

MINUTES OF REGULAR MEETING OF THE CITY OF SAN JUAN COMMISSION

DATE: Tuesday, March 10, 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
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
Juan Gonzalez, Chief of Police
Leroy Gonzalez, Director of Finance
Adelaida Cordero, Director of Human Resources
Armandina Sese, Library Director
Patrick Willingham, Director of Parks & Recreation
Monica Gomez, Planner II
Roel Garza, Director of Sanitation/ Public Works
David Salinas, Director of Utilities
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

Juan Gonzalez, Chief of Police led the Pledge of Allegiance.

IV. PUBLIC COMMENTS:

No public comments.

Mr. Benjamin Arjona, City Manager extended an invitation out to the Commission, staff and community members for a ribbon cutting taking place at Gala Event Center tomorrow next to the EDC Office.

V. PRESENTATIONS

A. Proclamation Proclaiming Full Support of the 2020 U.S. Census.

DISCUSSION: Mr. Benjamin Arjona, City Manager stated as we all know the census is right around the corner, there will be a census day with the PSJA District that will be taking place Wednesday April 1st. Mr. Arjona further stated he encourage everyone to pass the word around on the importance of being counted. Mr. Arjona added there are a lot of monies in store, monies that are not funded to the Rio Grande Valley because we don’t get counted and this proclamation is in support of the census. Mayor Mario Garza asked if Mr. Robert Escobar would be attending the census meeting to which Mr. Arjona responded he wasn’t present but Mrs. Monica Gomez was

taking his place. Mayor Pro Tem Leonardo “Lenny” Sanchez asked at what time the meeting will be to which Mr. Arjona responded 9:30 a.m. to 10:30 a.m. Mayor Mario Garza proceeds to sign the Proclamation in support of the census.

B. Proclamation Proclaiming March 2020 as March for Meals Month.

DISCUSSION: Mr. Benjamin Arjona stated Mrs. Monica Villarreal was present to give a short presentation having to do with Amigos del Valle providing meals to the senior citizens in all communities along the Rio Grande Valley. Mrs. Villarreal greeted and thanked the city commission and presented an award to the City. Mrs. Villarreal stated it meant a lot to the program all the support they receive from the City of San Juan it helps them focus on their mission which is to serve the elderly community by being able to provide meals to the homebound seniors and it gives them the opportunity to shorten the long waiting list they have. Mayor Mario Garza thanked them and stated the city was available for whatever they may need. Mayor Mario Garza proceeded to sign the proclamation and stated in reference to this matter you are more than welcome to visit Ms. Dianna Cavazos, City Secretary to obtain a copy.

C. Presentation on Phase 1 of the Municipal Park Project.

DISCUSSION: Mr. Patrick Willingham, Director of Parks and Recreation greeted the city commission and gave a presentation on an update of the municipal park project which are two baseball and softball fields that would get renovated as of Friday, February 28th. Mr. Willingham stated phase 1 included the removal of the existing dirt and sub grading the whole ballpark, install the concrete curbs, the trim that goes all around all the way around the infield to prepare for the beginning phase of the installation of the turf and the drainage. Mr. Willingham proceeded to show the City Commission a 3 minute video to show what is taking place everything is moving along quite well, the weather has been good; the contractors are on track to complete the project the first week in April. Mr. Willingham added they are about to staff the irrigation phase on the outfield to lay out the grass.

Mayor Mario Garza asked if both fields would be completed by the first week of April to which Mr. Willingham responded that both fields would be finishing up the lane of the SOD in the outfield so kids can start playing. Mr. Willingham added time needed to be given to the outfield grass to root so the kids don’t tear it up when they get on it and if all goes well we will be ready by the later part of May. Mr. Willingham further stated they had been awarded 3 tournaments this summer for the All Stars so they are hoping they host it at the park. Commissioner Ernesto “Neto” Guajardo stated he passed through the park and noticed that they were going a great job and on schedule. Mayor Mario Garza stated he noticed last week they were spreading out the rock. Mr. Willingham stated that there is two layers one that is a bigger pebble and then a layer of a smaller crushed pebble that goes on top to create padding when the turf gets laid. Mayor Mario Garza asked if there was going to be drainage all along the fence line to which Mr. Willingham responded some will drain out in the parking lot and another that drains out towards 2nd street. Mayor Mario Garza asked if they already looked at the netting for the foul balls to which Mr. Willingham responded they reached out and to the company they are also doing the canopies for the spectators, so they’ll be measuring and getting all that done.

