

MINUTES OF REGULAR MEETING OF THE CITY OF SAN JUAN COMMISSION

DATE: Tuesday, November 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
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 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 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 an 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, November 6, 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, November 10, 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. Proclamation Recognizing Mr. Homero Alaffa for 30 Years of Service with the San Juan Police Department.

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- B. Proclamation Recognizing Mr. Jose Montemayor for 21 years of Service with the City of San Juan Sanitation Department.
- C. Proclamation Recognizing Mr. Ramiro Murillo for 24 Years of Service with the City of San Juan Department of Utilities.
- D. Proclamation Recognizing Mrs. Yolanda Jackson for 11 Years of Service with the City of San Juan Human Resources Department.

DISCUSSION: Benjamin Arjona, City Manager greeted the Mayor, City Commission, staff and retirees. Mr. Arjona stated the recognition was for the four city retirees, of which all of them together had put about 60 – 80 years' worth of experience Mr. Arjona further stated it was a pleasure working with Mr. Alaffa, Mr. Montemayor, Mr. Murillo and Mrs. Jackson. Mayor Mario Garza and Mr. Arjona proceeded to read the proclamation for Ramiro Murillo, Homero Alaffa, Jose Montemayor and Yolanda Jackson.

Mayor Mario Garza thanked the retirees for being present on a special evening, special not only for the City of San Juan but also for the citizens of the community. Mayor Garza further stated the quality of work each individual brought to the great city would be leaving some big shoes to fill. Mayor Garza added it was going to be a challenge to find new individuals as hard working and dedicated employees in the municipality. Mayor Garza wished all retirees the best of luck in their retirements and assured them they had an open door with the City of San Juan.

Mayor Pro-Tem Leonardo "Lenny" Sanchez thanked the retirees for a combined 81 years of experience, service and dedication within the city. Mayor Pro Tem Sanchez stated he had the pleasure of working directly with Mrs. Yolanda Jackson through Civil Service and Mr. Homero Alaffa throughout their law enforcement career, both being great individuals. Mayor Pro Tem Sanchez added although he didn't get to work with Mr. Murillo or Mr. Montemayor he had heard nothing but great positive things about both of them and wished them the best in their new journey.

Commissioner Jesus "Jesse" Ramirez congratulated the retirees for what they meant to their departments. Mrs. Jackson, the first person you would see walking in to the Human Resources Department and Mr. Murillo being a part of Utilities Department working with extreme passion. Mayor Mario Garza extended an invitation to them for any city event. Mayor Garza further stated keeping in mind we are unfortunately still dealing with COVID-19 and following the restrictions as best as possible.

Retiree Jose Montemayor thanked God and Mr. Roberto Loera as he was the one that hired him. Mr. Montemayor stated it was a pleasure for him working with the city for 21 years. Mr. Montemayor further stated it went by quick but it was now time for him to enjoy his family and wished progress for the city as he knew there were great employees and administration staying behind.

Retiree Ramiro Murillo gave thanks for the opportunity of working with the city for 24 years. Mr. Murillo further stated it was a beautiful roller coaster ride, honor and privilege to have worked with the City of San Juan.

Retiree Yolanda Jackson thanked the commissioners as well as the previous commission and City Managers but especially Ms. Ade Cordero. Ms. Jackson stated she loved what she did and she enjoyed working with the entire staff. Mrs. Jackson further stated every single employee was special to her and she strived to treat every one of them with the respect they deserved. Mrs. Jackson added as broken hearted as she was for leaving she knew it was time for her to enjoy her family.

Retiree Homero Alaffa thanked the commission for the opportunity of working 30 years with the city. Mr. Alaffa stated it was a pleasure for him.

Benjamin Arjona, City Manager stated the employees would be missed for their individual behaviors and loyalty to the City of San Juan but thanked them one more time.

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

DISCUSSION: Benjamin Arjona, City Manager stated every director was present should the City Commission have any questions. Commissioner Jesus "Jesse" Ramirez asked if garage sale permits were being issued to which Mr. Robert Escobar, Planning Director responded yes. Mr. Arjona, City Manager state yes they were being given out as long as they practiced social

distancing, had hand sanitizer and facial masks. Mayor Mario Garza asked for an update of the construction being done to the batting cages at the municipal park to which Mr. Patrick Willingham, Director of Parks and Recreation responded they are cleaning out the area where the batting cages would be placed. Mr. Willingham added the pouring of concrete would start next week as well as a couple of details pending but the project was almost complete. Mayor Garza suggested the planning of a ribbon cutting ceremony to which Mr. Patrick Willingham responded he would get in contact with City Manager as soon as the project was complete.

