NOTICE OF THE REGULAR MEETING OF
THE CITY OF SAN BENITO CITY COMMISSION
AUGUST 19, 2025
5:30 PM

SAN BENITO MUNICIPAL BUILDING
CESAR GONZALEZ MEETING HALL
401 NORTH SAM HOUSTON BOULEVARD
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

PROCLAMATION(S)

- Reading of Proclamation honoring Ms. Wanda Jane Kellogg on the occasion of her 95th Birthday.

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.

PUBLIC HEARING(S)

1. Second Public Hearing on the City of San Benito proposed Ad Valorem Property Tax Rate for the Fiscal Year 2025-2026.

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 August 5, 2025 City of San Benito Regular City Commission Meeting.

2. Consideration and possible action to approve the Second and Final Reading of Ordinance Number 2252-AJ-09-2025, a request to rezone a property located at 753 Winchell Street bearing a Legal Description of: All of Lots Twelve (12), Thirteen (13), and the South 25 Feet (S25') of Lot Fourteen (14), San Benito Fourth Addition, according to the Map or Plat thereof recorded in Volume 2, Page 22, Official Map Records of Cameron County, Texas. Applicant: Luis C. Gandara.

3. Consideration and possible action to approve the Second and Final Reading of Ordinance 2418-A, an ordinance amending Ordinance Number 2418 to revise and update appointments to the Animal Shelter Advisory Committee.

4. Consideration and possible action to approve the Second and Final Reading of Ordinance Number 2613-A-09-2025, an ordinance amending Ordinance Number 2613-10-2022(Z) in the subdivision regulations, exemptions to platting requirements to add section (C) Common Ownership Exception to allow structures to be built across internal lot lines on commonly owned lots under a single deed.

5. Consideration and possible action to approve a road closure request by Saint Benedict Catholic Church for their Annual Kermes on September 6, 2025, from 1:00 p.m. to 11:00 p.m.

a. Powers Street from South Travis Street to South Resaca Drive
b. Bowie Street from Landrum Street to West Brooks Street

6. Consideration and possible action to award RFP Number 2025-08-001 Amended Employee Benefits Insurance Broker and Consulting Services proposal representing the best interest of the City of San Benito.

ITEMS FOR INDIVIDUAL CONSIDERATION(S)

1. First Reading of Ordinance Number 2376-003, an ordinance amending ordinance number 2376-001 & 2376-002 to establish regulations for new car wash facilities by establishing a distance requirement, ensuring no new car wash business to be established within a (1) one mile radius of an existing car wash; and to promote the conservation of water by requiring the installation of a water relamation and recycling system.

2. First Reading of Ordinance Number 2633-08-2025, an ordinance levying the Ad Valorem Property Tax Rate for the City of San Benito, Texas, for the year 2025 and repealing all ordinances or parts of the ordinance in conflict herewith.

3. First Reading of Ordinance Number 2634-08-2025 an ordinance adopting a Budget for the General Fund, Debt Service Fund, Community Development Block Grant, Economic Development Fund, Waterworks Enterprise Fund, Wastewater Enterprise Fund, Solid Waste Enterprise Fund, The UT Health Science Center at Houston and the Hotel Motel Occupancy Tax for the Ensuing Fiscal Year October 1, 2025 and ending September 30, 2026, in accordance with the Charter of the City of San Benito, Texas and repealing all ordinance or part of ordinance in conflict herwith.

BOARD APPOINTMENT(S)

1. Consideration and possible action to appoint members to the Animal Shelter Advisory Committee for the place and term starting and expiring as shown:

    a. Licensed Veterinarian - Term August 1, 2025, through July 31, 2028
    b. County or Municipal Official - Term August 1, 2025, through July 31, 2028
    c. A person whose duties include the daily operations of the animal shelter - Term August 1, 2025, through July 31, 2028
    d. Representative from an animal welfare organization - Term August 1, 2025, through July 31, 2028
    e. A citizen of the City of San Benito not currently affiliated with an animal welfare organization - Term August 1, 2025, through July 31, 2028.

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: August 13, 2025

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, a place convenient and readily accessible to the general public at all times which has been continuously posted for a period of three working days prior to the date and time said meeting was convened. This agenda may be downloaded by accessing: http://cityofsanbenito.com/AgendaCenter.

ATTEST:

Ruth McGinnis

Ruth A. McGinnis
City Secretary

August 19, 2025

EXECUTIVE SUMMARY

REQUEST:
Second Public Hearing on the City of San Benito proposed Ad Valorem Property Tax Rate for the Fiscal Year 2025-2026.

RECOMMENDATION:
City staff recommends acknowledgement

RATIONALE:
Providing the second public hearing to receive input from citizens.

BUDGET IMPACT:

RESOURCE PERSONNEL:
Stephanie Sarrionandia, Finance Director

EXHIBITS: Notice of Proposed Tax Rate 2025-2026 8-1-25

PREPARED BY: Stephanie Sarrionandia
Finance Director

08/13/2025
Date

Fred R. Sandoval
Fred Sandoval
City Manager

NOTICE OF PUBLIC HEARING
CITY OF SAN BENITO, TEXAS
THE FISCAL YEAR 2025-2026

The City of San Benito City Commission will hold a Public Hearing on the Proposed TAX RATE for Fiscal Year 2025-2026 on Tuesday, August 5, 2025, & August 19, 2025, at 5:30 p.m. at the San Benito Municipal Building, Cesar Gonzalez Meeting Hall, 401 North Sam Houston, San Benito, Texas.

A tax rate of $0.708125 per $100 valuation has been proposed for adoption by the governing body of the CITY OF SAN BENITO. This rate exceeds the lower of the no-new revenue or voter-approval tax rate, and state law requires that two public hearings be held by the governing body before adopting the proposed tax rate.

The governing body of the CITY OF SAN BENITO proposes to use revenue attributable to the tax rate increase for the purpose of increasing Maintenance & Operations.

MAINTENANCE & OPERATIONS RATE	**$0.668923 per $100**
INTEREST & SINKING RATE	**$0.039202 per $100**
PROPOSED TAX RATE	**$0.708125 per $100**
PRECEDING YEAR'S TAX RATE	**$0.708125 per $100**
NO-NEW REVENUE TAX RATE	**$0.648357 per $100**
VOTER-APPROVAL TAX RATE	**$0.708125 per $100**

A tax rate of $0.708125 per $100 valuation has been proposed for adoption by the governing body of the CITY OF SAN BENITO. This rate exceeds the lower of the no-new revenue or voter-approval tax rate, and state law requires that two public hearings be held by the governing body before adopting the proposed tax rate.

The voter-approval tax rate is the highest tax rate that the CITY OF SAN BENITO may adopt before voters are entitled to petition for an election to limit the rate that may be approved to the voter-approval tax rate.

YOUR TAXES OWED UNDER ANY OF THE ABOVE RATES CAN BE CALCULATED AS FOLLOWS:
Property tax amount = (rate) x (taxable value of your property) / 100

For assistance or detailed information about tax calculations, please contact:

Stephanie Sarrionandia
City of San Benito Finance Director
485 N. Sam Houston Blvd., San Benito, TX 78586
Tel 956-361-3804 Ext. 222
ssarrionandia@cityofsanbenito.com
www.cityofsanbenito.com

August 19, 2025

EXECUTIVE SUMMARY

REQUEST:
Consideration and possible action to approve the minutes of the August 5, 2025 City of San Benito Regular City Commission Meeting.

RECOMMENDATION:
City Administration recommends approval.

RATIONALE:
Upon approval of the minutes, they will be archived in a permanent docket.

BUDGET IMPACT:
None.

RESOURCE PERSONNEL:
Ruth McGinnis, City Secretary

EXHIBITS: DRAFT MINUTES August 5 2025 Regular City Commission Meeting

PREPARED BY: Ruth McGinnis
City Secretary

08/13/2025
Date

Fred R. Sandoval
Fred Sandoval
City Manager

MINUTES OF THE CITY OF SAN BENITO REGULAR CITY COMMISSION MEETING

On August 05, 2025, the City Commission convened for a Regular Meeting at the Cesar Gonzalez Meeting Hall, 401 North Sam Houston Boulevard, San Benito, Texas.

City Commission Members Present: Ricardo Guerra, Mayor; Pedro A. Galvan, Mayor Pro Tem; Tom Goodman, Commissioner, Place 1; Deborah A. Morales, Commissioner, Place 2; Jose E. Navarro, Commissioner Place 4, and Attorney Eric Flores.

City Administration Personnel Present: Fred Sandoval, City Manager, Diana C. Garza, Assistant City Manager, Ruth McGinnis, City Secretary.

Absent: Javier Villalobos, City Attorney

DRAFT

ITEM 1. WELCOME.

Mayor Ricardo Guerra called the meeting to order at 5:32 p.m., confirming a quorum.

AGENDA ADJUSTMENT – Presentation of Proclamation

Mayor Ricardo Guerra **announced a change in the order of the agenda, taking the item out of sequence to allow for the presentation of Ms. Paula Camacho Proclamation at this time.**

READING PROCLAMATION HONORING MS. PAULA CAMACHO ON THE OCCASION OF HER 100TH BIRTHDAY.

The Mayor and Commissioners each recited a portion of the proclamation in honor of City of San Benito resident Mrs. Paula Camacho, recognizing her 100th birthday. Ms. Camacho was present and received her proclamation along with a group photo of the Camacho Family and Members of the City Commission which was taken.

ITEM 2. PLEDGE OF ALLEGIANCE TO THE U.S. FLAG AND TO THE TEXAS FLAG.

All present recited the pledge of allegiance to the U.S. Flag and to the Texas Flag.

ITEM 3. INVOCATION.

Commissioner Tom Goodman led the invocation.

AGENDA ADJUSTMENT – Presentation of Proclamation

Mayor Ricardo Guerra **announced a change in the order of the agenda, taking the item out of sequence to allow for the presentation of UTRGV Proclamation at this time.**

READING OF PROCLAMATION RECOGNIZING THE 10TH ANNIVERSARY OF THE UNIVERSITY OF TEXAS RIO GRANDE VALLEY.

The Mayor and Commissioners each recited a portion of the proclamation in honor of the 10th Anniversary of the University of Texas Rio Grande Valley, recognizing their years of education. This Proclamation was received by Mr. Ruben O'Bell, Director of Government Relations at UTRGV and a group photo was taken with the members of the City Commission.

ANNOUNCEMENTS:

ITEM 1. ANNOUNCEMENTS: ITEMS OF COMMUNITY INTEREST.

Mayor Ricardo Guerra announced that he wished to introduce a group of boxing athletes from the City of San Benito. Mr. Emanuel Rodriguez presented a group of ten young athletes, highlighting their outstanding achievements, including titles as Area Golden Gloves Champions, State Champions, National

Champions, and World Champions. The group was recognized for their excellence, and a commemorative photograph was taken with the City Commission.

Mayor Guerra provided an update on the ongoing Summer Concert Series, noting the remarkable success of the recent Midland performance, which marked a record-breaking night for the San Benito Fairgrounds. The Mayor extended his gratitude to City Manager Fred Sandoval and Mr. Roy Garcia for their efforts in organizing and supporting the event. Other upcoming events are:

- Family Movie Nights at the San Benito Fairgrounds:
  - August 6, 2025 – *Lilo & Stitch*, 8:30 PM
  - August 13, 2025 – *How to Train Your Dragon*, 8:30 PM
- Back-to-School Bash
  - August 8, 2025 – 9:00 AM at San Benito High School, hosted by the City Police Department in collaboration with the School Police Department.
- Memory Café
  - August 8, 2025 – 10:30 AM at the San Benito Public Library.
- Summer Concert Series Final Performance
  - Featuring comedian Steve Treviño at the Fairgrounds.
- San Benito Heritage Museum – Ongoing exhibit: *Marks of Memory*

The Mayor encouraged residents to stay updated via the City's official social media platforms for more information and future event announcements.

City Manager Fred Sandoval shared the following updates:

- School Supply Giveaway – Scheduled for August 13, 2025, during Family Movie Night at the Fairgrounds, beginning at 8:30 PM.
- Fairgrounds Policy Reminder – No glass bottles or liquor bottles of any kind will be permitted on the premises during the Summer Concert Series events.

PUBLIC COMMENTS. (Speakers/Remarks limited to three minutes).

Ruth McGinnis, City Secretary announced the following citizen had signed up for Public Comment:

Mike Travis, residing at 1695 Russell Lane, addressed the City Commission. Mr. Travis expressed his appreciation for the work of City staff and elected officials. He then commented on the 2020 Comprehensive Plan developed by the Metropolitan Planning Organization, which included proposed improvements to Russell Road, specifically plans to widen the roadway to five lanes and designate a speed limit of 45 MPH.

PRESENTATION(S)

PRESENTATION OF THE CITY OF SAN BENITO COMPREHENSIVE PLAN.