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

DISCUSSION: Commissioner Jesus “Jesse” Ramirez stated the department had put on a great 5K event this past month and they did an outstanding job everyone who participated, he asked Mr. Willingham to let them know. Commissioner Ramirez asked about the drafting and how it’s getting done since they told him they are drawing numbers and not names to which Mr. Willingham responded that there’s list of names once they grab the number they match it to the name and that is to protect the new coaches who don’t know anybody. Mr. Willingham added if the names are given out too early they may not know who all these people are so they draw numbers, then they see the names and the rosters are done by the next day.

VI. ORDINANCES:

A. Discussion and Possible Action of an Ordinance Amending Chapter 12 Traffic and Vehicles, Article 12.02 Operation of Vehicles, Division 3, Speed Limits, Section 12.02.092 Speed Limits of Specific Streets of the City of San Juan's Code of Ordinances to provide for the Regulation of Motor Vehicle Speed on FM 2557 (Stewart Road) from Interstate Highway 2 (IH2) to Ridge Road.

DISCUSSION: Mr. Benjamin Arjona, City Manager stated as you may recall there was a presentation last year in the summer where TXDOT did an assessment on the streets to lower the speed limit and they finally came back with a recommendation based on the assessment. Mr. Arjona further stated the proposed speed limit from Interstate highway 2 which is frontage to Rio Bravo Street would change from 45 to 40. Mr. Arjona added Rio Bravo to Right Rd would change from 55 to 45 and from Ridge Rd to US Military Rd would change from 60 to 55. Mr. Arjona added on the school zone from US Business 83 to Rod Street which is by the entrance of Stewart Place subdivision would change from 35 to 45 when it's flashing and the same area from 45 to 40 when it's not flashing.

Mr. Arjona stated currently they are working on the assessment of 495 to lower the speed limit as well since there are a couple of schools in that area. Mr. Arjona further stated the assessment would take a few months to be completed once approved by the Commission it would be sent over to TXDOT for the changes to be made. Mayor Garza stated that he met with Mr. Campos from the PSJA school district and TXDOT in reference to lowering the speed limit which was a good outcome obviously since a resolution was already sent to Mr. Robert Escobar, but he's not here today. Mayor Garza further stated one of the concerns they have is the lighting on 495 to which Mr. Arjona added they are already looking into it. Commissioner Villegas stated that he has also been receiving calls in regards to the same matter and maybe an Interlocal agreement could be worked out.

Mayor Pro Tem Leonardo "Lenny" Sanchez made motion to approve and was seconded by Commissioner Marco "Markie" Villegas. Motion Passed. (5-0)

VII. APPOINTMENTS:

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

Commissioner Ernesto "Neto" Guajardo made motion to untable item and was seconded by Commissioner Marco "Markie" Villegas. Motion Passed (5-0).

DISCUSSION: Mayor Garza stated in reference to the civil service board there are two seats available whose terms have expired; Rolando Casas, Juan J Vasquez and Eric Sanchez. Mayor further stated he noticed Mr. Rolando Casas also serves on another board as well and believes someone else should be given the opportunity to serve on the board.

Mayor Garza made motion for David Alvarado to replace Rolando Casas and motion to reappoint Juan Vasquez was seconded by Commissioner Marco "Markie" Villegas. Opposed by Commissioner Jesus "Jesse" Ramirez. Motion Passed (4-1).

