NOTICE OF THE REGULAR MEETING OF
THE CITY OF SAN BENITO CITY COMMISSION
JANUARY 16, 2024
5:30 PM

SAN BENITO ANNEX BUILDING NUMBER 2
MEETING HALL
705 NORTH BOWIE
SAN BENITO, TEXAS 78586

During the course of this meeting, the City Commission may retire into Executive Session under Texas Government Code Section 551.071 (2) to consult with its legal counsel on legal matters relating to any item on this agenda when the duty of the attorney to the City Commission under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code. The City Commission reserves the right to consider and address any of the items in this agenda in any order during the meeting.

CALL TO ORDER:

1. Roll call and possible action on the excusing of any absent member of the governing board.
2. Pledge of Allegiance to the U.S. Flag and to the Texas Flag.
3. Invocation.

ANNOUNCEMENTS

PUBLIC COMMENTS (Speaker remarks limited to three minutes)

- **Non-Agenda Items:** Kindly submit a "Public Comment Form" stating the City business or City policy you wish to speak to an hour before the start of the scheduled meeting time with the City Secretary. Forms are not reserved for anyone nor may time be deferred to anyone. PowerPoint presentations may not be accommodated. This period is limited to five (5) speakers with a time limit of three (3) minutes per speaker.
- **Agenda Items:** Kindly submit a "Public Comment Form" stating which item(s) on the agenda you wish to speak to an hour before the start of the scheduled meeting time with the City Secretary. Speakers will be allowed to address the Commission on the agenda item before it is to be considered. The speaker is limited to three (3) minutes.
- **Time Limits:** The City Commission shall have the discretion to modify its regulations regarding time limits on public comment if necessary. For example, the time limit may be shortened to accommodate a lengthy agenda or it could be lengthened to allow additional time for discussion on a complicated matter or if there is a need for an interpreter.

PRESENTATION(S)

- Presentation of the City of San Benito Financial Statements for the period ended October 31, 2023.

CONSENT AGENDA ITEM(S)

The following are considered to be routine by the City Commission and will be approved by one motion. There will be no separate discussion of these items unless a City Commissioner so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

1. Consideration and possible action to approve the minutes of the May 16, 2023 City of San Benito Special City Commission Meeting and May 16, 2023 City of San Benito Regular City Commission Meeting.
2. Consideration and possible action to approve the Contract for Election Services with Cameron County for the May 4, 2024 General Election.
3. Consideration and possible action to approve Order 2024-0116 pertaining to the City of San Benito May 4, 2024 General Election to elect a Commissioner to Place 3 and a Commissioner to Place 4.
4. Consideration and possible action to approve the Second Reading of Ordinance Number 2103-007-12-2023(Z) Amending Ordinance Number 2103-5, and any other amending ordinance, and codified in the code of ordinances in Chapter 10, Subdivision Regulation Article 10.02. Subdivision Ordinance, Section 10.02.012. Cost participation, adding Section C, Park Land Dedication, providing for a requirement for Park Land Dedication for a condition of subdivision plat approval for a property inside the city limits to be used for residential and multi-family uses; providing for park zones providing for payment in lieu of land dedication under certain circumstances; providing refunds under certain circumstances; containing a severability clause; providing for publication and ordaining other matters related to the foregoing as provided by the City of San Benito and providing for an effective date.
5. Consideration and possible action to approve the Second Reading of Ordinance Number 2252-F-001-12-2023(Z) to rezone a property located on La Palma Boulevard, bearing a Legal Description of: 0.262 acre of land consisting of all of Lot Number 1, Save and Except the East 10 feet, of the Stolts Subdivision as recorded in Cabinet 1, Slot 1404-B of the Cameron County Map Records, Cameron County, Texas, from SF-2 "Duplex, Residential" to MF "Multi-Family Residential". Applicant: Sandra E. Aguilar and Juan Aguilar, Jr.
6. First Reading of Ordinance Number 2252-J-001-0116-2024(Z) to request to rezone a property located at 1620 South Sam Houston Boulevard, bearing a Legal Description of: Being a 0.39 acre tract out of a called 0.54 acre tract as described in a deed recorded in Document Number 28232, of the Deed Records of Cameron County, Texas, and being out of Lot Eighteen (18), of the Cunningham Subdivision of Block 35, of the San Benito Land and Water Company Subdivision, as recorded in Volume 1, Page 43, of the Map Records of Cameron County, Texas, from SF-1 "Single Family One" to C-1 "Commercial Restricted Business". Applicant: Cesar Anguiano
7. Consideration and possible action to approve the Second Reading of Ordinance Number 2601-B-12-2023(Z) amending the Russell Ranch Planned Development District Standards Incorporated as Exhibit "B" and providing an effective date.