VI. PUBLIC HEARINGS:

- A. Hold a Public Hearing for a Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Premise Consumption at “Cheers Wine and Liquor” at 232 E. Business 83, legally described as Lot 1, Block B, Lettered Blocks Subdivision, located at the Southwest corner of Business 83 and Iowa Street, as Requested by Marivel Salinas.

DISCUSSION: Benjamin Arjona, City Manager stated the applicant was taking over a liquor store that was opened in February 2019. Mr. Arjona further stated the property was located on the corner of Iowa and Business 83 and she was applying for a drive-thru business and conditional use permit for the sale of alcoholic beverages for off-premise consumption only. Mr. Arjona added the proposed days and hours of operation were Monday through Saturday from 10:00 a.m. to 9:00 p.m. and closed on Sundays.

Mayor Garza opened the public hearing at 6:30 p.m.

DISCUSSION: Mayor Mario Garza asked if there were any type of resistance in regards to the installation of cameras for the new businesses to which Mr. Arjona responded they don’t get any type of resistance when it comes to Drive-Thru businesses as it is also beneficial for them.

Mayor Garza closed the public hearing at 6:31 p.m.

Commissioner Marco “Markie” Villegas made a motion to approve and was seconded by Commissioner Jesus “Jesse” Ramirez. Motion passed (5-0).

- B. Hold a Public Hearing for a Conditional Use Permit for the Sale of Alcoholic Beverages for On-Premise Consumption at the “Wing Barn” Restaurant located at 707 W. IH 2 Suite 100, legally described as Lot 3, The Shops at HEB Subdivision, located to the East of the San Juan HEB, as Requested by Roberto Saenz.

DISCUSSION: Benjamin Arjona, City manager stated Mr. Saenz was applying for an on-premise consumption at Wing Barn Restaurant. Mr. Arjona further stated the applicant would need to comply with the Texas Alcoholic Beverage Commission requirements and the proposed days and hours of operation were stated on the agenda.

Mayor Garza opened the public hearing at 6:32 p.m.

Mayor Garza closed the public hearing at 6:33 p.m.

Commissioner Jesus “Jesse” Ramirez made a motion to approve and was seconded by Commissioner Ernesto “Neto” Guajardo. Motion passed (5-0).

- C. Hold a Public Hearing for a Conditional Use Permit for a Drive-Thru Business and for the Sale of Alcoholic Beverages for Off-Premise Consumption at the “Cool Spot Drive-Thru” located at 912 E. Business 83, legally described as Lot 1, Mireles Subdivision, as Requested by Javier Cavazos.

DISCUSSION: Mr. Arjona, City Manager stated the application was submitted by Mr. Cavazos for a conditional use permit for a drive-thru business and the sale of alcoholic beverages for off premise consumption. Mr. Arjona further stated the applicant was taking over a business that was originally opened in the year of 2018. Mr. Arjona added the proposed days and hours of operations were Monday through Thursday from 11 a.m. to 12 a.m., Friday and Saturday from 12 p.m. to 1 a.m. and Sunday from 12:00 p.m. to 1 a.m. and Sundays from 12 p.m. to midnight.

Mayor Garza opened the public hearing at 6:34 p.m.

DISCUSSION: Commissioner Jesus “Jesse” Ramirez asked if bars were allowed to be open already to which Mr. Arjona responded they are not unless they sell food. Commissioner Ramirez

asked who was in charge of enforcing that to which Mr. Arjona responded Code Enforcement along with the Police Department are in charge of enforcing these closures.

Mayor Garza closed the public hearing at 6:35 p.m.

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

VII. ORDINANCES:

- A. Consider Adoption of an Ordinance in First Reading for a Voluntary Annexation Petition of the 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 24-26, Map Records, Hidalgo County, Texas located approximately a quarter of a mile South of Moore Road, along the West side of Cesar Chavez Road, as Requested by Ricardo Cazares.

DISCUSSION: Benjamin Arjona, City Manager stated the Planning Department was processing a residential subdivision located approximately a quarter or a mile south of Moore Road along the west side of Cesar Chavez Road. Mr. Arjona further stated part of the subdivision was outside the city limits but within the City of San Juan extra territorial jurisdiction and it is the city’s policy to annex subdivisions processed and approved within the city’s ETJ. Mr. Arjona added on August 11, 2020 the city commission approved resolution 20-14 accepting petition for voluntary annexation and setting dates and times for public hearings.