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

- A. Discussion and Possible Action to Authorize Staff to Solicit for Statements of Qualification for Professional Services for the Preparation of the Risk and Resilience Assessments and Develop a Risk Management Plan Based on the Results of the Completed Risk and Resilience Assessment as Required by the America's Water Infrastructure Act of 2018 and Authorized the City Manager to Execute all Related Documents and Budget Amendment as Needed.

DISCUSSION: Mr. David Salinas, Director of Utilities stated back on October 2018 Congress passed the American Water Infrastructure Act which requires all community water systems serving a population of 3,000 and more to develop a risk and resilience assessment that considers risk to the water system from 911 Act such as terrorism and natural acts such as hurricanes and tornadoes. Mr. Salinas further stated the law required an emergency response plan to develop from that assessment for the water system or that the existing emergency response plan be updated to include the findings of the risk assessment and resilience. Mr. Salinas added each water system must submit a certification to EPA, we don't need to submit the plan, but a letter must be submitted EPA stating a risk and resilience assessment has been completed and the emergency response plan has been updated or produced.

Mr. Salinas stated for a system our size it is due June 30th 2021 and the reason I'm presenting it now is because it is a very in depth study where they come and look at all the points within the

water system to see where its vulnerable to be attacked by a terrorist threat or natural threat that may cause issues in the system. Mr. Salinas further stated he recommends approval as presented to start soliciting and have an engineering firm do the analysis since it is a very detailed and very robust program. Mr. Salinas is also requesting to solicit and not use the engineers currently on rotation right now. Mayor Garza asked how long would the process be to which Mr. Salinas responded it can take several months but it depends on how detailed they want it. Mr. Salinas added there is certain criteria that needs to be met per the act which is attached to the agenda packet and they will have to be very diligent and once completed he will recommend that one of our engineers on rotation help us evaluate the plan.

Commissioner Ernesto “Neto” Guajardo made motion to approve and was seconded by Mayor Pro Tem Leonardo “Lenny” Sanchez. Motion Passed (5-0).

- B. Discussion and Possible Action to Approve a Budget Amendment of \$45,000.00 Out of Retained Earnings and Authorize the City Manager to Execute all Related Documents and Budget Amendment as Needed.

DISCUSSION: Mr. David Salinas stated back in 2018 it was authorized to work on the rehab lift station 13 since it was originally approved by the Texas Water Development Board and had to be redesign. Mr. Salinas further stated the other lift stations were pulled out since we did not have the funding to do all the stations unfortunately Texas Water Development Board will not pay for the redesign again so the City would need to cover the engineering cost out of our own funds which are \$20,000 for engineering costs and the additional \$25,000 for lab costs for analytical services for the wastewater plant. Mr. Salinas added some of the costs are for the additional sludge that has been moved out of the plant to be compliant and this year we have additional analytics because of the permit renewal process we are going through. Mr. Arjona asked what the location of the lift station is to which Mr. Salinas responded 13, the one by the recycling center.

Commissioner Ernesto “Neto” Guajardo made motion to approve and was seconded by Commissioner Marco “Markie” Villegas. Motion Passed (5-0).

- C. Discussion and Possible Action on Accepting and Awarding Bid for San Juan Street Paving Reconstruction Improvements Phase 3 Project.

DISCUSSION: Mr. Roel Garza stated bids were received on Wednesday, February 26, 2020 from six construction firms and the lowest bid came in at a \$1,093,301.36 the recommendation from our city engineer, Cruz-Hogan is to award MGA Construction for the Phase III street improvement reconstruction pavement project. Commissioner Villegas asked for a status on the other two phases to which Mr. Garza responded they are completed already. Commissioner Ramirez asked if Cruz-Hogan was familiar with the work from MJA if that’s why they were recommending them to which Mr. Garza responded yes. Mr. Arjona added that they are actually doing some work with the City of McAllen. Mayor Garza asked if they checked for any litigation to which Mr. Arjona responded they checked and there’s nothing.

Commissioner Jesus “Jesse” Ramirez made motion to approve MJA Construction LLC from Mission, Texas and was seconded by Mayor Pro Tem “Lenny” Sanchez. Motion Passed (5-0).