City Manager Fred Sandoval provided remarks and background information on the Comprehensive Plan, expressing upon his hiring in October 2023, he committed to actively pursuing grant opportunities for the City. The City received a $250,000 grant from the Texas Land Office (GLO) to develop a comprehensive plan, with assistance from engineer Donald Brinkman. The planning process involved extensive public outreach and is intended to guide San Benito's development for the next 20 years.

Mr. Donald Brinkman, P.E., CSR, presented the key deliverables and timeline of the plan. The planning process began with a public meeting in November 2024. Activities include community surveys, data gathering (census, FEMA, previous master plans), and stakeholder meetings. A second community survey has been launched; a third public meeting and final adoption are targeted for January 2026. The plan addresses resiliency, growth, and community identity through four major goals.

Comprehensive Plan Goals and Objectives

Four Key Goals:

1. Revitalize Downtown San Benito
   - Transform into a pedestrian-friendly, cohesive, and vibrant destination.
   - Improve downtown commercial corridors and accessibility.

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2. Future-Proof Against Hazards
    - Enhance resilience and sustainability through infrastructure and planning (e.g., green drainage solutions).
3. Enhance Livability
    - Invest in public facilities, housing, and walkability to become the most livable city in the Rio Grande Valley.
4. Promote Cultural Identity
    - Develop San Benito into a cultural and tourism destination in Texas and beyond.

Additional Highlights:

- Visual renderings illustrated possible transformations of downtown streets and public spaces.
- Downtown projects are aligned with the Safe Streets for All Grant to further support design and infrastructure improvements.

City Commission Discussion
Mayor and Commissioners Comments:

- Commissioner Goodman emphasized the need for detailed implementation steps and integration with existing master plans (e.g., water/sewer).
- Mayor Pro Tem expressed concern about sustaining public engagement and called for door-to-door outreach to downtown businesses.
- Commissioner Remarks:
    - Called on San Benito EDC to assist with business outreach and surveys.
    - Urged continued community accountability to ensure the plan is not shelved.
    - Praised current momentum and community feedback but stressed that neighborhood infrastructure, especially sidewalks near schools, needs attention.
    - Advocated for re-engagement with the school district on safe routes to school.

Next Steps

- Community survey on goals/objectives remains open.
- Drafting of the full Comprehensive Plan to begin.
- Final plan presentation and adoption scheduled for January 2026.
- Further implementation plans and stakeholder engagement to follow.

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PRESENTATION OF THE CITY OF SAN BENITO THIRD QUARTER FINANCIAL REPORT FOR THE PERIOD ENDED JUNE 30, 2025.

Stephanie Sarronandia, Finance Director, provided a financial overview for the third quarter of fiscal year 2024-205 (April to June 2025) Key highlights included: Financial Position (As of June 30, 2025): Total Assets: $19,631,911 Compared to $9,027,964 for the same period last year. Total Liabilities: $2,407,605, similar to prior year: $2,387,011. Total Fund Balance and Liabilities: $19,631,911 compared to $19,027,964 (same period last year). Revenue Summary: Quarter Revenue: $2,949,665 up from $2,567,439 in Q3 FY24, Year-to-Date Revenue (YTD): $14,504,595 as of June 30, 2025. Expense Summary: Quarter Expenses: $4,103,203, YTD Expenses: $13,164,000. Net Position: Quarterly Net (Revenue < Expenses): $(1,153,538), Compared to $(1,075,897) in Q3 FY24, YTD Net (Revenue > Expenses): $1,339,106. Property Tax Collections: An increase of approx. $34,000 compared to last year's third quarter. Sales Tax Collections: Comparative analysis through May shows:2.41% month-over-month increase, 0.9% overall increase year-over-year. Ms. Sarrionandia noted a correction to the report initially posted on the agenda. An updated booklet was distributed and will be uploaded to the City's website. No further questions were raised.

PRESENTATION OF THE CITY OF SAN BENITO KEY PERFORMANCE INDICATORS (KPIS) FOR THE THIRD QUARTER OF FISCAL YEAR 2024-2025.

Diana Garza, Assistant City Manager, introduced the Key Performance Indicators Report covering various departments and performance indicators. The intention is to align with transparency, accountability, and the City Commission's strategic goals. Ms. Garza presented by departments starting with Code

Compliance and Health that issued stop work orders and conducted restaurant inspections, recognized residents maintaining their properties, 210 business license renewals processed. Municipal Court had 414 traffic court appearances, over $200,000 collected in fees, fines, and court costs, Building Inspections, there were no new swimming pool permits issued, $20 million in project valuation, $119,000+ in permit fee collections. The Planning Department has eleven new projects, has $350 in collected fees. The Public Works Department is ongoing street paving and pothole repairs, did over 300 tons of scrap tires hauled for recycling, the worked on debris and brush removal ongoing, especially after rainfall. The Stormwater Department has a new 1,000-gallon standby diesel tank installed for plant generator, continued sidewalk and parking lot maintenance. The Library Department had a high attendance and multiple community events, including art exhibits and programs. The Human Resources Department hosted first-ever Mother's Day and Father's Day employee events, continued employee training on safety and equipment use. The City continues with increased job applicants driven by enhanced social media outreach and the City's platforms have reached nearly 4 million people. The Fire Department launched the Citizens Academy along with ongoing staff daily training and Fire Marshal operations, completed 105 fire inspections and twenty-five commercial plan reviews, and has generated $10,000 in fire prevention-related revenue for the quarter. The Public Relations Department increased media engagement driven by the success of concert series and new business activity, media outlets now proactively reaching out to the City for updates and information, department continues to promote events and positive City developments. The Water Treatment Plant operations ongoing with millions of gallons of clean water processed and full presentation will be provided during the City Manager's Report. The Parks and Recreation Department is participating in active recreation programs, including summer soccer, has launched "Movies at the Fairgrounds"-a drive-in style event maximizing City resources, broke ground on the Landrum Park Restroom Project, preparing for Kennedy Park Restroom renovation using CDBG funds, installed a new Fitness Court, is engaging in a City-School District partnership through collaboration with Stormwater and Planning Departments programs include "Walking School Bus" and Safe Streets for All Grant initiatives. The Cultural Arts Department successfully completed the Fitness Court Mural Project, hosted the 3rd Annual Accordion Competition, held an official dedication of the Freddy Fender Pergola, and is planning new exhibits, including a Historical Monument Exhibit that will travel to San Antonio to highlight San Benito's history. The Police Department reported zero homicides during the quarter, general enforcement statistics include citations and warnings have decreased and while some incident categories have increased, the overall trend shows more decreases than increases. Commissioner Tom Goodman requested the 2024-2025 year KPI comparisons to identify trends. Diana Garza, Assistant City Manager acknowledged the request and will incorporate comparisons in future reports where applicable. The City Commission expressed appreciation for the continued efforts in promoting community engagement, public safety, infrastructure development, and inter-agency collaboration.

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PRESENTATION OF 2025 RESACAFEST REPORT

Stephanie Sarronandia, Finance Director, delivered a presentation summarizing the 2025 Resaca Fest, despite the relocation due to unforeseen weather, the event was deemed highly successful, with strong community participation and positive public feedback. The attendance was approximately 7,000 attendees participating in this year's Resaca Fest. The presentation included drone footage and event photographs, showcasing crowd engagement and fireworks displays. The total expenses of $102,595.74 thus inclusive of security, insurance, advertisement, performances, stage, supplies, and amenities. The Total Revenue collected was $11,380.00 including beer sales of 2,105 quantity and vendor fees. The State Championship Cookoff total expenses were $9,813.30 and Revenue collected was $1,150.00. The Community feedback received from attendees was overwhelmingly positive, noting the enjoyment of the bands, the event layout, and expressing interest in seeing the event return next year. The City Commission expressed gratitude to all staff involved in organizing and reporting on the event. Mayor Pro Temp Pedro Galvan expressed that Commissioner Deborah Morales and himself wanted the data to be transparent with the community.

PRESENTATION OF THE CITY MANAGER'S REPORT.

Fred Sandoval, City Manager, welcomed Julio Gonzalez, Water Plant Superintendent, as a special guest. Mr. Gonzalez was recognized for his leadership, dedication, and critical role in maintaining the City's Water Treatment operations. His efforts and those of his team were praised for ensuring the safety and quality of the City's water supply, especially in light of recent concerns. Mr. Gonzalez proceeded to provide a Water Quality Presentation providing the City Commission with a clear explanation of recent water quality concerns, processes implemented to address them, and the status of the public water system. He provided background information by stating the State-mandated Annual Water Quality Report is mailed to all residents, in response to community concerns about odor, taste, and water clarity, the City went above and beyond the state's requirements by initiating a thirty-day free chlorine disinfection conversion process. The key points of his report regarding the disinfection conversion process stated the City's water system underwent a thirty-day free chlorine conversion-a process approved and regulated by the Texas Commission on Environmental Quality (TECQ). This process had never been conducted in the City system before. It was necessary due to dissipation of disinfectant levels in distant parts of the distribution system. The flushing and chlorine conversion addressed biofilm buildup, disinfection inefficiencies and water quality consistency across the entire system. The Water Quality Monitoring included daily in-house testing for process control, twenty-seven sample sites across the city tested monthly, strategically distributed to cover various regions and endpoints in the system, samples sent to state-certified external laboratories for official analysis, monitoring continues year-round to determine if future disinfection conversions will be needed. The Visual Demonstration provided by Mr. Gonzalez introduced two water samples, one was Raw Water from the canal (source water) containing visible sediment and the second was Treated Water showing clarity and proper disinfectant levels, monitored from July 22, 2025 to July 31, 2025. The City Commission acknowledged the role of social media in promoting public concern and plans were discussed to enhance public awareness through educational videos about water treatment process and proactive messaging via public relations to reassure and inform residents. The water system remains safe and in compliance with state regulations. The recent disinfection conversion was a proactive measure to ensure long-term water quality. The City reaffirms its commitment to transparency, safety, and responsive communication with residents.

Fred Sandoval, City Manager thanked Mr. Gonzalez and his team for their hard work and commitment to public health and safety. He continued his report with a recap of major community events funded during the fiscal year, including the Holiday Parade, Christmas Tree Lighting, Halloween Event, Hog Waddle Event which are primarily funded by the City's event budget totaled approximately $300,000 for the fiscal year. The expenditure slightly exceeded the budget by $30,000 and was offset by $60,000 in sponsorships for Hog Waddle returning $30,000 to City funds. He discussed the importance of expanding performance indicators to include social media engagement, noting significant increase in digital outreach over the past twenty-eight days stating Facebook Video Views, 3 seconds, had 410,000 views, up by 61 percent, Engagements (longer views/interactions): 276,000, increase of 221%, Page Reach: 4 million people increase of 213%, Net Follower Growth: 2,200 new followers, up by 77%. The San Benito Fairgrounds page also saw growth with nearly 416,000 views. Instagram Activity: Reel/Video Views: 55,000 views, 47% of views from non-followers, 929 new followers, increased by 300%, Audience Reach by Location around the San Antonio area were 5,700, the Harlingen area were 3,200, the Brownsville and San Benito area were 1,700 each, the Austin area of about 1,400 and the McAllen area 1,200. These metrics highlight increased regional interest and support the city's strategic positioning as a destination. Commissioner Tom Goodman added that the San Benito Economic Development acts as a marketing arm and the San Benito Fairgrounds also evolve into operations and events. Fred Sandoval, City Manager reported about Grant Funding and Planning Initiatives, a successful application for the Safe Streets for All (SS4A) grant, totaling $233,000, aimed at improving sidewalks, crosswalks, intersections, pedestrian and student safety. This grant includes a city match requirement and presents a collaboration opportunity with the local school district. Discussions are underway to form an interlocal agreement to maximize planning efforts. To date, the City Manager has secured over $630,000 in grant funding from various sources, ie: $250,000 – GLO, $150,000 – NADBank, and $233,000 – Federal Highway Administration (SS4A). This funding supports the city's capital improvement planning and reflects the importance of having documented, well-researched plans in place when applying for aid. The City Manager reiterated that all plans developed are living documents and will lead to actionable capital projects, not shelved reports.

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Fred Sandoval, City Manager encouraged all stakeholders—including staff, commissioners, and citizens—to remain engaged in the process of planning, development, and implementation. Input is welcomed, especially as the city prepares to pursue further funding opportunities. The current planning efforts encompass downtown revitalization and economic development, Economic Development Corporation (EDC) is not a separate entity, but rather a critical component of the City of San Benito's operations, The EDC's half-cent sales tax has significantly contributed to infrastructure and development projects, enabling the City to pursue growth. Fred Sandoval, City Manager emphasized: "Without infrastructure—water, sewer, roads, schools, and safe routes to schools—no one will want to invest here. It all ties together. We are one team." Mayor Ricardo Guerra acknowledgment of progress and realities of development addressed community concerns and the pace of city improvement, noting that while the city has seen years, even decades, of stagnation, meaningful progress has now begun. He mentioned Infrastructure and road improvements take time, manpower, and funding, projects are prioritized based on need and staff recommendations, not geographic preference, while improvements may not yet be visible in every area, the entire city is benefiting, and previously underserved subdivisions are receiving much-needed attention. Mayor Ricardo Guerra reassured residents: "We've started. It's for you, the people, our children, and our future. It may not be your neighborhood today, but it's San Benito, and we're moving forward together."

