santos.

DISCUSSION: Mr. Roberto Escobar, Director of Planning and Zoning stated the item was for a conditional use permit for a new event center plaza located on I Road and 1st Street. Mr. Escobar further stated Mrs. Santos had submitted the application, paid the fees, advertisement had been sent out the newspaper, letters had been sent out to the residents within the 200 foot radius, a zoning map and photos were included in the packet. Mr. Escobar added the conditions were no sale of alcohol because they didn't apply for TABC, complied with parking and the noise ordinance and requirements, security cameras, conditional use permit, occupational license, and a health permit if they were planning on selling food and comply with the non-smoking ordinance. Mr. Escobar added the Planning and Zoning Commission approved the item.

Mayor Mario Garza opened the Public hearing at 6:23 p.m.

Mayor Mario Garza closed the Public hearing at 6:23 p.m.

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

- D. Hold a Public Hearing for a Conditional Use Permit to allow “Gala Events” in a commercial are located at 905 W. 1st Street, Suites A and B, legally described as Lot 2, B.T. No. 1 Subdivision, as Requested by Veronica Cortez.

DISCUSSION: Mr. Roberto Escobar, Director of Planning and Zoning stated the item was for a conditional use permit for an existing event center located on I Road and South 1st Street. Mr. Escobar further stated Mrs. Cortez had submitted the application, paid the fees, advertised on the newspaper, sent letters out to the residents within the 200 foot radius, a zoning map and photos were included on the packet. Mr. Escobar added the conditions were no sale of alcohol because they didn’t apply for TABC, they complied with the parking, noise ordinance and requirements, security cameras, conditional use permit, occupational license, a health permit, if they were planning on selling food and comply with the non-smoking ordinance. Mr. Escobar added the Planning and Zoning Commission approved the item.

Mayor Mario Garza opened the Public hearing at 6:24 p.m.

Mayor Mario Garza closed the Public hearing at 6:24 p.m.

Mayor Pro Tem Leonardo “Lenny” Sanchez made motion to approve and was seconded by Commissioner Ernesto “Neto” Guajardo. Motion passed (4-0).

- E. Hold a Second Public Hearing for the Voluntary Annexation Petition of the Proposed Cesar Heights Subdivision being 1.61 acre tract of land of Lot 4, Block 27, Alamo Land and Sugar Company’s Subdivision, as per map recorded in Volume 1, Pages 24 thru 26, Map Records, Hidalgo County, Texas located approximately a quarter of a mile South of Moore Road, along the West side of Cesar Chavez Road.

DISCUSSION: Mr. Roberto Escobar, Director of Planning and Zoning stated the item was for a second public hearing that is required for the voluntary annexation petition. Mr. Escobar further stated letters were sent out to all agencies and once it gets approved for annexation a plat will be submitted for the location.

Mayor Mario Garza opened the public hearing at 6:25 p.m.

Mayor Mario Garza closed the Public hearing at 6:26 p.m.

Mayor Pro Tem Leonardo “Lenny” Sanchez made motion to approve and was seconded by Commissioner Ernesto “Neto” Guajardo. Motion passed (4-0).

VII. ORDINANCES

- A. Discussion and Possible Action on proposed Ordinance to Amend the City’s Code of Ordinance to Repeal Article 5.04 Fire Department of Chapter 5 fire Prevention and Protection and Amend Chapter 9 Personnel, Article 9.03 Police Department.

DISCUSSION: Benjamin Arjona, City Manager stated on the ordinance the City of San Juan Commission authorized to repeal article 5.04 by removing section 9.03.002 categories of pay, Police Department and added article 9.04 classified positions and additional categories of pay for the fire department. Mr. Arjona further stated to clarify such addition of categories of pay were applicable only to firefighters having civil service protection in accordance to section 143.021 of the Texas Local Government Code since such categories were codified incorrectly to the City’s Code of Ordinance No. 13-28 on November 26, 2013 under Police Department. Mr. Arjona stated the agreement that was passed last year on August/September will identify exactly who is on civil service and who is not. Ricardo Palacios, City Attorney stated some of the sections were not in the fire department section, the classifications were in the Police Department so basically we are clarifying the sections and who is qualified.

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

VIII. APPOINTMENTS

- A. Consider Removal and/ or Appointment of Board Member (s) Related to the City of San Juan Civil Service Board.