- D. Discussion and Possible Action Authorizing City Manager to Approve a Budget Amendment to Increase the San Juan Fire Department Other Equipment Account (30470.7957) and Minor Equipment (30470.6390) in the Amount of \$119,000 for the Fiscal Year 20192020.

DISCUSSION: Mr. Benjamin Arjona, City Manager stated that Fire Chief Tirso Garza and Mr. Frank San Martin were available if there were any questions in reference to the grant. Chief Garza stated a notification was received of the availability of funds sometime in November and for the Border Zone Fire Department to utilize the funds to assist either Customs or Border Patrol on whatever type of threat there might be at the border. Chief Garza added \$119,000 was secured to be utilized within the next couple of months. Chief Garza added they have until August to compile all the documentation to jump on it pretty quick with the assistance of Mr. Frank San Martin from Hollis Rutledge all the documentation was compiled and submitted on time. Chief Garza stated the items were included on the packet: a boat would be purchased along with utility trailers, swift water rescue equipment and similar items to total the \$119,000. Chief Garza added we are looking at purchasing one aluminum boat and had requested two ATV’s but only one was awarded. Mayor Mario Garza asked what the price difference between the two was to which Chief Garza responded no quotes had been received at the time. Chief Garza added they only

submitted the information since an aluminum boat is commonly used in the fire service and they have not gotten back to them with the boat. Mr. Frank San Martin stated they are very excited to get the grant award for the city and being able to secure the fire department. Mr. San Martin added they are also working with the Police Department and the Solid Waste on some additional funding for the next couple of weeks and hopefully we will receive some more good news. Commissioner Jesus "Jesse" Ramirez asked if it was a zero match to which Chief Garza responded yes it is a zero match.

Commissioner Ernesto "Neto" Guajardo made motion to approve and was seconded by Mayor Pro Tem "Lenny" Sanchez. Motion Passed (5-0).

- E. Discussion and Possible Action on the Memorandum of Understanding Between the City of San Juan Police Department and the San Juan Crime Stoppers that was Made on January 4, 2017.

DISCUSSION: Mr. Benjamin Arjona, City Manager stated this item was placed on the agenda because it had been going back and forth as to where the crime stoppers are and what their involvement with the community is so he spoke to Chief Juan Gonzalez to discuss the MOU. Mr. Arjona asked if there was any questions and maybe within the future there could be more communication with the crime stoppers to get a status report in tips once a month. Mayor Mario Garza asked if the board members need to be certified every year to be in this board to which Chief Gonzalez responded they have to attend a basic training certification as board members every year because every year there's changes and new rules. Chief Gonzalez added that they coordinate with the crime stoppers and they make sure the public is aware of the Crime Stoppers Program. Mayor Mario Garza asked who the coordinator was to which Chief Gonzalez responded that there isn't one right now because it used to be Carlos Ramos but he is now with the PSJA School District. Chief Gonzalez added for now Captain Cazares is the one attending the meetings. Chief Gonzalez stated they are planning on having a PAL Coordinator which is required for the program. Mayor Garza asked that if someone was to call and give a tip tonight who would they call to which Chief Gonzalez responded they have a constable on line and have a Drug Enforcement Agent assigned for that 24/7.

Mayor Pro Tem Leonardo "Lenny" Sanchez stated he's very familiar with the crime stoppers and asked if we can get somebody lined up or find someone that is dedicated because it takes a lot of patience to get those calls at all hours of the night. Chief Gonzalez agreed with Mayor Pro Tem and added every tip that comes in is investigated. Mayor Garza asked if there are payouts to which Chief Gonzalez responded yes. Mayor Garza asked who determines the amount of the pay outs to which Chief Gonzalez responded the Crime Stoppers follow a set guideline by the state and on those guideline it depends on felonies, misdemeanors, offense circumstances and they decide within the board how much it would be the payout is up to \$1,000. Commissioner Marco "Markie" Villegas stated that he understands that we all have a personnel life but that our priory is to support all the crime stoppers because we are sponsors. Chief Gonzalez added he would include crime stoppers data on the monthly report. Commissioner Jesus "Jesse" Ramirez stated the certification for board members is good for two years and need to get certified to get their probationary fees. Mayor Pro Tem Sanchez stated that it's every other year and they need to meet criteria.

