

MINUTES OF REGULAR MEETING OF THE CITY OF SAN JUAN COMMISSION

DATE: Tuesday, June 23, 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
Marco "Markie" Villegas, 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 Gonzalez, Director of Finance
Adelaida Cordero, Director of Human Resources
Armandina Sasin, 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 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:

- A. It is the Intent of the City Commission to Conduct this Meeting Primarily via Teleconference Pursuant to the Open Meetings Act Procedures Announced by Governor Abbott. Due to the COVID-19 Pandemic, the City has Established and Alternative for Residents to Make Public Comments During the Meeting. If you Would Like to Participate Under Public Comments, You Must Submit a Request Beginning Friday, June 19, 2020 by (1) Sending an Email to publiccomments@sjtx.us or (2) by Dropping Off the Request in the Drop Box Next to the Drive-Thru Behind City Hall at 709 S. Nebraska San Juan, Texas 78589. All Requests Must be Received no Later than 5:00 p.m. on Tuesday, June 23, 2020. Your Request Should Include Your Name, Address, Telephone Number and Your Comment. We Ask for Everyone's Cooperation with this Procedure.

No public comments.

V. PRESENTATIONS:

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

DISCUSSION: Leonardo “Lenny” Sanchez, Mayor Pro Tem asked if the police officers and fire fighters were prepared since the number of COVID-19 cases had increased and we need to make sure that personnel and city staff are properly equipped. Mayor Pro Tem Sanchez asked if the brush pick up was on schedule to which Mr. Arjona responded the brush and the trash were on schedule but was not sure on what quadrant they were working on. Mayor Garza asked for Chief Tirso Garza to meet with Mr. Arjona for the hurricane preparation awareness now that we are in hurricane season. Mayor Garza added every year the meetings and plans are very successful for our employees but most importantly our citizens. Marco “Markie” Villegas asked for a status on the sandbags which Chief Garza responded they were prepared. Mr. Arjona added by the end of this week 12th Street would be getting repaved.

VI. PUBLIC HEARINGS:

- A. Hold a Public Hearing for a Conditional Use Permit to Allow a Drive-Thru Business at 809 S. Stewart Road, legally described as Lot 6, Block 1, Lucero Estates Subdivision, as Requested by Elgin Xavier.

DISCUSSION: Mr. Roberto Escobar, Director of Planning and Zoning stated Mr. Xavier was applying for a Conditional Use Permit to allow a drive-thru window at the proposed “Snowball Express” which would be located at the empty property South of The Grove Mobile Home Park. Mr. Escobar added Mr. Xavier was proposing to build a 90 foot by 25 foot Snack Shop with three drive-thru windows, one order window along the South side and two pick-up windows on the North side of the building. Mr. Escobar further stated the proposed entrance and exit would be along Stewart Road and the applicant has five other locations throughout the Valley. Mr. Escobar added staff had mailed notice of the public hearing to 40 property owners within a 200 foot radius and received three comments against the request.

Mayor Garza opened the Public Hearing at 6:05pm

Mr. Escobar added that some of the concerns residents had was the noise and traffic after midnight but the Planning and Zoning Commission approved a condition to close by 11:00 p.m. and for them to have a buffer fence. Mayor Garza stated he had received a phone call regarding a resident’s fence line and how far it would be from the fence line to the property. Mr. Escobar responded they would be developing on the property not the alley but once the developer submits the building permit, they would let him know.

Mayor Garza closed the Public Hearing at 6:07pm

Mayor Pro Tem Leonardo “Lenny” Sanchez made motion to approve and was seconded by Commissioner Marco “Markie” Villegas. Motion Passed (3-0).

- B. Hold a Public Hearing for a Rezoning Request from Single-Family Residence District (R-S) to General Business District (C-2) of a 3.87 acre tract of land out of Lot 15, Block 8, John Closner Subdivision, located approximately 750 feet South of Eldora Road along the West side of Raul Longoria Road, as Requested by Eliecer Uresti.

DISCUSSION: Mr. Robert Escobar stated Mr. Uresti owned 4.68 acre tract of land along Raul Longoria and Eldora Roads and was applying for a rezoning of the back 3.87 acres to commercial area to do retail and storage units. Mr. Escobar further stated the front part of property was already zoned commercial and the surrounding properties consisted of a mix of residential and commercial along Raul Longoria Road. Mr. Escobar added staff had mailed notice of the public hearing to 14 property owners within a 200 foot radius and received one comment against the item.