8. First Reading of Ordinance Number 2596-A-01-2024 and ordinance amending Ordinance 2596-01-2022, Section 1.003.004, Procurement Procedures, and adopting amended procurement, purchasing, and procedures manual and petty cash at San Benito Code of Ordinances, Chapter 1, Article 1.5, Procurement" (Attached as Exhibit "A") and setting forth other provisions related thereto.

9. Consideration and possible action to approve a request for a Conditional Use Permit to operate a restaurant with alcohol at a property located at 500 S Sam Houston Boulevard, at an existing building zoned C-1 "Commercial Restricted Business", bearing a Legal Description of: Lots One (1), Two (2), and NE 25' of Lot (3), Block Two (2), Heywood Addition to The City of San Benito, Cameron County, Texas, according to the map or plat thereof recorded in Volume 2, Page 27, Map Records of Cameron County, Texas. Applicant: Jose Rodolfo Monsivaiz.

10. Consideration and possible action to approve a Preliminary & Final Plat of Los Reyes Subdivision, bearing a Legal Description Being a 22.55 Acre Tract out of a 63.56 Acre Tract (63.53 Acres-Deed) and a 10.68 Acre Tract (10.66 Acres-Deed) out of Block Number Thirty-Three (33), San Benito Land and Water Company Subdivision In Cameron County, Texas, According to Map or Plat Thereof Recorded in Volume I, Page 6, of the Map Records of Cameron County, Texas and Being the Same Tracts of Land Described in Deed Recorded in Document Number 26240, Official records, Cameron County, Texas Applicant: Reynaldo Reyes and Johana Reyes

11. Consideration and possible action to approve a replat of 2255 La Palma Boulevard, having a legal description of: Being a Replat in Stolts Subdivision, Consisting of 0.60 acres of land, Being all of Lots One (1), and Lot Two (2), of the Stolts Subdivision, Cameron County, Texas, According to the Map of Plat Thereof Recorded in Cabinet 1, Lot 1404-B, Map Records, Cameron County, Texas. Applicant: George Elizondo

12. Consideration and possible action to approve a replat of 491 Line 17 Road, having a legal description of: Being a Replat in Rose Surburban Subdivision, Consisting of 1.77 acres of land, being all of Lot One (1), Lot Two (2) and Lot Three (3), of the Rose Surburban Subdivision, According to the Map of Plat Thereof Recorded in Volume 2, Page 217, Map Records, Cameron County, Texas. Applicant: Larry & Rosa Borel

13. Consideration and possible action to approve a replat for Grajales Estates being a replat in Evans Subdivision, being a total of 0.32 acres of land, being all of Lot Four (4) and the West One-half (1/2) of Lot Five (5), Block Twelve (12), of the Evans Subdivision according to map of plat thereof recorded in Volume 13, Page 4, Map Records, Cameron County, Texas, and consisting of a certain 0.10 acre tract of land as recorded in document number: 2023-42054, official records of Cameron County, Texas. Applicant: Neftali Grajales

14. Consideration and possible action to approve a request by the San Benito Chamber of Commerce to the San Benito Police Department for assistance with their 7th Annual Resaca City Bike Tour on Saturday, February 17, 2024

    a. Authorizing the closure of Bowie St. from Rose St. to Business 77 from 7:00 a.m. to 9:00 a.m
    b. Authorizing the San Benito Police Department to escort the participants from the starting location on Bowie St. and ending at the city limits on N Sam Houston Blvd.

15. Consideration and possible action to approve Payment Number 5 to Ferguson Service Systems, Inc., as recommended by Hanson Professional Services, Inc., pertaining to the Stenger Surge Tank Lift Station Improvements in the amount of $800,126.10.

16. Consideration and possible action to approve payment to Westar Construction, Inc., pertaining to the Resaca Waterline Crossing in the total amount of $53,161.25.

17. Consideration and possible action to approve an Artwork Loan Agreement for Veronica Jaeger's Exhibition 'NOVA AURORA' Loan from January 20 through May 10, 2024, at the San Benito Cultural Heritage Museum.

18. Consideration and possible action to approve payment and a service order form with Placer.ai for demographic and economic development information services for the City of San Benito and the San Benito Economic Development Corporation, Inc., in the total amount of $21,000.00.

19. Discussion and possible action on removing and/or appointing a board member to Place 1 of the San Benito Economic Development Corporation Board of Directors.

20. Discussion and possible action on removing and/or appointing a board member to Place 3 of the San Benito Economic Development Corporation Board of Directors.