No Action at this time.

IX. RESOLUTIONS

- A. Discussion and Possible Action on Supporting Proposed Rule 3.334 That will Provide Clarity for Cities and Local Government Entities of all Sizes to Receive the Local Tax Revenue from Online Purchases to which they are Entitled.

DISCUSSION: Mr. Arjona, City Manager stated this is an effort that is being pushed by the Rio Grande Valley and it is to collect sales taxes on internet sales. Mr. Arjona added currently the way it is if a person buys an item over the internet the city does not receive sales tax but by supporting this it ensures that the city gets the sales tax back. Commissioner Marco "Markie" Villegas stated that he attended a meeting and discussed with other municipalities across the valley the sentiment on this issue and it has its benefits so the taxes come back to the cities.

Commissioner Ernesto "Neto" Guajardo made motion to approve and was seconded by Commissioner Marco "Markie" Villegas. Motion Passed (5-0)

- B. Consider Authorizing the City Manager Adopting a Resolution Required by the Border Zone Fire Department Program (BZFD) to the Office of the Governor.

DISCUSSION: Chief Tirso Garza stated that part of this grant requires for the Commission to approve a resolution with the Border Zone Fire Department Program for the amount of \$119,000.00 discussed earlier.

Commissioner Jesus "Jesse" Ramirez made motion to approve and was seconded by Commissioner Marco "Markie" Villegas. Motion Passed (5-0)

X. CONSENT AGENDA

- A. Consider Second and Final Reading of an Ordinance of the Voluntary Annexation of the Proposed Cesar Heights Subdivision being 1.61 acre tract of land out 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.
- B. Tax Collection Report January 2020
- C. Investment Report December 2019

Commissioner Marco "Markie" Villegas made motion to approve and was seconded by Mayor Pro Tem Leonardo "Lenny" Sanchez. Motion Passed (5-0).

XI. 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 §551.071 and §551.074.
1. Pursuant to Section §551.071, Consultation with Attorney and §551.074 Personnel Matters; Discuss the Appointment, Employment, Duties, Discipline or Dismissal of a Public Officer or Employee (Diana Cavazos, City Secretary)
 2. Pursuant to Section §551.071, Consultation with Attorney; Discussion and Possible Action Regarding Lawsuit Styled C083320A Norma Cedillo vs. City of San Juan, Texas in the 92nd Judicial District Court of Hidalgo County, Texas.

Commissioner Ernesto "Neto" Guajardo made motion to enter Executive Session at 6:38 p.m. and was seconded by Commissioner Marco "Markie" Villegas. Motion Passed (5-0).

XII. RECONVENE: 6:57p.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 Relating to Closed Meeting 551, Requirements to Vote or Take Final Action in Open Meeting.

Commissioner Jesus "Jesse" Ramirez made motion to reconvene at 6:57 p.m. and was seconded by Commissioner Marco "Markie" Villegas. Motion Passed (5-0)

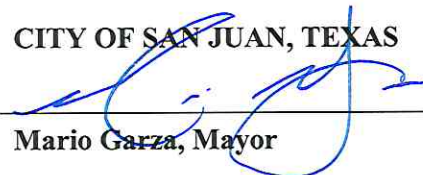
Item 1. Mayor Mario Garza made motion to table item and was seconded by Commissioner Jesus "Jesse" Ramirez. Motion Passed (5-0).

Item 2. No Action.

XIII. ADJOURNMENT

Commissioner Ernesto “Neto” Guajardo made motion to adjourn at 6:57 p.m. and was seconded by Commissioner Marco “Markie” Villegas. Motion Passed (5-0)

CITY OF SAN JUAN, TEXAS



Mario Garza, Mayor

ATTEST:




Diana H. Cavazos, City Secretary