

COUNCIL MEETING, THURSDAY JULY 27, 2023, 6:00 P.M.

The Mayor and City Council met in regular session on Thursday, July 27, 2023, with the following members present. Mayor Diaz, Council Members Rivas, Robinson, Lee and Garcia; City Manager Squyres and City Secretary Raines. Council Member Gonzales absent due to daughter's wedding and City Attorney Defoyd absent.

The meeting was opened with Prayer and the Pledge of Allegiance.

A motion was made by Council Member Robinson and seconded by Council Member Rivas to approve the minutes of the previous meeting as presented. Vote: 4 For 0 Against

DEPARTMENT HEAD REPORTS:

Ivan Rojas, Parks and Recreation Director, advised this was the last week of swimming lessons and we had 250 sign up.

Council Member Rivas ask that we give a big hand to Mr. Seydler who took care of these swimming lessons.

Elizabeth Flores, Heritage Hall Director, stated that all the seniors had enjoyed the fruit cups on Friday.

Thomas Rogers, Public Works Director, reported that the Wastewater Treatment Plant was progressing and the North Side Water Main project was moving along.

Chief Ayala advised that the homeless people from across the freeway were still coming into the city and that one of them had been Killed this morning at Mercury and I-10. He advised everyone to call if they see anything suspicious.

Mayor Diaz welcomed the Boy Scout in the audience and welcomed the large crowd.

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PUBLIC COMMENTS:

Robert Hernandez, 10721 Lane, stated that he had recently attended a space program and they had talked about all the unsung heroes and we had some of those here Lon and the Mayor and Council, Ivan Rojas at parks and Recreation, Thomas Rogers Public Works, Chief Ayala, Elizabeth at Heritage Hall and Joyce and Kathy at city hall.

Dale Pollock stated that school was starting on August 9th and the first day traffic will be heavy to please not block the fire lanes or exits and watch for speed zones.

There was no Unfinished Business.

NEW BUSINESS:

- 1. Council action on Variance Board's recommendation of request At 1402 Kilroy and 1615 Holland Avenue.**

Mayor Diaz stated that we would address 1615 Holland first.

City Manager Squyres advised that Mr. Jesus Ortega had applied for a variance at 1615 Holland, the property owned by S & S Masonry, for a business to sell construction materials like wood, hardy plank, windows, roofing, etc. and the Variance Board had approved the request 3 For and 1 Against.

Mr. Ortega spoke Spanish and Mayor Diaz translated for him.

Council Member Garcia stated that they wanted to put in a big gate and was that allowed.

City Manager Squyres stated that it was, that they would need to apply for a business license and all codes must be approved before they could open for business.

Council Member Lee ask how often would they have big trucks coming in.

Council Member Rivas ask if this was in two or one school zones and was advised it was one.

A motion was made by Council Member Rivas and seconded by Council Member Garcia to approve the recommendation of the Variance Board and approve the request. Vote 4 For 0 Against.

Mayor Diaz translated advising them that they needed to fill out an application for a business license at City Hall.

City Manager Squyres advised that Mr. Macario Alanis had operated a Paint and body shop at this address for 30 years but had let his license expire and he had requested a variance to allow the paint and body shop to continue to operate until the property sells and the Board had voted four to one to not approve the request.

Mr. Allen Jamail stated that he was here to represent the Alanis Family, that he had known the family for years and when he had received notice that the building was not up to code and his license was expired that he could not operate the business there, he came by his house and ask him to help him.

He stated that Mr. Alanis had operated the business for 40 year under a grandfather clause and when his license expired he lost the grandfather clause. Mr. Jamail gave a history of the building and stated that he was not asking the Council to do anything against the code but he was asking them to be realistic that there was no denying

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the building was in bad shape but Mr. Alanis said that he had not ever received a citation or notice of expired license and that paint and body shops are always crowded.

Mr. Jamail stated that he was not here to make judgement but he thought the pictures that were showed to the Board gave them the wrong idea of the building.

He stated that Mr. Alanis needed a chance that the business supports his family and he knows that he can't operate until he brings it up to code, he is asking for a chance to be able to bring it up to code, that he had sold some property and wants to take the money to bring it up to code and was going to redo the paint and body shop and the Texaco Station as well.

The question was ask what could be put in the service station and Mr. Squyres stated there was a number of things, that he could give them a list.

Mr. Jamail stated that the Council was the one who made the decision and he was asking them to please let him show them he would bring it up to code.

Ms. Erica Cordova, 10401 Wiggins, addressed the Mayor and Council on behalf of Mr. Alanis, stating that she knew the Council needs the building brought up to code, that Mr. Alanis had spent 30 years of his life at this business, he was a good man and she was asking that they give him an opportunity to continue his business.

Mayor Diaz stated that we care for our citizens, we are not here to shut any business down but the building has to be up to code.

Council Member Rivas ask when did his grandfather clause expire.

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Mr. Jamail stated when the license expired but he didn't get a letter from the city.

Council Member Rivas ask if the taxes were paid.

Mr. Squyres stated that the real property was 2 year behind and the personal property was five years behind.

Mr. Jamail stated that if they approve the variance he would have to bring the building up to code.

Council Member Rivas ask if he said no one ever told him.

City Manager Squyres stated that he had met with Mr. Alanis twice with a realtor and once with his attorney and with Mr. Jamail.

Council Member Robinson stated that about five years ago that someone wanted to put a tire shop there and an environmental company came in and help them do some clean up.

Mr. Jamail stated that was Mr. Reyna not Mr. Alanis.

Council Member Lee ask if there was any reason he could not paint until he brought it up to code.

City Manager Squyres stated that the Chief was there when we told him that he had to have fire extinguishers and that he could not paint there and the paint booth was just a shell and Mr. Alanis him they were just painting parts and they were cooking in there on a propane burner with paint material all around.

Mr. Jamail stated that they only prepared the vehicles for painting there and then took them somewhere else for painting and then

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picked them up he next day. Mr. Jamail stated they understood that they had to shut the business down until it was up to code.

Council Member Garcia address Mr. Alanis in Spanish stating that violations has been issued.

Ther was discussion about tabling the item.

Council Member Garcia stated that it was their responsibility to be sure they have a license to operate a business and the building was up to code,

City Manager Squyres stated the big decision tonight was for the Council to act on the variance request that was on the agenda which was a variance to allow the paint and body shop to continue to operate until the property sells.

Mr. Jamail stated that City Manager Squyres had advised Mr. Alanis not to put up money for a variance until he was sure he wanted to spend the money to bring the building up to code and what they wanted to be sure of was they would be able to continue to operate the business,

Mayor Diaz called for a vote on the item on the agenda.

A motion was made by Council Member Rivas to accept the Board's decision and not allow the variance, the motion was seconded by Council Member Robinson. Vote 4 for 0 Against

Mr. Jamail wanted to know that if they spent the money to bring the building up to code would they allow him to continue the business.

City Manager Squyres stated that they could apply for another variance and a business license and all inspectors would inspect the building to be sure it was up to code.

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City Manager Squyres stated that a couple of members had another meeting to go to, would it be better for him to meet with them for further discussion.

COUNCIL COMMENTS:

Council Member Rivas – GO ASTROS

Council Member Robinson stated that we had lost a long time resident of the city, Teresa Nichols, that she would be missed and asked for Prayers for the family.

Council Member Lee thanked everyone for coming out.

Council Member Garcia thanked everyone for coming out and we appreciated the Variance Board for their service.

Mayor Diaz adjourned the meeting at 7:04 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Joyce Raines".

**Joyce Raines
City Secretary**