DISCUSSION: Benjamin Arjona, City Manager stated the item needed to be tabled for the next meeting since our City Secretary was not in and we don't know how many applications were submitted.

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

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

- A. Preliminary and Final Plat Approval of the Valley Ranch Subdivision being a 23.70 acre tract of land out of Lot 6, Block 27, Alamo Land and Sugar Company's Subdivision, located approximately a quarter of a mile West of Cesar Chavez Road, along the north side of Hall Acres Road, as requested by Quintanilla, Headley and Associates, Inc.

DISCUSSION: Mr. Roberto Escobar, Director of Planning and Zoning stated the property was a 39 residential lot subdivision on the city ETJ on the North side of Hall Acres. Mr. Escobar further stated the request was reviewed by City Staff and City Engineer for the utilities, which is Military Highway Water Supply Corporation they will be adding an 8-inch waterline for a future lift station. Mr. Escobar added the following would be installed: sidewalks, street lights, fire hydrants, and utility easements. At the time they are only asking for two variances because of the way the property is shaped it doesn't allow having two exits and the second variance is for the loop on the water line which would fall under Military Highway Water supply. Mr. Escobar further added the Planning and Zoning Commission had approved it. Commissioner Guajardo asked if there was an ordinance established for subdivision entrances to which Tirso Garza, Fire Chief responded it all depends on the future development of the property. Commissioner Guajardo asked if it would apply if it's the same owner for future development since his main concern is the hazard one entrance can cause in case of an emergency.

Mr. Cantu stated he has developed other subdivisions and was not asking for the commission to overlook the two exit requirement but to understand that there's only one possible entrance. Mr. Cantu further stated other cities require two exits when it's more than 30 lots in this case there are 39, but because of the layout of the proposed subdivision there can only be one entrance. Mr. Cantu added there is an exemption to the code which is if there is connectivity to future development which could be a possibility since he owns the properties to the West and the South of the proposed subdivision. Alfonso Quintanilla, Project Engineer stated the requirements for the width of the street for new developments are 32 feet wide but they are proposing a 44 feet wide entrance giving more space for this type of maneuver. Mayor Garza stated Mr. Cantu's developments in the PSJA area are excellent work and does not see a problem for the entrance requirement the main concern is for the City of San Juan to be open to work with everyone. Mayor Garza asked how many half acre lots were in the subdivision to which Mr. Cantu responded 39. Mayor Garza asked for the value of the homes to which Mr. Cantu responded minimum \$230,000 to \$300,000. Commissioner Villegas stated the expansion of the entrance could alleviate the entrance requirement. Commissioner Guajardo stated his concern was the safety of the residents to which Mr. Cantu responded he appreciated his feedback but to keep his mind at ease he purchased two additional properties. Mr. Cantu added unfortunately the property that is connected to the proposed subdivision is not for sale but he was bringing infrastructure to that area where there is no sewer. Mr. Cantu additionally added he was going to bring a lift station with a cost of \$300,000 which is out of the ordinary for the type of development he does.

Mayor Mario Garza made motion to approve and was seconded by Commissioner Marco “Markie” Villegas. Opposed by Commissioner Ernesto “Neto” Guajardo (3-1).

Commissioner Guajardo added for the record he voted against only because of his concern of the safety of the residents that will live there in case of an emergency.

- B. Preliminary and Final Plat Approval of the Royal Ridge Subdivision being a 14.121 acre tract of land out of Lot 17, M.L. Woods Properties Unit No. 1,

located at the Southwest corner of San Antonio Avenue and Ridge Road, as Requested by Melden & Hunt, Inc.

No action for this item.

- C. Preliminary and Final Plat Approval of the Arrambide Subdivision being a 2.94 acre tract of land out of Lot 10, Block 31, Alamo Land and Sugar Company's Subdivision, located at the Southeast corner of Ridge and Steward Roads, as Requested by NAIN Engineering, LLC.

DISCUSSION: Mr. Roberto Escobar stated the city staff and city engineer have reviewed it. Mr. Escobar added NAIN Engineering is requesting variance to allow septic tanks on the three lots since the sewer is 1700 feet away. Mr. Escobar added a fire hydrant located within 500 feet, they would have a dedicated utility easement and an additional right of way and they were also asking for funds to escrow for an 8- inch waterline. Mr. Escobar state the Planning and Zoning Commission had approved the item. Mr. Arjona, City Manager asked if this was to subdivide or to build homes to which Mr. Raquia, Project Engineer responded it was to subdivide a family partition into 3 lots and for the building of two additional homes.