PUBLIC HEARING(S)

At this time, Mayor Ricardo Guerra opened Public Hearings Items 1 thru 5 at 7:25 p.m.

ITEM 1. SECOND PUBLIC HEARING ON THE CITY OF SAN BENITO COMPREHENSIVE PLAN.
Mr. Mike Travis, 1695 Russell Lane, expressed his appreciation to see San Benito moving forward. He stated he is really looking forward to the multipurpose capabilities this plan will bring to the city.

ITEM 2 .FIRST PUBLIC HEARING ON THE CITY OF SAN BENITO PROPOSED AD VALOREM PROPERTY TAX RATE
FOR THE FISCAL YEAR 2025-2026.

ITEM 3. FIRST PUBLIC HEARING ON THE CITY OF SAN BENITO PROPOSED AD VALOREM PROPERTY TAX RATE FOR THE FISCAL YEAR 2025-2026.

ITEM 4. PUBLIC HEARING ON A REQUEST TO REZONE A PROPERTY LOCATED AT 753 WINCHELL ST. BEARING A LEGAL DESCRIPTION OF: ALL OF LOTS TWELVE (12), THIRTEEN (13), AND THE SOUTH 25 FEET (S25') OF LOT FOURTEEN (14), SAN BENITO FOURTH ADDITION, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 2, PAGE 22, OFFICIAL MAP RECORDS OF CAMERON COUNTY, TEXAS FROM SF-1 "SINGLE FAMILY ONE" TO C-2 "COMMERCIAL GENERAL RETAIL BUSINESS". APPLICANT: LUIS C. GANDARA

ITEM 5. PUBLIC HEARING ON A REQUEST FOR A CONDITIONAL USE PERMIT TO OPERATE A TOWING BUSINESS AT A PROPERTY LOCATED AT 31085 FM 509 ZONED AO "AGRICULTURE AND OPEN SPACE" BEARING A LEGAL DESCRIPTION OF: BEING 5.67 ACRES OF LAND OUT OF BLOCK 157, SAN BENITO LAND AND WATER COMPANY SUBDIVISION, CAMERON COUNTY, TEXAS, RECORDED IN VOLUME 1, PAGE 6, MAP RECORDS OF CAMERON COUNTY, TEXAS. APPLICANT: GABRIELA Y. MURAIRA.
Mr. Ezequiel Silva stated he is in favor of the conditional use permit; this company will be a great asset to the city as it will help economic growth. He also congratulated city staff and the commission on the ResacaFest 2025 on its success and it was a well-organized event.

Mayor Pro Temp Pedro Galvan asked Mr Edward Enriquez if he had been in contact with San Benito Police Department about the towing company. Edward Enriquez, Director of Administrative Servies and Public Works, stated he had spoke to Chief Mario Perea already and that Chief Perea would give more information on the towing company. Police Chief Mario Perea advised Mayor and Commission that the towing company would need to apply to be put on San Benito's Police Departments rotation list, but for private towing the company is okay.

DRAFT

No comments received for Public Hearing Agenda Item 2,3 and 4. Mayor Ricardo Guerra closed Public Hearing at 7:33 p.m.

CONSENT AGENDA ITEM(S)

Pedro Galvan, Mayor Pro Tem, moved to abstain from Consent Agenda Item Number 2 due to familiar relationship.

Upon motion by Commissioner Tom Goodman to approve Consent Agenda Items 1 thru 8, seconded by Commissioner Jose Navarro, and carried unanimously, Consent Agenda Items 1 through 8 were approved.

ITEM 1. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A REQUEST FOR A CONDITIONAL USE PERMIT TO OPERATE A TOWING BUSINESS AT A PROPERTY LOCATED AT 31085 FM 509 ZONED AO "AGRICULTURE AND OPEN SPACE" BEARING A LEGAL DESCRIPTION OF: BEING 5.67 ACRES OF LAND OUT OF BLOCK 157, SAN BENITO LAND AND WATER COMPANY SUBDIVISION, CAMERON COUNTY, TEXAS, RECORDED IN VOLUME 1, PAGE 6, MAP RECORDS OF CAMERON COUNTY,TEXAS. APPLICANT: GABRIELA Y. MURAIRA

ITEM 2. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE FINAL PLAT AND MONEY IN ESCROW FOR THE PROPOSED DRAINAGE IMPROVEMENTS THAT WILL BE DONE AT THE TIME OF CONSTRUCTION FOR JABONERO TRAIL SUBDIVISION, LOCATED ON NORTH SAM HOUSTON, BEARING A LEGAL DESCRIPTION OF: BEING 3.035 ACRES OF LAND CONSISTING OF 2.256 ACRES OUT OF LOT ONE (1), BLOCK EIGHTY-FIVE (85), OF THE SAN BENITO LAND AND WATER COMPANY SUBDIVISION, AS RECORDED IN VOLUME 1, PAGE 25 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS, ALL OF LOT ONE (1), CONTAINING A 0.738 ACRE, A CERTAIN 0.004 ACRE TRACT OUT OF LOT FOUR (4), AND A CERTAIN 0.037 ACRE TRACT OUT OF LOTS FIVE (5) AND SIX (6), OF THE LEACH SUBDIVISION, AS RECORDED IN VOLUME 12, PAGE 34 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS. APPLICANT: NOE GALVAN AND EMMA TERESA GALVAN.

ITEM 3. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE DEDICATION OF A TEN-FOOT BY THIRTY-FOOT UTILITY EASEMENT TO THE CITY OF SAN BENITO, LOCATED AT 697 SOUTH WIND LANE, IN THE NORTHEAST CORNER OF LOT 26 WITHIN THE SOUTH WIND MOBILE HOME ESTATES.

ITEM 4. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE MINUTES OF THE JULY 8, 2025 CITY OF SAN BENITO SPECIAL CITY COMMISSION MEETING.

ITEM 5. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE SECOND AND FINAL READING OF ORDINANCE NUMBER 2252-AI-08-2025, AN ORDINANCE AMENDING ORDINANCE NUMBER 2252 TO REVISE AND UPDATE THE CITY'S LAND USE CHART TO REFLECT UPDATED ZONING CLASSIFICATIONS

ITEM 6. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NUMBER 2025-0805-001 SUSPENDING THE AUGUST 19, 2025 EFFECTIVE DATE OF TEXAS GAS SERVICE COMPANY'S REQUESTED INCREASE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING COOPERATION WITH OTHER CITIES IN THE TEXAS GAS SERVICE COMPANY'S SERVICE TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS.

ITEM 7. CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF SAN BENITO AND SCHEIBE CONSULTING, LLC FOR ENGINEERING SERVICES, INCLUDING ON-CALL SUPPORT FOR DEVELOPMENT REVIEW, CITY ENGINEERING DUTIES, PROJECT DESIGN, AND CONSTRUCTION PHASE SERVICES.

DRAFT

ITEM 8. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AMERITEK BUILDING SERVICES TO DEMOLISH AND HAUL PARTIAL BUILDING ALONG WITH THE DOUBLE-LAYERED CONCRETE SLAB LOCATED AT 101 DOHERTY STREET FOR THE AMOUNT OF $38,900.00.

ITEMS FOR INDIVIDUAL CONSIDERATION

ITEM 1. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE APPOINTMENT OR REAPPOINTMENT OF A MAYOR PRO TEMPORE

Mayor Ricardo Guerra moved to nominate Commissioner Tom Goodman as Mayor Pro Tempore. Commissioner Tom Goodman accepted the nomination. The motion was seconded by Mayor Pro Tem Pedro Galvan and carried unanimously

ITEM 2. FIRST READING OF ORDINANCE NUMBER 2418-A, AN ORDINANCE AMENDING ORDINANCE NUMBER 2418 TO REVISE AND UPDATE APPOINTMENTS TO THE ANIMAL SHELTER ADVISORY COMMITTEE.

Police Chief Mario Perea addressed the City Commission clarifying update aligns with state law Section 823.005 requiring one licensed veterinarian, one municipal or county official, one representative from an animal welfare organization, and one person responsible for daily operations of an animal shelter. The proposal includes adding a fifth member to reflect the five-member commission to ensure balanced representation. A standard operating procedure (SOPs) and Code of Conduct will be implemented for the advisory committee. First Reading, No Action.

ITEM 3. FIRST READING OF ORDINANCE NUMBER 2613-A-09-2025, AN ORDINANCE AMENDING ORDINANCE NUMBER 2613-10-2022(Z) IN THE SUBDIVISION REGULATIONS, EXEMPTIONS TO PLATTING REQUIREMENTS TO ADD SECTION (C) COMMON OWNERSHIP EXCEPTION TO ALLOW STRUCTURES TO BE BUILT ACROSS INTERNAL LOT LINES ON COMMONLY OWNED LOTS UNDER A SINGLE DEED.

Monica Rodriguez, Planning Department addressed the City Commission advising exemptions to platting requirements, adds Section C – Common Ownership Exception, allowing property owners to build across internal lot lines of commonly owned lots without needing to re-subdivide. Applies to both residential and commercial properties. Trying to remove burden process and support development by reducing unnecessary platting costs. First Reading, No Action.

ITEM 4. FIRST READING OF ORDINANCE NUMBER 2252-AJ-09-2025, A REQUEST TO REZONE A PROPERTY LOCATED AT 753 WINCHELL STREET BEARING A LEGAL DESCRIPTION OF: ALL OF LOTS TWELVE (12), THIRTEEN (13), AND THE SOUTH 25 FEET (S25') OF LOT FOURTEEN (14), SAN BENITO FOURTH ADDITION, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 2, PAGE 22, OFFICIAL MAP RECORDS OF CAMERON COUNTY, TEXAS. APPLICANT: LUIS C. GANDARA

Monica Rodriguez, Planning Department addressed the City Commission advising one of the lots is already zoned Commercial, rezoning seeks to consolidate zoning classification for potential future sale and commercial use. First Reading, No Action.

ADJOURNMENT.

There being no further business to come before the Commission, upon duly made motion Mayor Ricardo Guerra announced ADJOURNMENT AT 7:44 P.M.

CITY OF SAN BENITO

_____

HONORABLE RICARDO GUERRA
MAYOR

ATTEST:

_____

RUTH MCGINNIS
CITY SECRETARY

DRAFT

August 19, 2025

EXECUTIVE SUMMARY

REQUEST:
Consideration and possible action to approve the Second and Final Reading of Ordinance Number 2252-AJ-09-2025, a request to rezone a property located at 753 Winchell Street bearing a Legal Description of: All of Lots Twelve (12), Thirteen (13), and the South 25 Feet (S25') of Lot Fourteen (14), San Benito Fourth Addition, according to the Map or Plat thereof recorded in Volume 2, Page 22, Official Map Records of Cameron County, Texas. Applicant: Luis C. Gandara.

RECOMMENDATION:
First Reading, No Action

RATIONALE:
The applicant is requesting to rezone from SF-1 "Single Family One" to C-2 "Commercial General Retail Business" for commercial use. The northern part of the property is currently zoned C-2 "Commercial General Retail Business".