Mayor Garza opened the Public Hearing at 6:09 p.m.

Mayor Pro Tem Sanchez asked if any calls or comments were received in regards to the item to which Mr. Escobar responded none were receive.

Mayor Garza closed the Public Hearing at 6:09 p.m.

Commissioner Marco “Markie” Villegas made motion to approve and was seconded by Mayor Mario Garza. Motion Passed (3-0).

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

- A. Consider Selecting an Engineering Firm and Authorize the City Manager to Enter into a Contract Agreement for Engineering Services RFQ 19-17-04-06.

DISCUSSION: City Attorney, Ricardo Palacios stated the item needed to be untabled since it was tabled at the last meeting before starting the discussion.

Mayor Pro Tem Leonardo “Lenny” Sanchez made motion to untable the item and was seconded by Commissioner Marco “Markie” Villegas. Motion Passed (3-0).

DISCUSSION: Mr. Ricardo Palacios, City Attorney stated the firms only had two minutes to highlight some points that weren’t included in the packet.

Mr. Vicente Mendez, Principles of Ambient Tech greeted the City Commission and stated they have two local offices in Cameron County, one in Brownsville and one in Harlingen. Mr. Mendez further stated they have done quite a bit of extensive work of different facets and are currently working on the construction of a new terminal at the City of Brownsville and at the South Padre Island International Airport they are doing the water sanitary which includes sewer, paving and drainage. Mr. Mendez added they were also working with city of Raymondville on the second phase of a street paving project and a drainage project with a different contractor for a \$1 million dollar grant from the GLO. Mr. Mendez added they were working with Rancho Viejo on the second phase of a street paving project as well as with Valley Municipal Utility District, water and sewer providers. Mr. Mendez further added they have a \$3.5 million dollar project to replace water and sanitary sewer lines that have been in Rancho Viejo for 30-40 years. Mr. Mendez stated the firm has a little over 30 employees including registered engineers and surveyors and their commitment to the city was to provide the highest level of service. Mr. Mendez added he would be the point of contact and his scope was to meet with staff and find a scope of the city’s project and establish the perimeters needed.

Mr. Rick Pedraza, PE on the state of Texas and Regional Manager for Consor South Texas stated their office was in McAllen, Texas and they take care of the Rio Grande Valley from here to Laredo, Victoria, and Corpus Christi. Mr. Pedraza added their company had over 30 years in operation, over 40 offices nationwide and over 800 employees. Mr. Pedraza added in Texas they have seven offices with 300 employees and their current projects are with TXDOT in the Pharr District and two projects with the City of Corpus Christi. Mr. Pedraza stated his responsibilities were to oversee all the regional design business activities and his counterpart Candido Bocanegra, PE has 12 years of experience and also oversees the construction engineer inspection business activities as well as Mr. Javier Martinez, PE with 12 years of experience. Mr. Pedraza added he was the local engineer who oversaw all the design services for their office and together they brought small and large city experience to bring innovative ideas. Mr. Pedraza added their engineering expertise would allow the stretch of tax dollars to get more revenue and that Consor would provide the best services for the city and the region.

Mr. Orlando Cruz, PE with the firm Cruz Hogan stated the firm had worked with the City of San Juan for many years and they have been in the valley for almost 30 years. Mr. Cruz further stated the firm has three engineers of which are registered engineers and most of their work has been done for Cities. Mr. Cruz added they work with 24 cities, three counties and five utility districts rural water supply corporations. Mr. Cruz stated his firm gets all their projects funded.

Mr. Jose Munoz, President and owner of Guzman Munoz Engineering and Surveyors was established in 1994 and currently has their office in the City of Mercedes. Mr. Munoz introduced two of his engineers in training, Mr. Christopher Hinojosa and Mr. Luther Medina. Mr. Munoz added he had two Professional Engineers on staff and a Professional Surveyor that have been practicing engineering and surveying work in the Rio Grande Valley for the last 27 years. Mr. Munoz added they have done projects like water plants to sewer plants, water to water sewer projects and street drainage project throughout the Rio Grande Valley. Mr. Munoz stated they currently have projects in Raymondville, Los Fresnos and the City of Edinburg where they are doing some drainage improvements and upgrading a water plant. Mr. Munoz added they have 15 employees that work on drafting, surveying, engineering and administrative personnel.