21. Consideration and possible action on the Small Business Investment Program-Rent Subsidy Grant award to Rosalba's Flower shop in the amount of $4,500.

PUBLIC HEARING(S)

1. Public Hearing: To solicit input regarding a request to rezone a property located at 1620 S Sam Houston Boulevard, bearing a Legal Description of: Being a 0.39 acre tract out of a called 0.54 acre tract as described in a deed recorded in Document Number 28232, of the Deed Records of Cameron County, Texas, and being out of Lot Eighteen (18), of the Cunningham Subdivision of Block 35, of the San Benito Land and Water Company Subdivision, as recorded in Volume 1, Page 43, of the Map Records of Cameron County, Texas, from SF-1 "Single Family One" to C-1 "Commercial Restricted Business". Applicant: Cesar Anguiano

    (a) Open Public Hearing
    (b) Close Public Hearing

2. Public Hearing: To solicit input regarding a request for a Conditional Use Permit to operate a restaurant with alcohol at a property located at 500 S Sam Houston Boulevard, at an existing building zoned C-1 "Commercial Restricted Business", bearing a Legal Description of: Lots One (1), Two (2), and NE 25' of Lot (3), Block Two (2), Heywood Addition to The City of San Benito, Cameron County, Texas, according to the map or plat thereof recorded in Volume 2, Page 27, Map Records of Cameron County, Texas. Applicant: Jose Rodolfo Monsivaiz.

    (a) Open Public Hearing
    (b) Close Public Hearing

3. Public Hearing: To solicit input regarding a Replat of 2255 La Palma Boulevard, having a legal description of: Being a Replat in Stolts Subdivision, Consisting of 0.60 acres of land, Being all of Lots One (1), and Lot Two (2), of the Stolts Subdivision, Cameron County, Texas, According to the Map of Plat Thereof Recorded in Cabinet 1, Lot 1404-B, Map Records, Cameron County, Texas. Applicant: George Elizondo

   (a) Open Public Hearing
   (b) Close Public Hearing

4. Public Hearing: To solicit input regarding a Replat of 491 Line 17 Road, having a legal description of: Being a Replat in Rose Surburban Subdivision, Consisting of 1.77 acres of land, being all of Lot One (1), Lot Two (2) and Lot Three (3), of the Rose Surburban Subdivision, According to the Map of Plat Thereof Recorded in Volume 2, Page 217, Map Records, Cameron County, Texas. Applicant: Larry & Rosa Borel

   (a) Open Public Hearing
   (b) Close Public Hearing

EXECUTIVE SESSION

1. a) Consultation with City Attorney pursuant to Texas Government Code Section 552.107(1) to discussed privileged communication protected by the attorney-client privilege.
2. b) Consultation with City Attorney pursuant to Texas Government Code Section 551.071(2) regarding Project 2024-001(586) and regarding economic development negotiations pursuant to Texas Government Code Section 551.087(1) and (2).
3. To deliberate pursuant to Texas Government Code Section 551.074(a)(1) a personnel action relating to the City Manager contract.

POSSIBLE ACTION ON ANY ITEM(S) AS DISCUSSED IN EXECUTIVE SESSION

NOTE: The City Commission of the City of San Benito reserves the right to discuss any items in Executive Session whenever authorized under the Texas Open Meetings Act, Chapter 551 of the Texas Government Code.

ADJOURNMENT

Note: The City of San Benito does not discriminate on the basis of disability in the admission of, access to, treatment of, or employment in its programs, activities, or public meetings. Any individual with a disability in need of an accommodation is encouraged to contact the City Secretary at (956) 361-3800, Extension 103, by Monday, no later than 5:00 P.M., to make proper arrangements.

Dated: January 12, 2024
CITY OF SAN BENITO
Ricardo Guerra
Honorable Ricardo Guerra
Mayor

STATE OF TEXAS §
COUNTY OF CAMERON §

I, the undersigned authority, do hereby certify that the above Notice of the Regular Meeting of the City of San Benito City Commission is a true and correct copy of said Notice posted on the front outdoor bulletin board cabinet for agendas at the San Benito Municipal Building, 401 North Sam Houston Boulevard, in San Benito, Texas, and at the San Benito Annex Building Number 2, 705 North Bowie, San Benito, Texas 78586, both places convenient and readily accessible to the general public at all times which has been continuously posted for a period of seventy-two (72) hours prior to the date and time said meeting was convened. This agenda may be downloaded by accessing: http://cityofsanbenito.com/AgendaCenter.

CITY OF SAN BENITO 1920 TEXAS

ATTEST:

Ruth McGinnis

Ruth A. McGinnis, City Secretary