BUDGET IMPACT:
N/A

RESOURCE PERSONNEL:
Monica Rodriguez, Planner I

EXHIBITS:
Location Map
Application
Zoning Map
Future Land Use Map
Survey
Ordinance 2252-AJ-09-2025

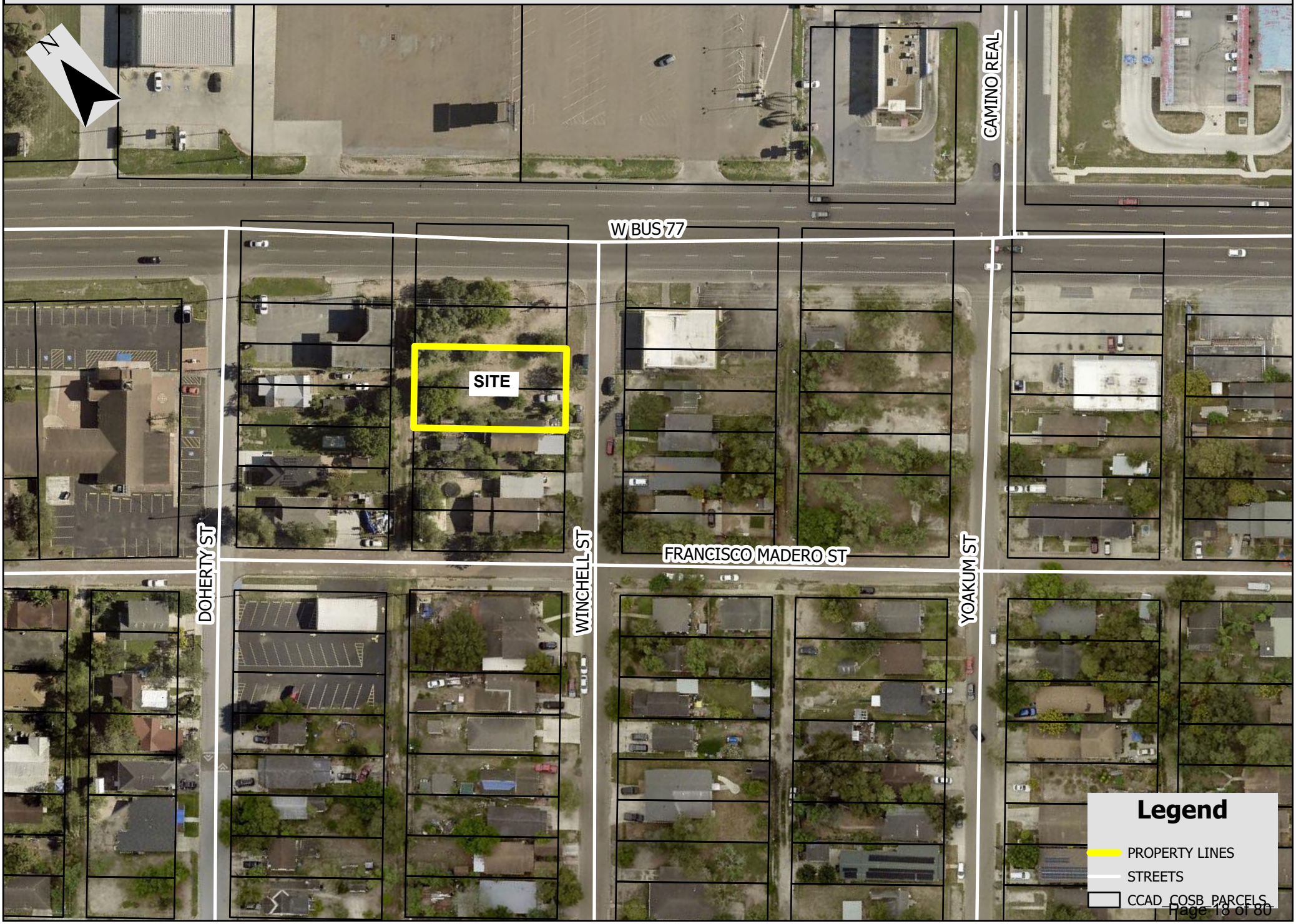
PREPARED BY: Monica Rodriguez
Planner I

08/13/2025
Date

Fred R. Sandoval
Fred Sandoval

City Manager

Location Map - Planning & Zoning Meeting
753 Winchell St. - Lot 12-13 Block 5 San Benito Fourth Addition
Applicant: Luis Correa Gandara



CITY OF SAN BENITO
PLANNING DEPARTMENT

APPLICATION FOR REZONING

400 N. Travis Street
San Benito, TX 78586

(956) 361-3800 (ph.)
(956) 361-3810 (fax)

#071475

APPLICANT INFORMATION (Please PRINT or TYPE)

Name Luis C. Gandara

Address [redacted]

City [redacted] State TX. Zip [redacted]

Phone No. [redacted] Fax No. _____

E-mail [redacted]

PROPERTY INFORMATION (Please PRINT or TYPE)

Owner of Property Luis C. Gandara

Address of Property 753 Winchell St.

City San Benito State Ty Zip _____

Legal Description of Property: Lot 12, 13 + 25' of 14 Block 5

Subdivision _____

Existing Zoning SF-1 Proposed Zoning _____

Existing Land Use _____ Proposed Land Use _____

REQUIREMENTS

$350.00 (non-refundable)

✓ Survey and Metes & Bounds / Recorded Plat

Tax Certificates (City, School)

✓ Warranty Deed

Please provide a basic description of the proposed project: Sale as commercial property

I hereby certify that I have read and examined this application and know the same to be true and correct.

If any of the information provided on this application is incorrect, the permit or approval may be revoked.

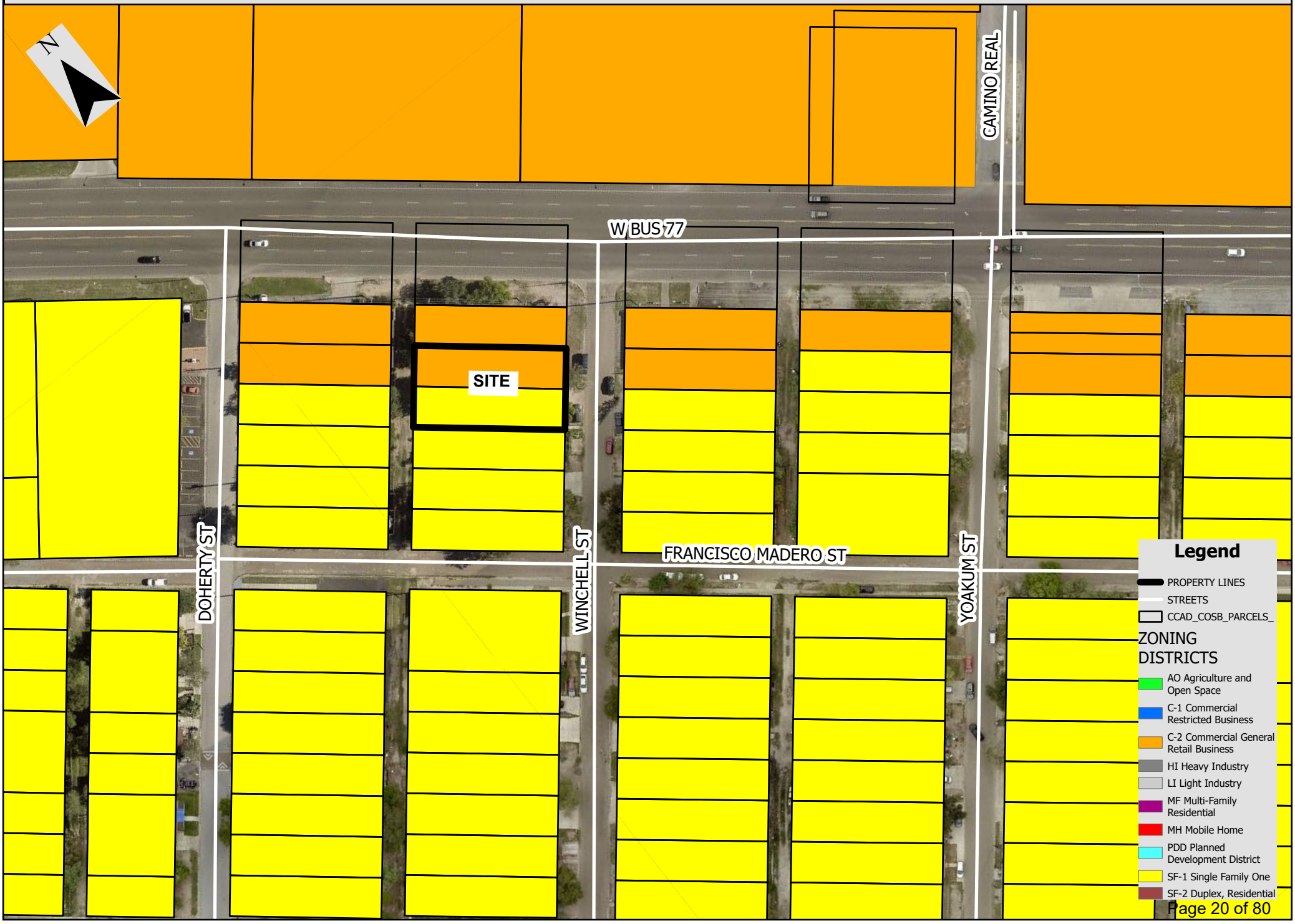
Applicant's Signature _____ Date _____

Property Owner(s) Signature [redacted] Date 6-11-2025

Revised 5/10

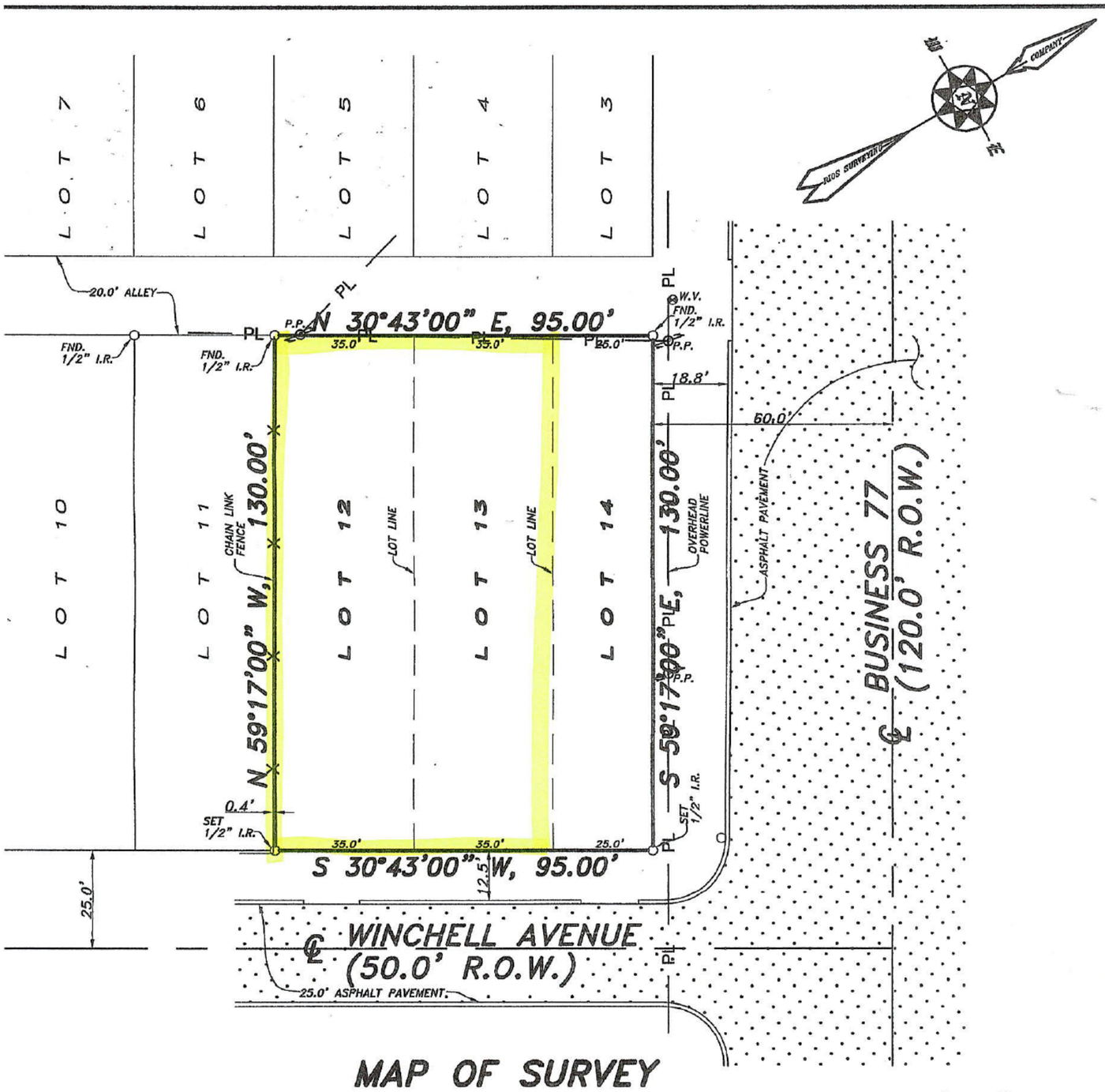
RECEIVED
JUN 11 2025

Zoning Map - Planning & Zoning Meeting
753 Winchell St. - Lot 12-13 Block 5 San Benito Fourth Addition
Applicant: Luis Correa Gandara



Future Land Use Map - Planning & Zoning Meeting
753 Winchell St. - Lot 12-13 Block 5 San Benito Fourth Addition
Applicant: Luis Correa Gandara





MAP OF SURVEY

ALL OF LOTS TWELVE (12), THIRTEEN (13), AND THE SOUTH 25 FEET (S25') OF LOT FOURTEEN (14), SAN BENITO FOURTH ADDITION, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 2, PAGE 22, OFFICIAL MAP RECORDS OF CAMERON COUNTY, TEXAS.

NOTES:

THIS LOT LIES IN FLOOD ZONE "X" (AREAS OF MINIMAL FLOOD HAZARD), AS SCALED PER FIRM COMMUNITY PANEL NUMBER: 48061C0270F, EFFECTIVE DATE: FEBRUARY 16, 2018.

ALL BEARINGS ARE BASED ON THE MAP OF SAN BENITO FOURTH ADDITION, AS RECORDED IN VOLUME 2, PAGE 22, MAP RECORDS OF CAMERON COUNTY, TEXAS.

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. EASEMENTS AND RESTRICTIONS MAY EXIST WHICH ARE NOT SHOWN HEREON.