Ms. Balvina Vega, Project Manager for Hansen Brownsville Office stated the city would benefit from their firm because they could provide all the services that a general service firm provides which include: drainage system design, pavement design, structural engineering, environmental services, traffic and roadway planning, water and sewer utilities and construction administration. Ms. Vega added Hansen employed nearly 500 engineers, planners and scientist in 28 offices

nationwide and are able to provide support and expertise for solution for any city projects. Ms. Vega stated they can offer the city the resources of a large firm but with the feel of a small office. Ms. Vega further stated they work with different entities around the Rio Grande Valley and some may include the City of Brownsville, City of Harlingen, Los Fresnos, Primera, Los Indios, South Padre Island and the projects vary throughout. Ms. Vega added their projects ranged from street reconstruction to drainage improvements to traffic studies, boat ramps, parks and even water waste treatment plants. Ms. Vega stated they are proficient working with various funding agencies such as the Texas Department of Agriculture, TXDOT, Water Development Board, USDA and FEMA. Ms. Vega further stated their current employees have public servants experience which includes: city managers, funding agency administrators, city, county and TXDOT engineers. Mr. Ricardo Hinojosa, President stated his firm was based out of Mission founded in 1993 and their experience was civil engineering and structure engineering. Mr. Hinojosa added he's been in operation for 27 years and has worked with various municipalities and work with almost every school district specially PSJA. Mr. Hinojosa stated he is currently working with City of La Joya on street improvements with CDBG funds and stated that back in 2003 he did some street improvements for Nebraska here in San Juan.

Mr. Javier Hinojosa with Javier Hinojosa Engineering stated his firm has been in existence since 1996 and are located 416 East Dove in McAllen. Mr. Hinojosa added he has 35 years of experience in civil engineering in the Hidalgo County area and the firm specializes in infrastructure improvements for street pavings, storm drainage, and sanitary sewer facilities. Mr. Hinojosa added their past clients include the City of San Juan, City of Mission, McAllen, Pharr, Edinburg, and Penitas, they also work for school districts and counties. Mr. Hinojosa stated that in the past they've done treatment projects and sidewalk projects for the city of San Juan and added that they are the project engineers for the Mercedes- Benz Dealership, Jaguar Dealership, Audi Dealership, Acura Dealership and Lexus.

MG Engineering presented their qualifications and stated that they've been providing on call city engineer services for all the City of Mercedes, Donna, and Palmview. They are currently working on drainage improvements to the Hidalgo County Drainage District number 1, City of Mission, TXDOT, and McAllen. They also work with different funding agencies such as the Texas Water Development Board.

Mr. David Perez with Perez Engineering stated he has 8 employees in his firm ranging from 24 years, 22 years and his father who founded the company in 1991 has 48 years of experience. He mentioned that the experience they can offer the City of San Juan is paving and drainage, water or waste water and even grant assistance. Mr. Perez stated the firm was fortunate enough to work for the last four years on rotation for the City of San Juan were they've had successful projects which include the paving improvements that they did on 26th street, the rehab for the water treatment plan number 1, a mayor crossing on Cesar Chavez with a water line across the Expressway as well as some Urban County work. Mr. Perez added they have other municipalities that they've served in the past and looks forward to continue working with the City of San Juan.

Mr. Ramiro Gutierrez, president of the Gutierrez Engineering Corporation presented their qualifications and stated they opened the firm in January of 1998 and they've been in business ever since. Mr. Gutierrez further stated his experience as an engineer began with TXDOT for over 10 years and since then has been in private practice with diversified experience with different types of utility infrastructure that municipalities require. Mr. Gutierrez stated they have a real good relationship with all the valley firms. Mr. Gutierrez added he grew in the City of San Juan; therefore would love to provide the City with the best engineering services possible.

Mr. Jose Reyes, Senior Product Manager for SWT Engineering stated he currently had two offices one in Weslaco and one in McAllen and he personally supervised the McAllen Office which was established in 1945. Mr. Reyes further stated they have done abroad services on engineering for the last 75 years and for the last 30 years they have provided procurement services. Mr. Reyes added one of their current projects was Delta Lake District, a \$3.2 million dollar with them and City of Ingram.