Commissioner Ernesto "Neto" Guajardo made motion to approve and was seconded by Mayor Mario Garza. Motion passed (4-0).

X. CONTRACTUALS

- A. Consider Interlocal Cooperation Agreement between the City of San Juan and County of Hidalgo, Texas, To Administer On- Site Sewage Facility (OSSF).

DISCUSSION: Mr. Benjamin Arjona, City Manager stated there was an interlocal agreement in place since 2017, but since it was so far back we would be renewing it. Mr. Arjona further stated there was a property requesting septic tanks and we could not provide those services however they can be sent to the county. Mr. Arjona added since the county has an agreement, but we don't we just want to renew the interlocal agreement that is in place.

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

XI. RESOLUTIONS

- A. Consider Resolution Authorizing the City Manager to Submit, Accept an Application for Funding of the Office of the Governor, Homeland Security Division for the City of San Juan Law Enforcement Emergency Regional Response Team (LEERT) Enhancement Project.

DISCUSSION: Juan Gonzalez, Chief of Police stated these resolutions Hollis Rutledge our grant writes will be applying for grant funding, unfortunately they could not be here. Mr. Gonzalez further stated I know there are other opportunities for grants that I have discussed with City Manager for guidance. Mr. Gonzalez added within the next couple of meetings he would be presenting several resolutions for other grants as well. Mr. Benjamin Arjona, City Manager states there's opportunities out there and we want to apply to all of them.

Commissioner Ernesto "Neto" Guajardo made motion to approve and was seconded by Commissioner Marco "Markie" Villegas. Motion passed (4-0).

- B. Consider Resolution Authorizing the Submission of an Application Under the 2021 Local Border Security Program Solicitation to the Governor's Office Homeland Security Grant Division.

DISCUSSION: Juan Gonzalez, Chief of Police stated the resolution just as the previous is a standard resolution that gets submitted each year.

Mayor Pro Tem Leonardo "Lenny" Sanchez made motion to approve and was seconded by Commissioner Ernesto "Neto" Guajardo. Motion passed (4-0).

- C. Consider Authorizing The City Manager Apply and Submit a Grant Application to the Governor's Office Criminal Justice Division.

Commissioner Ernesto "Neto" Guajardo made motion to approve and was seconded by Commissioner Marco "Markie" Villegas. Motion passed (4-0).

XII. CONSENT AGENDA

- A. Budget Expenditure Report- December 2019.
- B.

Commissioner Ernesto "Neto" Guajardo made motion to approve and was seconded by Mayor Pro Tem Leonardo "Lenny" Sanchez. Motion passed (4-0).

XIII. EXECUTIVE SESSION

- 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 551.071 Consultation with Attorney and 551.074 Personnel Matters; Discussion and Possible Action Regarding Chief Tirso Garza's Settlement Agreement Release.

Mayor Pro Tem Leonardo "Lenny" Sanchez made motion to convene in executive session at 6:47 p.m. and was seconded by Commissioner Marco "Markie" Villegas. Motion passed (4-0).

XIV. RECONVENE

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

Commissioner Ernesto "Neto" Guajardo made motion to reconvene from executive session at 6:52 p.m. and was seconded by Mayor Pro Tem Leonardo "Lenny" Sanchez. Motion Passed (4-0).

Mayor Mario Garza made motion to approve the settlement agreement as discussed in executive session and was second by Commissioner Ernesto "Neto" Guajardo. Motion Passed (4-0).

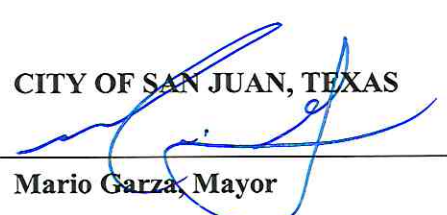
XV. ADJOURNMENT

Commissioner Marco "Markie" Villegas made motion to adjourn at 6:53 p.m. and was seconded by Mayor Mario Garza. Motion passed (4-0).

ATTEST:


Diana H. Cavazos, City Secretary

CITY OF SAN JUAN, TEXAS


Mario Garza, Mayor