LEGEND

ASPH.	ASPHALT	FND.	FOUND
A/C	AIR CONDITION	G.M.	GAS METER
BLDG.	BUILDING	I.R.	IRON ROD
BLK.	BLOCK	L.P.	LIGHT POST
℄	CENTERLINE	MON.	MONUMENT
CONC.	CONCRETE	P.P.	POWER POLE
E.M.	ELECTRIC METER	R.O.W.	RIGHT-OF-WAY
ESMT.	EASEMENT	T.P.	TELEPHONE PEDESTAL
E.J.B.	ELECTRIC JUNCTION BOX	TEMP.	TEMPORARY
F.H.	FIRE HYDRANT	W.M.	WATER METER

STATE OF TEXAS REGISTERED FRANCISCO RIOS 4642 PROFESSIONAL LAND SURVEYOR

I HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND ON MAY 6, 2025 BY MEN WORKING UNDER MY SUPERVISION AND THAT THERE ARE NO VISIBLE ENCROACHMENTS, VISIBLE OVERLAPPING, APPARENT CONFLICTS OR VISIBLE EASEMENTS ON SAID PROPERTY EXCEPT AS SHOWN HEREON. THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1B CONDITION II SURVEY.

[redacted]

FRANCISCO RIOS
REGISTERED PROFESSIONAL LAND SURVEYOR
REGISTRATION NO. 4642

VEYED FOR:
GANDARA

PROPERTY ADDRESS:
753 WINCHELL AVENUE
SAN BENITO, TEXAS 78586

RIOS SURVEYING, L.L.C.

COPYRIGHT 2025 - FIRM NUMBER: 10117600

221 S. WILLIAMS ROAD, SAN BENITO, TEXAS 78586
PHONE (956) 361-9179 / 361-1853
FAX (956) 361-9254

DATE: 5-14-2025	2025-0415
SCALE: 1"=30'	JOHN

ORDINANCE NUMBER 2252-AJ-09-2025

AN ORDINANCE AMENDING ZONING ORDINANCE NUMBER 2252 AND AMENDING THE ZONING MAP OF THE CITY OF SAN BENITO TO CHANGE THE ZONING OF A PROPERTY BEARING A LEGAL DESCRIPTION OF: ALL OF LOTS TWELVE (12), THIRTEEN (13), AND THE SOUTH 25 FEET (S25') OF LOT FOURTEEN (14), SAN BENITO FOURTH ADDITION, ACCORDING TO THEMAP OR PLAT THEREOF RECORDED IN VOLUME 2, PAGE 22, OFFICIAL MAP RECORDS OF CAMERON COUNTY, TEXAS FROM SF-1 "SINGLE FAMILY ONE" TO C-2 "COMMERCIAL GENERAL RETAIL BUSINESS". APPLICANT: LUIS C. GANDARA

WHEREAS, the rezone is consistent with the city's land use plan as set-forth in the land use map that is a part of the city's zoning ordinance, and consistent with the city's intentions of allowing and encouraging residential development that generates property taxes and water and sewer revenues; and

WHEREAS, the rezone is adopted by this ordinance after a hearing at which the public was given the opportunity to give testimony and present written evidence, and the City Planning and Zoning Commission has reviewed the rezone request; and all other legal requirements have been met.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SAN BENITO, TEXAS:

SECTION I. ADOPTION

The zoning district classification of the property bearing a legal description of: : All of Lots Twelve (12), Thirteen (13), and the South 25 Feet (S25') of Lot Fourteen (14), San Benito Fourth Addition, according to the Map or Plat thereof recorded in Volume 2, Page 22, Official Map Records of Cameron County, Texas. from SF-1 "Single Family One" to C-2 "Commercial General Retail Business".

SECTION II. EFFECTIVE DATE

This ordinance shall be effective upon its passage.

FIRST READING before the City Commission of the City of San Benito, Texas, at a Regular City Commission Meeting on the **5th** day of **August, 2025**.

PASSED, APPROVED, AND ADOPTED on the Second and Final Reading at a Regular City Commission Meeting of the City of San Benito, Texas, on this, **19th** day of **August, 2025**.

CITY OF SAN BENITO, TEXAS

_____
Honorable Ricardo Guerra
Mayor

ATTEST:

_____
Ruth A. McGinnis
City Secretary

August 19, 2025

EXECUTIVE SUMMARY

REQUEST:
Consideration and possible action to approve the Second and Final Reading of Ordinance 2418-A, an ordinance amending Ordinance Number 2418 to revise and update appointments to the Animal Shelter Advisory Committee.

RECOMMENDATION:
The City Staff recommends approval.

RATIONALE:
The update to the Ordinance is to add another member to the Animal Shelter Advisory Committee so the Mayor and City Commissioners can each have a representative to appoint. This will allow the Animal Advisory Committee to have five members instead of four.

BUDGET IMPACT:
None.

RESOURCE PERSONNEL:
Mario Perea, Police Chief

EXHIBITS: ORDINANCE 2418 -A - Animal Control (1)

PREPARED BY: Mario G. Perea
Chief of Police

08/13/2025
Date

Fred R. Sandoval
Fred Sandoval
City Manager

ORDINANCE NUMBER 2418-A

AN ORDINANCE AMENDING ORDINANCE NUMBER 2418 AND ANY OTHER ORDINANCES, PERTAINING TO ANIMAL CONTROL AND REPEALING ANY OTHER ORDINANCES IN CONFLICT THEREWITH, AS PROVIDED BY THE CITY OF SAN BENITO AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of San Benito is a municipality and has the duty and responsibility to provide for the safety, welfare and health of the public; and

WHEREAS, the City of San Benito has the duty to enforce state and local government codes and regulations in a consistent and an effective manner, and

WHEREAS, the City of San Benito through the years has accumulated numerous individual ordinances providing for the enforcement of similar codes and regulations leading to an inconsistent and ineffective enforcement process; and

WHEREAS, the City of San Benito needs to improve its enforcement process.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SAN BENITO, TEXAS:

The policies and procedures established by this ordinance will be known as the Animal Control Ordinance and is presented in the following Articles.

SECTION I: **Animal Control**

1.01 : Definitions for Article I
1.02 : Livestock or Fowl within City Limits
1.03 : Keeping of Bees within City Limits Prohibited
1.04 : Prohibiting Vicious/Poisonous Animals
1.05 : Prohibiting Wild Animals
1.06 : Commerce In Live Animals
1.07 : Humane Treatment of Animals
1.08 : Prohibited Animals to Run-at-Large, Leash Law
1.09 : Number Limitation of Cats & Dogs
1.10 : Keeping of Nuisance and/or Noisy Animals
1.11 : Causing or Permitting Dog to Bite Prohibited: Authority to Impound
1.12 : Procedure for Impound
1.13 : Interference with Enforcement Prohibited
1.14 : Keeping Rabid Animal Prohibited
1.15 : Vaccination for Rabies
1.16 : Designation of Local Rabies Control Authority
1.17 : Confinement of Animals during Rabies Epidemic.
1.18 : Keeping of Kennels Prohibited
1.19 : Kennel Facilities at City Animal Shelter

1.20 : Licensing Provisions
1.21 : Animal Control Officer Training
1.22 : Animal Shelter Advisory Committee

SECTION I: ANIMAL CONTROL

SECTION 1.01 Definitions Applied to Article I Animal Control

For the purpose of this Article, the following definitions shall apply unless the context clearly indicates or require a different meaning.

ANIMAL - An animal is any and all types of live, mammal, domesticated or wild, Vertebrate creature, male and female, singular and plural, capable of transmitting rabies.

ANIMAL CONTROL OFFICER - Any official of the city deputized as such with authority to carry out and perform the various acts provided to be performed by animal control officers under this subsection

ANIMAL SHELTER - A place operated by the city for detention of dogs and other animals as prescribed by law.

APIARY - A place in which a colony or colonies of bees are kept, as a stand or shed for beehives or a bee house containing a number of beehives.

ARACHNID - shall mean any animal with four pairs of legs and a body with two segments, being an eight-legged animal/insect of the *ARANEAE Order* under the *INSECTA* class.

ASSISTANCE ANIMAL--An animal that is specially trained or equipped to help a person with a disability and that:

(A) is used by a person with a disability who has satisfactorily completed a specific course of training in the use of the animal; and

(B) has been trained by an organization generally recognized by agencies involved in the rehabilitation of people with disabilities as reputable and competent to provide animals with training of this type.

BITE - The breaking of the skin by any animals, arachnids or insects' teeth, mouth, claws or beak.

CAT - A domesticated member of the Felidae (feline) family, other than a lion, tiger, bobcat, jaguar, panther, leopard or cougar, ocelots or margays or cat hybrid.

SECTION 1.01 Definitions Applied to Article I Animal Control (continued)

CONFINEMENT -The restriction of an animal to an area, in isolation from other animals and people, except for contact necessary for its care. Also is meant that each dog within the limits of the City of San Benito shall be confined by leash on property, pen, adequate fence or otherwise in such and sufficient manner as to confine said dog within property line limits of the residential property occupied by the owner, caretaker or person having the custody and control of such dog (provided further that such dogs may be confined elsewhere other than the property line limits of the residential quarters/property of the owner or caretaker of said dog, provided that such other area of confinement shall not be on any public property or within any public place of business, such confinement being so as to prevent the accessibility by such dog or dogs to citizens of the City of San Benito without the voluntary entrance by such citizens upon said area of confinement).

CURRENTLY VACCINATED - Vaccinated and satisfying all the following criteria.

(A) The animal must have been vaccinated against rabies with a vaccine licensed by the United States Department of Agriculture (USDA) for that animal species at or after the minimum age requirement and using the recommended route of administration for the vaccine.

(B) At least 30 days have elapsed since the initial vaccination.

(C) The time elapsed since the most recent vaccination has not exceeded the recommended interval for booster vaccination as established by the manufacturer.

CUSTODIAN - A person or agency which feeds, shelters, harbors, owns, has possession or control of, or has the responsibility to control an animal.

DEPARTMENT - The Department of State Health Services.

DOMESTIC ANIMAL - Any animal normally adapted to live in intimate association with humans or for the advantage of humans.

DOG - All domestic members of the canine family, excluding hybrids.

DOG LICENSE. The printed, written permission issued by the city authorizing the holder to keep dog or cat within the corporate limits of the city for the period of time inscribed.

DOG LICENSE TAG. A metal tag of a design prescribed by the city bearing the corresponding number of the dog or cat license.

DOG LICENSE FEE. A charge imposed, as specified in 90.52, for the granting of a dog or cat license and issuing the dog or cat license tag.

DOMESTIC FERRET - Any four- l e g g e d animal of the classification *Mustela putorius furo.*

SECTION 1.01 Definitions Applied to Article I Animal Control (continued)

EPIZOOTIC - the occurrence in a given geographic area or population of cases of a disease clearly in excess of the expected frequency.

FOWL. Includes chickens, turkeys, ducks, geese, guineas, peacocks, pheasants, and any other member of the gallinaceous bird species or family, including but being not limited to other domesticated or wild fowls.

HEALTH SERVICE REGION - A contiguous group of Texas counties, designated by the Executive Commissioner of the Health and Human Services Commission.

HIGH-RISK ANIMAL - Those animals which have a high probability of transmitting rabies; they include skunks, bats, foxes, coyotes, and raccoons.

HOUSING FACILITY - Any room, building, or area used to contain a primary enclosure or enclosures.

HUMANELY KILLED - To cause the death of an animal by a method which:

(A) rapidly produces unconsciousness and death without pain or distress; or

(B) utilizes anesthesia produced by an agent which causes painless loss of consciousness, and death following such loss of consciousness.

HYBRID - Any offspring of two animals of different species.

IMPOUNDMENT - The collecting and confining of an animal by the animal control department pursuant to Texas law or local ordinance in the animal shelter.

IMPOUNDMENT FACILITY - An enclosure or a structure in which an animal is collected or confined by the animal control department pursuant to Texas law or local ordinance.

INSECT - shall mean any arthropod of the *INSECTA* Class that has well-defined segments, including a head, thorax, abdomen, two antennae, three pairs of legs, and usually two sets of wings.

KEEPER - Any person owning, claiming, keeping, having in possession, harboring, or permitting to be harbored or kept, having the care of, permitting any animal to remain on or about his premises.

KENNEL - Any building, lot, yard, shed or other place on or in which three (3) or more dogs or cats more than eight weeks old are kept; or any building, lot, yard, shed or other place on or in which one or more dogs or cats are boarder for pay.

LEASH - A rope, cord, strap, chain, or strand not shorter than 10 feet in length attached to such dog in such a manner as to enable a person to control and restrain the movements of such dog, such control and restraint including, but not being limited to, preventing such dog from contacting another person or trespassing upon private property or restricted public property.

SECTION 1.01 Definitions Applied to Article I Animal Control (continued)

LICENSED VETERINARIAN. Any veterinarian licensed by any state of the United States, and in addition, if practicing in this state, licensed by the Texas State Board of Veterinarian Examiners.

LIVESTOCK. Includes cattle, horses, mules, jackasses, donkeys of every type and nature, swine, sheep, goats, and any other animals, commonly known in this area as domesticated livestock.