Mr. Ricardo Salazar, President of Trimad Consultants, LLC stated the firm was established in January 1st 2017 by himself and was born in the City of San Juan, raised in Alamo and attended PSJA ISD. Mr. Salazar further stated he attended University of Kingsville and obtained a Bachelor's Degree in Science of Civil Engineering in 2003. Mr. Salazar added they have an office in Pharr and they offer their clients public and private engineering services. Mr. Salazar stated Trimad had associations with the City of Pharr and City of McAllen. Mr. Salazar added he had 17 years of experience, Mr. Javier Garcia had 29 years if experience in Civil Engineering, Mr. Robert Allen had 35 years of experience in Civil Engineering and they are all Licensed Professional Engineers.

Mayor Mario Garza thanked the ladies and gentlemen for presenting and considering the City of San Juan with their engineering services. Mayor Garza stated all 15 firms were great and a lot of them have come with experience and a lot of knowledge but at the end of the day, they have to decide what firms would be suited best for the City of San Juan.

Mayor Pro Tem Leonardo “Lenny” Sanchez made motion to approve Javier Hinojosa Engineering, Sams Engineering and Consor Engineering. Motion was seconded by Commissioner Marco “Markie” Villegas. Motion Passed (3-0).

- B. Discussion and Possible Action to Select the Most Qualified Firm to Assist the City With the Preparation of the American Water Infrastructure Act Risk and Resilience Assessment and Emergency Response Plan and Authorize the City Manager to Negotiate and Execute an Agreement and Budget Amendment as Needed.

DISCUSSION: City Attorney, Ricardo Palacios stated the item was tabled at the last meeting and a motion to untable item was necessary before discussion.

Mayor Pro Tem Leonardo “Lenny” Sanchez made motion to untable the item and was seconded by Commissioner Marco “Markie” Villegas. Motion Passed (3-0).

DISCUSSION: Mr. David Salinas greeted the City Commission and stated that as you may recall authorization to solicit for qualifications for a firm to assist the city to prepare the resilience and emergency response plan that was required as part of the American Water Infrastructure Act 2018, which requires utilities of certain sizes to put together a resilience assessment and an emergency response plan for the facility. Mr. Salinas further stated the 2002 plan was done some time back and a threat assessment was done after 911. Mr. Salinas added this study went a bit deeper because it will put limits on the size of the facilities and when the deadline is due.

Mr. Salinas stated the deadline to have it done was by June of next year and a letter has to be sent out to EPA letting them know the plan assessment and the emergency response plan. Mr. Salinas stated three different packets were received and an evaluation was done which was included in the city commission agenda packet. Mr. Salinas added he was recommending ARC, a local firm since they did the work for a local utility department and they are very satisfied with their work. Mayor Mario Garza asked if they had checked on if they had any litigation on their record to which Mr. Salinas responded that was one of the requirements for the firms to not have any litigation. Mr. Salinas added the recommendation was to allow the city manager to negotiate a fee with ARC and if they can't come up with an agreement to move to the second firm which was Urban Engineering from Victoria.

Mayor Pro Tem Leonardo “Lenny” Sanchez made motion to approve as recommended by Mr. Salinas and was seconded by Commissioner Marco “Markie” Villegas. Motion Passed (3-0).

- C. Consider Authorizing the City Manager to Enter in an Agreement Between the Pharr-San Juan Alamo Independent School District Police Department and the City of San Juan Police Department Dispatch Center.

DISCUSSION: Mr. Juan Gonzalez, Police Chief stated that this was a join request from San Juan PD were they would be housing the dispatch center for the district so basically they will be purchasing any needed equipment, provide their own dispatcher and the benefit would be that once they have a third dispatcher on duty they would assist. Chief Gonzalez further stated that by having an agreement with PSJA Police Department helped tremendously because we would also know the activities happening in the school district, areas and properties. Chief Gonzalez added the agreement would be renewed annually and the agreement would help maintain a relationship and communication with our personnel and the schools. Chief Gonzalez added the district would pay for their own personnel and we would just house them. Mayor Garza asked what their working hours will be to which Chief Gonzalez responded that right now they have 8-5 p.m. but they might have a dispatcher at night. Chief Gonzalez added that when they decide to move out of the dispatch center whatever cost incurred would stay with our dispatch. Mayor Garza advised to please make sure that all the language is on the agreement.