Mayor Pro-Tem Leonardo “Lenny” Sanchez made a motion to approve and was seconded by Commissioner Jesus “Jesse” Ramirez. Motion passed (5-0).

VIII. APPOINTMENTS:

- A. Consider the Appointment of a Representative and Alternate for Fiscal Year 2020-2021 to the Amigos Del Valle Board of Directors. **TABLED**

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

DISCUSSION: Mayor Garza asked how many times they met to which Mrs. Cavazos, City Secretary responded twice a month at 12 p.m. Mayor Mario Garza asked if a director or assistant director would be eligible to be appointed to which Mr. Arjona responded any director, assistant director or elected official. Mayor Garza asked if it could be a Director or an Assistant Director to which Mrs. Cavazos responded yes it can be.

Mayor Mario Garza made a motion to appoint Bob Garza and was seconded by Commissioner Ernesto “Neto” Guajardo. Motion passed (5-0)

Rick Palacios, City Attorney stated he was unsure if Bob Garza would be able to be appointed as he is the Assistant Director for the EDC to which Diana Cavazos, City Secretary responded she could call to verify since the EDC is a separate entity from the City. Mayor Mario Garza stated that’s why he had asked last time if it could be Director or an Assistant Director to which Mr. Ricardo Palacio, City Attorney responded the problem was the organizational chart since the EDC was a separate entity. Mayor Garza stated if there were to be any issues with appointing Bob Garza the item could be brought back. Commissioner Jesus “Jesse” Ramirez asked about the alternate to whom Mr. Arjona stated an alternate had to be selected.

Mayor Mario Garza made a motion to appoint Benjamin Arjona as an alternate and was seconded by Commissioner Ernesto “Neto” Guajardo. Motion passed (5-0).

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

- A. Discussion and Possible Action to Approve Change Order No. 2 to the Wastewater Treatment Plant Improvements - Phase I Sludge Dewater Facilities, Texas Water Development Board CWSRF Project No. 73796 for the Replacement of the Existing Asphalt in an Amount no to Exceed \$42,200.62 and Authorize the City Manager to Execute all Related Documents and Budget Amendment as Needed.

DISCUSSION: David Salinas, Utilities Director greeted the Mayor and City Commission and stated as part of the Project Phase I at the waste water plant the area right in front of the new facility has been deteriorated it was an asphalt road and needs to be replaced during phase II. Mr. Salinas further stated the facility will come into operation way before Phase II that’s why the

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change of order is being asked for to get that area replaced so there won't be any issues with the trucks as they come by to load up and unload the containers for the sludge removal. Commissioner Ramirez asked where the money was coming out of to which Mr. Salinas responded from the surplus funds that were left from the first time sewer that was not used. Mr. Salinas stated part of the project a request for authorization from Texas Water Development Board to use that money was approved it just needed to be ratified to change order.

Commissioner Jesus "Jesse" Ramirez made a 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 for a Rezoning Request from SingleFamily Residence District (R-S) to Neighborhood Commercial District (C-1) of Lots 1 and 2, Hazel Subdivision, located at the Northwest corner of Hazel Street and Raul Longoria Road, as Requested by Juan Aurelio Cadena.
- B. Consider Second and Final Reading of an Ordinance for a Conditional Use Permit to allow a Drive-Thru Window at Denny's Restaurant located at 1601 E. IH 2, legally described as Lot 2, RR San Juan Retail Subdivision, as Requested by TopCon, Inc.
- C. Budget Expenditure Report - September 2020.
- D. Quarterly Investment Report - September 2020.
- E. Meeting Minutes
 - March 10, 2020
 - April 8, 2020
 - April 14, 2020
 - April 28, 2020
 - April 30, 2020

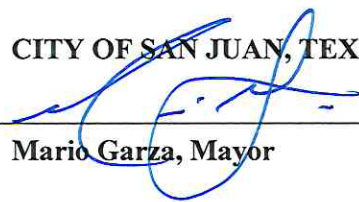
DISCUSSION: Benjamin Arjona, City Manager stated any item could be discussed if there were any questions on any item.

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

XI. ADJOURNMENT 6:43 p.m.

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

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Mario Garza, Mayor

ATTEST:



Diana H. Cavazos, City Secretary