LOCAL RABIES CONTROL AUTHORITY - The officer designated by the municipal or county governing body under the Texas Health and Safety Code, §826.017.

LOW RISK ANIMALS - Those animals which have a low probability of transmitting rabies; they include all animals of the orders Didelphimorphia, lnsectivora, Rodentia, Lagomorpha, and Xenarthra.

NUISANCE BY AN ANIMAL. The damaging, soiling, defiling, urinating or defecating upon, or repeatedly trespassing upon property other than its owner's. Excessive, continuous, or unreasonable, unwarranted whining, howling, barking or annoying noise disturbing the peace and repose of people living or working nearby. Molesting, threatening, attacking or interfering with persons on private or public property, chasing motor vehicles or bicycles, attacking other domestic animals, or disturbing or turning over garbage or trash containers, or causing unsanitary conditions or odors on or about the premises of its owner by urination or defecation.

OBSERVATION PERIOD - The time following a potential rabies exposure during which the health status of the animal responsible for the potential exposure must be monitored. The observation period for dogs, cats, and domestic ferrets (only) is 10 days (240 hours); the observation period for other animals, not including those defined as high risk or low risk, is 30 days. All observation periods are calculated from the time of the potential exposure.

POLICE SERVICE ANIMAL - An animal as defined in the Texas Penal Code, §38.151.

POTENTIAL EXPOSURE - An incident in which an animal has bitten a human or in which there is probable cause to believe that an animal has otherwise exposed a human to rabies; also referred to as a potential rabies exposure.

PREMISES OF THE KEEPER. Those private property premises under the occupancy and control of a keeper by ownership, lease, or other rental agreement.

PRIMARY ENCLOSURE - Any structure used to immediately restrict an animal or animals to a limited amount of space, such as a room, pen, run, cage, compartment, or hutch.

SECTION 1.01 Definitions Applied to Article I Animal Control (continued)

QUARANTINE - is a strict confinement of an animal specified in an order by the City Commission, Manager or their designees:

(A) on the private premises of the animal owner or at an approved facility; and

(B) under restraint by closed cage or paddock or in any other manner approved by board rule.

QUARANTINE FACILITY - A structure where animals are held for rabies observation.

QUARANTINE PERIOD - That portion of the observation period during which an animal that has potentially exposed a human to rabies is under physical confinement for observation as provided for in this title (relating to Quarantine Method and Testing under Texas Law).

RABIES - an acute viral disease of man and animal affecting the central nervous system and usually transmitted by animal bite.

RUN-AT-LARGE - To be free of restraint beyond the boundaries of the premises of the owner, custodian or keeper of the animal and not under the physical restraint of the owner, custodian or keeper.

SANITIZE - To make physically clean and to destroy disease-producing agents.

STRAY - is a roaming animal with no physical restraint beyond the premises of an animal's owner or keeper.

SERIOUS INJURY - Injury that causes serious permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ.

UNOWNED ANIMAL - Any animal for which a custodian has not been identified.

VACCINATED - Properly administered by or under the direct supervision of a veterinarian with a rabies vaccine licensed for use in that species by the USDA.

VACCINATION - The protective inoculation against rabies by inoculation with antirabies vaccine recognized and approved by the United States Department of Agriculture, Bureau of Animal Industry, given in an amount sufficient to provide immunity from rabies.

VACCINATION CERTIFICATE - A certificate issued by a licensed veterinarian for presentation to the Health Department of the city as a condition precedent to granting of a dog license.

VETERINARIAN - A person licensed to practice veterinary medicine in the United States.

SECTION 1.01 Definitions Applied to Article I Animal Control (continued)

VICIOUS ANIMAL - shall mean and include:

a) Any animal, poisonous insects, arachnids or reptiles with a propensity, tendency or disposition to attack unprovoked, to cause injury, to charge humans or animals, or to otherwise endanger the safety of human beings or domestic animals; or

b) Any animal, poisonous insects, arachnids or reptiles which attack a human being or domestic animal without provocation; or

c) Any animal, poisonous insects, arachnids or reptiles owned or harbored primarily or in part for the purpose of gamesmanship or any animal trained for gamesmanship.

d) No animal, poisonous insects, arachnids or reptiles shall be deemed vicious if it stings, bites, attacks or menaces a trespasser or stray animal on the private property of its owner or harms or menaces anyone who has tormented or abused it.

WILD ANIMAL. Shall mean all lions, tigers, ocelots, bobcats, panthers, cougars, leopards, cheetahs, jaguars, lynxes, servals, caracals, hyenas, wolves, coyotes, jackals, bears, baboons, chimpanzees, orangutans, gorillas, skunks, raccoon, armadillos, or hybrids of these species, and any other animal typically found in a zoo, with the exception of domestic dogs, domestic cats, livestock and poultry.

ZOONOSIS CONTROL BRANCH -The branch within the department to which the responsibility for administering these rules is assigned.

SECTION 1.02. Livestock or Fowl Within City Limits Prohibited

The City of San Benito and the City Commission of the City of San Benito is concerned with the health, safety and welfare of the general public, and finds that it is detrimental to the health, safety and welfare of the general public of the city to not permit within the jurisdiction of the City of San Benito livestock or fowl within the city limits.

A. It shall be unlawful for any owner, tenant, lessee, or person in possession of any lot or parcel of land within the City of San Benito, Texas to keep sheep, or swine, or to maintain any corral, enclosures, barn or any shelter of any kind whatsoever wherein sheep, or swine are placed for any length of time regardless of the duration.

SECTION 1.02. Livestock or Fowl Within City Limits Prohibited (continued)

B. It shall be unlawful for any owner, tenant, lessee, or person in possession of any lot or parcel of land within the City of San Benito, Texas, to keep any cattle of any class whatsoever, horses, goats, asses, mules, rabbits, chickens or domestic fowls of every class whatsoever, or to maintain thereon any structure room, coop, hutch, compartment, barn or stable or any other kind of enclosure, pen, corral or any other shelter of any nature whatsoever wherein such animals or fowls are kept, except and unless the same shall be kept and maintained in compliance with the provisions of this ordinance.

C. No cattle, horses, asses, goats, and mules or fowl of any class whatsoever, or no structure, room, corral, coop, hutch, compartment, stable, pen, enclosure or shelter of any nature shall be kept or maintained within three hundred (300) feet of any private residence, residence structure, school (public or private), hospital, hotel, motel, boarding house, duplex, apartment house, public eating place, cafe or restaurant of any type, or place of business or other entity manufacturing, distributing, or selling at retail or wholesale food products of any type whether being occupied continuously and/or indefinitely, or occasionally, or only at intervals by human beings. Except for the family residential unit occupied by the person owning, locating, possessing, or keeping such fowl.

1) Any and every structure, room, box, corral, coop, hutch, compartment, stable, pen, enclosure, shelter, shed of any nature whatsoever wherein cattle of every class whatsoever, including horses, goats, asses and mules or fowl of any class are kept shall be scraped and cleaned at least once every twenty-four (24) hours and all accumulation of decaying substance or other offensive material shall be removed and either buried or otherwise disposed of in such manner as not to create a breeding place or harborage for insects and/or vermin and such premises shall be maintained at all times in such condition that no offensive odors are omitted there from to the annoyance of anyone living upon adjoining premises.

2) No rabbits, rodents of any class, totaling more than two (2) shall be kept within three hundred (300) feet of any private residence, except the owner of the premises whereon the same are kept, nor within two
(2) City blocks of any school, hospital, public eating place, or public lodging place.

SECTION 1.02. Livestock or Fowl Within City Limits Prohibited (continued)

3) Any structure, room, coop, enclosure, box, hutch or compartment wherein such rabbits, rodents of any class, and fowl of any class are kept shall have the floor of the same scrapped and cleaned at least once every twenty-four (24) hours and every yard, runway and enclosure where such chickens, rabbits, and fowl of any class are kept or allowed to run shall be cleaned and all droppings removed there from at least once every twenty-four (24) hours, and all scrapping and accumulated wastes shall be buried or otherwise disposed of in such manner as not to constitute a breeding place or harborage for insects or vermin.

4) Any premises where rabbits, chickens, or other domestic fowl of every class whatsoever are kept shall be maintained in such manner that no odors shall be omitted there from the annoyance of any occupant of adjoining premises.

5) Every structure, house, room compartment, box or coop wherein chickens or fowl of every class whatsoever are kept shall be white- washed at least once every three (3) months and shall also be sprayed with crude oil or some other disinfectant on the roosting places at least once every three (3) months.

6) Each and every premises whereon are kept any cattle of any class whatsoever, including horses, asses, mules, goats, rabbits, chickens and/or fowl of every class whatsoever shall be sprayed with an insecticide, approved by the City Code Enforcement, Health and/or Animal Control Officer of the City of San Benito, Texas once (1x) every month to prevent the premises from becoming a breeding place for flies, mosquitoes, insects of any class or kind, and any vermin.

7) No cattle of any class whatsoever horses, asses, mules, goats, rabbits, chickens, or fowls of every class whatsoever, shall be allowed to run at large or be staked upon the public streets, alleys, highways canals rights-of-way or any private property not owned or under the control of the person owning such animal or fowl and in no event except in compliance with the distances as set out in subsections (b) hereof.

(D) Nothing in this ordinance shall be held to prohibit the keeping of any of the animals enumerated for the purpose of slaughtering the same in any event present existing packing house, butcher shop, storage plant or other business now existing and legally conducted under present sanitary regulations by the City of San Benito, The State of Texas Health & Safety Code and the United States Department of Agriculture .

SECTION 1.02. Livestock or Fowl Within City Limits Prohibited (continued)

(E) Nothing in this ordinance shall prohibit the exhibition or housing of any of the enumerated animals or fowls at public stocks shows, public stock auctions, fairs, circuses, carnival or school grounds operating and maintaining the same under approved sanitary regulations as shall be set up by the City Code Enforcement, Health Officer and/or Animal Control Officer of the City of San Benito, The State of Texas Health & Safety Code and the United States Department of Agriculture. During the time of such fair, stock shows, circuses, carnival, (excluding school grounds housing for educational purpose), that such period of display or exhibition shall not exceed a period of fifteen (15) days for anyone determined and established livestock or poultry show of the same public stocks shows, public stock auctions, fairs, circuses, carnival.

(F) Nothing in this ordinance shall be held to prohibit the keeping of any of the animals enumerated for the purpose riding stables or bridal paths (this exception applying only to horses and ponies) where and when such riding stables and bridal paths are located and maintained in accordance with the Zoning Code and other applicable provisions of this code and ordinances of the city.

(G) Nothing in this ordinance shall be held to prohibit the keeping of any of the animals enumerated for the purpose land located in areas zoned "A-O" under the Zoning Code and being used for farming and/or agricultural purposes.

SECTION 1.03. Keeping of Bees Within City Limits Prohibited

The City of San Benito and the City Commission of the City of San Benito is concerned with the health, safety and welfare of the general public, and finds that it is detrimental to the health, safety and welfare of the general public of the city to not permit the keeping of bees within the city limits. The keeping of bees within the city limits may cause substantial health problems and be detrimental to the health, safety and welfare of the general public.

(A) The keeping of bees or nests of stinging insects, yellow jackets, hornets and/or wasps or the operating of an apiary within the city limits is hereby declared a nuisance and is hereby prohibited and made unlawful.

(B) Any person who causes, suffers, or permits the keeping of bees or the operating of an apiary within the city limits shall be deemed guilty of an offense under this ordinance.

(C) This section shall not be construed to prohibit the keeping of bees enclosed in cases, bottles, boxes, or other similar enclosures for shipping, exhibitions, or demonstration purposes only.

(D) Any property which is zoned Agricultural/Open Space is exempt from this subsection.

SECTION 1.04. Prohibiting Vicious & Poisonous Animals

The City of San Benito and the City Commission of the City of San Benito is concerned with the health, safety and welfare of the general public, and finds that it is detrimental to the health, safety and welfare of the general public of the City to not permit vicious animals, including dogs and cats and/or poisonous insects, arachnids and reptiles through the City and finds that the keeping of vicious animals or poisonous insects, arachnids or reptiles within the City limits may cause substantial health problems and be detrimental to the health, safety and welfare of the general public.

(A) This ordinance shall apply to all vicious animals, dogs or cats, poisonous insects, arachnids, reptiles and any other animals being kept within the City limits, thus it shall be unlawful to keep, harbor, have or possess any vicious animals within the corporate limits of the City of San Benito.

(B) Any vicious animal located within the corporate limits of the City of San Benito is hereby deemed a public nuisance and is a violation of this Ordinance.

(C) The City Animal Control Department shall impound any animal which meets the definition of "vicious animal" as defined in this ordinance and based on the following:

(1) Upon the complaint of one or more citizens that an animal is vicious, and the animal control officer has investigated said animal and decided of viciousness of the animal.

(2) If an animal has bitten, mauled or attacked a human or other animal without provocation, the animal is deemed vicious without the necessity of complaints.

(3) If the animal has been shown to be aggressive in nature.