Mayor Pro Tem Leonardo “Lenny” Sanchez made motion to approve and was seconded by Commissioner Marco “Markie” Villegas. Motion Passed (3-0)

VIII. RESOLUTION:

- A. Consideration and Approval of a Resolution Approving the City's Plan of Finance Pertaining to the Contemplated Issuance of Obligations to be Designated as "City of San Juan, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2020"; Authorizing the City Staff and the City's Financial Advisor and Bond Counsel to Proceed with this Plan of Finance; and Authorizing other Matters Related to the Foregoing.

DISCUSSION: Mr. Arjona, City Manager stated that Mr. Vela was available however; this information was presented at the workshop last week and was just being presented for approval.

Commissioner Marco "Markie" Villegas made motion to approve and was seconded by Mayor Pro Tem Leonardo "Lenny" Sanchez. Motion Passed (3-0).

- B. Consideration and Approval of a Resolution by the City Commission of the City of San Juan, Texas Authorizing and Approving Publication of Notice of Intention to Issue Certificates of Obligation; Complying with the Requirements Contained in Securities and Exchange Commission Rule 15c2-12; and Providing an Effective Date.

DISCUSSION: Mr. Arjona, City Manager stated that this was just the publication of the notice.

Mayor Pro Tem Leonardo "Lenny" Sanchez made motion to approve and was seconded by Mayor Mario Garza. Motion Passed (3-0).

- C. Consideration and Approval of a Resolution Relating to Establishing the City's Intention to Reimburse Itself for the Prior Lawful Expenditure of Funds Relating to Constructing Various City Improvements from the Proceeds of Tax-Exempt Obligations to be Issued by the City for Authorized Purposes; Authorizing other Matters Incident and Related Thereto; and Providing an Effective Date.

DISCUSSION: Mr. Arjona, City Manager stated that this was the reimbursement to start with the parks improvements as soon it is approved.

Commissioner Marco "Markie" Villegas made motion to approve and was seconded by Mayor Pro Tem Leonardo "Lenny" Sanchez. Motion Passed (3-0).

IX. CONSENT AGENDA

- A. Consider Second and Final Reading of an Ordinance for a Conditional Use Permit to Allow a Drive-Thru Window at Martin's Drug located at 601 S. Nebraska Avenue, legally described as Lots 1, 23 and 24, Block 34, San Juan Original Townsite Subdivision, as Requested by Martin's San Juan Drug Co.
- B. Tax Collection Report - May 2020.
- C. Budget Expenditure Report - May 2020.

Commissioner Marco "Markie" Villegas made motion to approve and was seconded by Mayor Pro Tem Leonardo "Lenny" Sanchez. Motion Passed (3-0).

X. EXECUTIVE SESSION

- A. The San Juan City Commission will Convene in Executive Session, in Accordance with the Texas Open Meeting Act, Vernon Statutes and Codes Annotated, Government Code Chapter §551.071 (Consultation with Attorney) and Texas Government Code §551.087 (Deliberation Regarding Economic Development Negotiations).
1. Pursuant to Section §551.087 ECONOMIC DEVELOPMENT NEGOTIATIONS; Deliberation Regarding Financial Incentives to a Business Prospect Project Dicker.

Mayor Pro Tem Leonardo "Lenny" Sanchez made motion to enter executive session at 6:19 p.m. and was seconded by Commissioner Marco "Markie" Villegas. Motion Passed (3-0)

XI. RECONVENE: 6:36pm

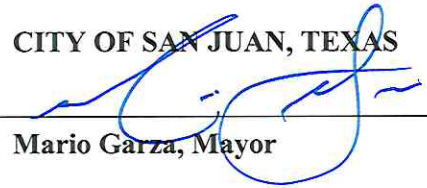
Mayor Pro Tem Leonardo “Lenny” Sanchez made motion to reconvene and was seconded by Commissioner Marco “Markie” Villegas. Motion Passed (3-0)

Mayor Mario Garza took no action.

XII. ADJOURNMENT

Mayor Pro Tem Leonardo “Lenny” Sanchez made motion to adjourn at 7:22 p.m. and was seconded by Commissioner Marco “Markie” Villegas. Motion Passed (3-0).

CITY OF SAN JUAN, TEXAS



Mario Garza, Mayor

ATTEST:



Diana H. Cavazos, City Secretary