SECTION 1.05. Prohibited Wild Animals

The City of San Benito and the City Commission of the City of San Benito is concerned with the health, safety and welfare of the general public, and finds that it is detrimental to the health, safety and welfare of the general public of the city to not permit wild animals within the jurisdiction of the city.

(A) It shall be unlawful to harbor, have, keep, hold, maintain or possess any wild animal or poisonous reptiles within the city limits except in an approved operating zoo, circus, carnival. This exception also applies to a school or college (for educational purposes applied to the same).

SECTION 1.05. Prohibited Wild Animals (continued)

(B) Possession of a wild animal by an accepted and/or approved organization, group, business or educational establishment as defined in subsection (b) of Section 1.05 of this Ordinance may be subject to regulations prescribed by the City of San Benito Commission, City Manager, Animal Control Officer, Code Enforcement and Health Inspector, for indemnification of the city, proof of insurance and the conditions deemed necessary to preserve the safety and welfare of the City of San Benito and the public as well as the care of the animals.

SECTION 1.06. Commerce in Live Animals

The City of San Benito and the City Commission of the City of San Benito is concerned with the health, safety and welfare of the general public, and finds that it is detrimental to the health, safety and welfare of the general public of the city to not permit commerce in live animals.

(A) This ordinance applies to all people, groups, or organizations.

(B) A person(s), group or organization commits an offense if they; sell, trade, barters, leases, rents, give a ways or displays for personal or commercial purpose a live animal, insect, arachnid and/or a reptile on a roadside, public right-of-way, commercial parking lot, an outdoor event or garage sale, swap meet, flea market, parking lot or any other similar event. This includes seasonal pets, such as baby chickens or baby ducks given to children at Easter time or other holidays.

(C) This section of the Ordinance does not apply to an established business, feed store or pet store that have completed and complied with all regulations and licenses implied by the City of San Benito, State of Texas Health Department and the United States Department of Agriculture and have an established business permit within the city of San Benito. This sub-section C of Section 1.06 only applies if all sales, trades, barters, leases, rents, give a way or displays are done within the confines of the structure.

(D) No person shall offer any live animals as a prize or reward in connection with any raffle, protest, demonstration, promotion as incentive to participate in any game, promotion or otherwise.

SECTION 1.07. Humane Treatment of Animals

The City Commission of the City of San Benito has determined that it is essential that all animals within the city limits be treated humanely by their respective owners, keepers or managers.

SECTION 1.07. Humane Treatment of Animals (continued)

(A) No owner shall fail to provide his or her animal with good, wholesome food and water, proper shelter, protection from weather, veterinarian care when needed to prevent suffering, and humane care and treatment. Any owner of animal(s) shall maintain a clean and healthy shelter and living area for any animal being kept, which area shall be free to walk or lie down without coming in contact with such waste or debris. All such shelters or living areas must be cleaned and maintained regularly to promote proper health for the animals being kept in accordance with The State of Texas Laws.

(B) If any animal is restrained by a chain, leash or similar restraint, it shall be designed and placed to prevent choking or strangulation. Such chain or restraint shall not be less than ten (10) feet in length, and either on a swivel designed to prevent the animal from choking itself, or else on a chain run.

(C) No owner shall abandon any animal, abandonment consisting of leaving such animal for a period of more than twenty-four (24) hours without providing for someone to feed, water and check the animal's condition. No owner shall leave an animal by a roadside or other area or leave such animal on either public or private property without the property owner's consent. An animal so left shall be deemed abandoned. If an animal is found to be abandoned, such animal may be taken by an Animal Control Officer, or police officer and impounded in the animal shelter. Such animals, if taken from private property, shall be kept for not less than five days. If the animal is so abandoned, the owner of the animal, if and whom he or she has been charged with the animal's care, shall be in violation of this ordinance.

(D) No person shall mutilate any animal whether dead or alive. This includes cropping a dog's ears or tail, except by a veterinarian.

(E) No person shall place any poisonous substance which may be harmful to any domesticated animal, as described herein, in any location or proximity to where it may be readily found and eaten by such animal.

(F) No person shall neglect, beat, cruelly ill-treat, or torment any animal or cause or permit any dogfight, cockfight, or other combat between animals. For the purposes of this paragraph, neglect, cruelty, ill-treatment, and torment of an animal shall be defined as a failure by a person to adhere to the requirements and provisions of said ordinance. In the event there is a reasonable cause to suspect that the animal is being beaten, cruelly ill-treated, neglected or tormented or involved in a dogfight, cockfight, or other combat, custody of such animal may be taken by an Animal Control Officer or Police Officer, and impounded in the Animal Shelter. Said animals shall be held as evidence and confined in such facility in a humane manner. Upon finding by a court that the animal has been neglected, beaten, cruelly ill-treated or tormented or involved in a dogfight, cockfight or other combat between animals, it shall become the property of the City of San Benito.

SECTION 1.07. Humane Treatment of Animals (continued)

(G) No person shall own, possess, keep, or train any bird or animal, with the intent that such bird or animal shall be engaged in an exhibition of fighting. No person shall be present at any dog fight, cockfight, or combat between animals. Any person who is found present at a dogfight, cockfight, or combat between animals, and who is in possession of, and/or is the owner of an animal of the same species as that involved in the animal fight, shall be charged in accordance with current Texas laws governing such violation. Said animal shall be confiscated if found on the premises or in the immediate area of the dogfight, cockfight or combat between animals.

(H) Any animal observed by police or Animal Control Officer to be in immediate danger may be removed from such situation by the quickest and most reasonable means available.

(I) No person shall raise or kill any animal, reptile or insect for food, skin, fur, liquids, exoskeletal remains.

(K) No personnel shall engage or cause or allow any other person to engage in a sexual act with any animal.

SECTION 1.08 Unattended Animals Prohibited to Run-at-Large, Leash Law.

(A) No animal shall run at large within the City limits, always keeping the same on a leash, in reasonable control and in a non-aggressive stature.

(B) Animals shall not be left unattended on chains or leashes if the same animal is not on the premises of the owner. Such animals may be allowed beyond the property of such owner when leashed to such owner or other person authorized by such owner, and owner or keeper has full control of said animal.

(C) Nothing herein contained shall be construed to prohibit the owner or keeper of any animal from escorting such animal, properly leashed, to other premises than those of such owner or keeper for purposes of exercise, visitation, companionship, participation in shows and exhibitions, or treatment and care by a duly licensed veterinarian or kennel for hire to the public; or from transporting such animal in an automobile or other vehicle; or from transporting or exhibiting such animal without leash on private premises or public shows and exhibition premises, under conditions where such unleashed dogs are otherwise is restrained from leaving such premises; nothing herein contained to be construed as constituting the authorization of the invasions of private rights of any person.

SECTION 1.09 Number Limitation of Cats & Dogs

(A) It shall be unlawful for any person or persons residing in a single household to keep more than three (3) dogs or cats in total or any combination thereof that will total three (3) within the City limits, unless such is a litter of pups or kittens. In such case, the litter must be disposed of within three (3) months of birth.

SECTION 1.09 Number Limitation of Cats & Dogs (continued)

(B) It shall be unlawful for any person or persons residing in an apartment or multi-family dwelling to keep more than one (1) cat or dog thereof within the city limits.

(C) In the event any person desires to own more than one or three dogs and/or cats respectfully per living condition, such person shall secure the prior written permission of the senior animal control officer.

(D) This paragraph does not apply to pet shops or kennels which have been duly licensed by the City pursuant to ordinance and have an establish location as per city business permit and is in compliance with all local and state laws governing such business, nor does this limitation apply to areas zoned Agricultural/Open Space.

SECTION 1.10 Keeping of Nuisance and/or Noisy Animals

(A) The keeping of any animal within the city in such manner, or under such conditions, as to cause a hazard or danger to public health, or which produce noxious odors or disturbing noises, or discomfort or annoyance, to persons of ordinary sensibilities in the immediate vicinity thereof, is hereby declared to be a nuisance and is hereby prohibited.

(B) No owner shall fail to exercise proper care and control of his animal or animals to prevent them from becoming a public nuisance with such public nuisance being defined as any animal which barks, whines, or howls in an excessive, continuous, or untimely fashion to such an extent as to interfere with or prevent a citizen or citizens of the city from obtaining the reasonable and necessary sleep, rest, and relaxation normally and reasonably required to maintain a person's health.

SECTION 1.11 Causing or Permitting Dog/Cat to Bite Prohibited

A person commits an offense if he is the owner or keeper of a dog or cat and if he/she knowingly, intentionally, recklessly, or with criminal negligence causes or permits said dog or cat to bite a person or other animal.

SECTION 1.12 Authority to Impound

The city shall have authority to impound the following:
(A) Any dog/cat running-at-large within the city.
(B) Any animal reported under this Article in violation hereof.
(C) Any animal being a nuisance under this Article.

SECTION 1.13 Procedure for Impoundment

(A) Whenever an animal bites or stings a person, or any other animal, the keeper of such animal or any person shall immediately report the incident to the Code Enforcement Department or Police Department of the city.

(B) Whenever any person, including the keeper of any animal, has good reason to believe that any animal, by observation, is a rabid animal, such person or keeper shall immediately report such condition to the Code Enforcement Department or Police Department.

(C) Upon receiving any report as provided for in divisions (A) and (B) of this section, or upon learning of the existence of any conditions or the occurrence of any incidents as provided for in divisions (A) and (B) of this section, and upon investigating the report or allegation and finding it to be true, any Animal Control Officer, Code Enforcement Officer or Police Officer shall be authorized to and shall forthwith proceed with the impounding of such animal so reported upon or learned of.

(D) For the purpose of discharging the duties of impounding an animal as provided for in this Article, any Animal Control Officer, Code Enforcement Officer or Police Officer of the city is empowered to enter upon any premises upon which such dog or cat is reported or believed to be kept or harbored and is further authorized to ask for the exhibition of such animal (and if a dog or cat, the exhibition of a license for such dog or cat); and to then and there take custody of such animal for impounding.

(E) Any animal running at large shall be impounded if the same is not on a leash. Any such animal found in violation of this section is subject to impoundment by the City. An animal may be impounded if found running at large as required by this section. A citation may be issued to the pet owner requiring a fine to be paid to the City of San Benito. This does not absolve or in any manner keeps the city from charging an impoundment fee separately, as determined by the Fee Schedule.

(F) In the event of such impounding, the City of San Benito shall retain said animal(s) in pound as follows: All such dog(s) and/or cat(s) bearing identification by registration tag shall be retained in pound for a period of five (5) days. All such other impounded dog(s) and/or cat(s) not bearing identification by registration tag shall be retained in pound for a period of three (3) days. All such animals of cattle of any class whatsoever, horses, goats, asses, mules, rabbits, chickens or domestic or exotic fowls of every class whatsoever shall be held at a reasonable location, to be best suited for the care, welfare and humane treatment as determined by the Animal Control Officer. The number of days shall be determined by the Animal Control Officer to be no less than three (3) days.

SECTION 1.13 Procedure for lmpoundment (continued)

(G) In the event the City of San Benito is able to determine the identity of the owner or caretaker of any such impounded animal, by virtue of registration tag borne by such dog(s)/cat(s), said owner or caretaker shall be notified by the City of San Benito of the impounding and shall be advised that said animal may be redeemed at any time during said five (5) day period of impoundment by the payment of a pound fee of ten ($10.00) Dollar per day for each day or portion thereof that said animal may have been retained in pound by the City of San Benito, plus a fee of thirty ($30.00) Dollars in payment of the expenses incurred by the City of San Benito in picking up and impounding said animal in the first instance. Any owner or caretaker voluntarily appearing at the pound of the City of San Benito to claim an animal impounded under the conditions provided for herein shall be allowed to redeem said animal upon the payment of all fees accrued as provided for. Said fee is herewith ordained and adopted as a fair and reasonable fee in payment to the City of San Benito for the expenses incurred in connection therewith. Said fees shall be paid to the City of San Benito, the same to be credited to the General Fund of the City of San Benito. In the event of the inability of the City of San Benito to identify and notify the owner of any such impounded animal, and in the further event of the failure of the owner or caretaker of such impounded animal to call for and redeem same from the City of San Benito pound within the afore mentioned three (3) day or five (5) day impounding period respectively, said animal may be destroyed by the City of San Benito upon the expiration of said three (3) day or five (5) day impounding periods, respectively. The determination of animal ownership and notification thereof by the City of San Benito, as hereto fore provided, is directory only and shall not be a condition precedent to the destruction of said animals in the event of the failure of the owner or owners to call for and redeem same as hereinabove provided for.

(H) If the owner of an impounded animal desires that said animal be impounded at the private hospital of a licensed veterinarian which has facilities suitable for such impoundment, the owner may request removal of the impounded animal to said hospital with said veterinarian supervising said removal and impounding at his hospital facility for the time limits as set forth herein above, all at the animal owner's expense.

(I) Any animal which cannot be caught after diligent effort has been made to catch same may be tranquilized by any means deemed advisable by the City of San Benito Animal Control Officer. Any means being a sound and humane manner.

SECTION 1.14 Interference with Public Duties.

No person shall interfere with, hinder, or molest any Animal Control Officer, the Code Enforcement Department or the Police Department in the performance of any duty of such agent with regard to enforcement of this Ordinance, or attempt to immediately release any animal in the custody of any Animal Control Officer, the Code Enforcement Department or the Police Department, except as herein provided for. In accordance with Texas Penal Code 38.15 Interfering With Public Duties

SECTION 1.15 Keeping Rabid Animal Prohibited.

It shall be unlawful for any owner, manager or keeper to keep, maintain, or harbor a rabid animal within the city of San Benito. If suspected, such animals should be reported immediately to the Code Enforcement Department.

SECTION 1.16 Vaccination for Rabies.

It shall be unlawful for any owner, manager or keeper to own or keep any dog or cat in the city unless the dog or cat is immunized against rabies by the injection of anti-rabies vaccine in an amount sufficient to produce immunity. This will be done in accordance with this ordinance as follows:

(A) Dogs and cats must be immunized against rabies at three (3) months of age and every twelve (12) months thereafter.

(B) Dogs and cats over the age of six months shall be vaccinated with live virus type vaccine.

(C) The rabies vaccination provided for in division (A) of this section shall be performed by a licensed veterinarian.

(D) Every owner, manager or keeper, owning or keeping any dog or cat in the city shall, upon effecting the rabies vaccination of such dog or cat, as above provided for, acquire a written vaccination certificate in evidence, thereof from the licensed veterinarian administering the same, such certificate to be signed by the veterinarian and stating thereon the sex, breed, and color of such dog or cat, date of immunization, and the name and address of the keeper of such dog or cat.

A person commits an offense if the person fails or refuses to have each dog or cat owned by the person vaccinated against rabies and the animal is required to be vaccinated under Texas Health and Safety Code Section 826.021 or ordinances or rules adopted under said Texas Health and Safety Code by the city of San Benito municipality within whose jurisdiction the act occurs.

SECTION 1.17 Designation of Local Rabies Control Authority.

In accordance with the Texas Health and Safety Code title10. Health and Safety of Animals chapter 826. Rabies, the city of San Benito shall designate an officer to act as the local rabies control authority for the purposes of this chapter. The officer designated as the local rabies control authority may be the county health officer, municipal health officer, animal control officer, peace officer, or any entity that the governing body considers appropriate. Among other duties, the local rabies control authority shall enforce:

(A) this chapter and the board rules that comprise the minimum standards for rabies control;

(B) the ordinances or rules of the municipality or county that the local rabies control authority serves; and

(C) the rules adopted by the board under the area rabies quarantine provisions of Section 826.045 of the Texas Health and Safety Code.

SECTION 1.18 Confinement of Animals During Rabies Epidemic.

The City of San Benito and the City Commission of the City of San Benito is concerned with the health, safety and welfare of the general public, and finds that it is detrimental to the health, safety and welfare of the general public of the City to not permit within the jurisdiction of the City of San Benito animals that have become afflicted with Rabies to run at large. The City of San Benito, Texas has experienced occasions when numerous animals have become afflicted with Rabies, and other occasions when citizens of the City of San Benito have been victims of attacks by such animals afflicted with Rabies.

The danger to each citizen of the City of San Benito, resulting from Rabies afflicted animals running at large within the City of San Benito is of such a perilous and serious nature as to justify, warrant and demand that some action and/or measure be taken by the City Commission of the City of San Benito for the safety, health and general welfare of the citizens and the City of San Benito.

Under conditions wherein animals are allowed to run at large within the limits of the City of San Benito, it would be most difficult, if not impossible, to curb and/or eliminate a Rabies Epidemic at such time as one or more animals within the City of San Benito could be determined to be afflicted with Rabies.

The purpose of this section of the ordinance is to protect public health by establishing uniform rules for the control and eradication of rabies in the State of Texas, in accordance with Chapter 826 of the Texas Health and Safety Code.

SECTION 1.18 Confinement of Animals During Rabies Epidemic. (continued)

(A) The governing body of The City of San Benito may adopt ordinances or rules to require that:

(a) Each dog or cat be restrained by its owner.
(b) Each stray dog or cat be declared a public nuisance.
(c) each unrestrained dog or cat detained or impounded by the local Animal Control Officer.
(d) Each stray dog or cat be impounded for a period set by ordinance or rule; and
(e) a humane disposition be made of each unclaimed stray dog or cat on the expiration of the required impoundment period.

(B) Henceforth at any time the City Commission, Manager, Animal Control Officer, Health Inspector and/or the Code Enforcement Officer of the City of San Benito determine the existence of a Rabies Epidemic or the eminent possibility of a Rabies Epidemic among animals of the City of San Benito, said Commission or City Manager may declare a RABIES EMERGENCY. In determining such emergency, the City Commission, Manager shall make careful inquiry through the City Veterinarian, Police Department, Animal Control, Code Enforcement, Health Inspector, State of Texas Health Department and all other sources of information reasonably available, of the existence and nature of Rabies cases and conditions known to exist within the City of San Benito. At the time of the declaration of the existence of such Rabies Epidemic, the City Commission and/or Manager under the signature of the Mayor of the City of San Benito, shall issue its RABIES EPIDEMIC PROCLAMATION, providing and requiring therein that all animals within the City of San Benito, Texas shall be required to be confined, under the terms and conditions as provided for in this ordinance, for a period by Texas State Law Health & Safety Code Chapter 826. RABIES; until the 181st day after the date on which the last case of Rabies is diagnosed in any animal that caused the City Commission, Manager, Director of Public Safety (Chief of Police), Animal Control Officer and/or the Code Enforcement Officer to declare a quarantine, unless the board or its designee, by declaration, removes the quarantine before that date.

(C) Any and all such Rabies Epidemic Proclamation shall be published twice (2) consecutively into a newspaper published in the City of San Benito, which said proclamation shall contain the beginning and ending date of the confinement period provided for by said proclamation.

(D) Any and all animals found running at large during any Rabies Epidemic Emergency Period, as heretofore provided for shall be impounded in the City of San Benito animal pound. In the event of such impounding, the City of San Benito shall retain said animals in pound as follows:

SECTION 1.17 Designation of Local Rabies Control Authority.

All such dogs bearing identification by registration tag (as provided for by other ordinances of the City of San Benito) shall be retained in pound for a period of five (5) days. All such other impounded animals not bearing identification by registration tag shall be retained in pound for a period of three (3) days.

(E) In the event the City of San Benito is able to determine the identity of the owner or caretaker of any such impounded dog, by virtue of registration tag borne by such animals, said owner or caretaker shall be notified by the City of San Benito of the impounding and shall be advised that said animal may be redeemed at any time during said five (5) day period of impoundment by the payment of a pound fee of fifteen ($10.00) Dollar per day for each day or portion thereof that said animal may have been retained in pound by the City of San Benito, plus a fee of thirty ($30.00) Dollars in payment of the expenses incurred by the City of San Benito in picking up and impounding said animal in the first instance. Any owner or caretaker voluntarily appearing at the pound of the City of San Benito to claim a dog impounded under the conditions provided for herein shall be allowed to redeem said animal upon the payment of all fees accrued as provided for in this ordinance. Said fee is herewith ordained and adopted as a fair and reasonable fee in payment to the City of San Benito for the expenses incurred in connection therewith. Said fees shall be paid to the City of San Benito, the same to be credited to the General Fund of the City of San Benito. In the event of the inability of the City of San Benito to identify and notify the owner of any such impounded animal, and in the further event of the failure of the owner or caretaker of such impounded animal to call for and redeem same from the City of San Benito pound within the afore mentioned three (3) day or five (5) day impounding period respectively, said animal may be destroyed by the City of San Benito upon the expiration of said three (3) day or five (5) day impounding periods, respectively. The determination of animal ownership and notification thereof by the City of San Benito, as hereto fore provided, is directory only and shall not be a condition precedent to the destruction of said animals in the event of the failure of the owner or owners to call for and redeem same as hereinabove provided for.
(F) Any animal which cannot be caught after diligent effort has been made to catch same may be killed or destroyed by any means deemed advisable by the City of San Benito Animal Control Officer. Any means being a sound and humane manner.

This Section is not intended to and shall not be in conflict with or otherwise affect any prior existing ordinances affecting the control and regulation of animals within the City of San Benito; this ordinance being confined only to Rabies Emergency Conditions. The fact that the existence or eminent danger of Rabies amongst the animals in the City of San Benito has been determined, and the further fact that the health, safety and general welfare of the citizens of the City of San Benito is in jeopardy as a result thereof, creates an emergency and urgent public necessity; therefore, the rule providing that no ordinance shall be enacted at the meeting of the City Commission at which it is first presented and read unless an emergency is declared is herewith invoked, and an emergency being herewith declared so therefore this section is herewith fully and finally enacted and shall take effect and be in force as an emergency measure immediately upon its publication as required by law.

SECTION 1.19. Keeping of Kennels Prohibited

The keeping of any dog kennel in an area zoned as Single Family ("SF1 or SF2"), Double Family ("DF"), Multi-Family ("MF") and/or Mobile-Home ("MHP") is hereby prohibited and declared to be a nuisance.

SECTION 1.20. Standards for Kennel Facilities at City Animal Shelter

Under the Texas Health and Safety Code Title 10 Health and Safety of Animals Section 823 Animal Shelters, the City of San Benito shall erect and maintain, under the supervision of the Code Enforcement Department, a suitable building and kennel or kennels for the confinement of all animals found in violation of the Ordinance and/or sections of this Ordinance. Such buildings or kennels shall be kept in a sanitary condition and all animals taken up and impounded therein shall be promptly sheltered, watered and fed while confined in such buildings or kennels. This shall also include the following:

(A) The animal shelter operated in this city of San Benito shall comply with the standards for:

(1) The housing and sanitation existing on September 1, 1982, and adopted under Chapter 826 of the Texas Health and Safety Code; and

(2) The animal control officer training adopted under Chapter 829.

(B) An animal shelter shall always separate animals in its custody by species, sex (if known), and if the animals are not related to one another, by size.

(C) An animal shelter may not confine healthy animals with sick, injured, or diseased animals.

SECTION 1.20 - Standards for Kennel Facilities at City Animal Shelter (continued)

(D) Each person who operates an animal shelter shall employ a veterinarian at least once a year to inspect the shelter to determine whether it complies with the requirements of this Ordinance and Chapter 829 of the Texas Health and Safety Code. The veterinarian shall file copies of the veterinarian's report with the person operating the shelter and with the department on forms prescribed by the department.

(E) To require each person operating an animal shelter to keep records of the date and disposition of animals in its custody, to maintain the records on the business premises of the animal shelter, and to make the records available for inspection at reasonable times.

SECTION 1.21. Licensing Provisions

The requirements for such license are as provided in this Ordinance. Upon the issuing of each dog and/or cat license, a tag bearing the tag number, year, and/or license number shall be issued and placed on the collar of each dog or cat. It shall be unlawful and a violation of this Ordinance to remove such tag from any licensed dog or cat. Failure to register a dog or cat with the City of San Benito shall be a violation of this ordinance. The provisions shall be as follows.

(A) It shall be unlawful for any keeper of any dog or cat to keep such dog or cat within the city without having a valid dog license authorizing the keeping of the same. A dog and cat license shall be issued upon the following requirements:

(1) The owner shall fill out such form or forms listing information about the animal such as sex, weight, color, pet owner's address and other information such as may be required by the City of San Benito.

SECTION 1.17 Designation of Local Rabies Control Authority.

(2) Presentation of proof of rabies vaccination by a licensed veterinarian within seven (7) days of the application for the license shall be presented.

(3) A nominal fee shall be paid to the City of San Benito for the issuance of the license and tags; such fees being used to defray any expenses in the inspection and issuance of same.

(4) Exceptions. The provisions of this subchapter shall not apply to the following:

(a) Any dog or cat under the age of three (3) months.

(b) Any dog or cat brought into the city by a person who is a nonresident of such city, or who is traveling through the city, or temporarily sojourning in the city, provided that this exception shall not be operative for longer than a period of time commencing not more than three days before any such show exhibition is held and ending not more than three days after such show or exhibition ends.

SECTION 1.21. Licensing Provisions (continued)

(B) Each dog or cat license, unless sooner revoked by the Code Enforcement Department, shall be valid and effective only during a one-year period beginning with the date upon which such license is issued.

(C) Refusal of any keeper of a dog or cat to comply with this Ordinance shall be grounds for revocation of any dog or cat license that may have been issued.

(D) It shall be unlawful for any owner, manager or keeper to use a license tag issued to a registered dog or cat and place upon another dog or cat not registered with the City of San Benito. Subject to licensing under the provisions of this Ordinance, this will be considered a violation of said Ordinance.

SECTION 1.22. Animal Control Officer Training

All individuals employed by the city of San Benito as an animal control officer shall comply under the direction of the Co.de Enforcement Department with the ru!es and regulations set forth and required under the Texas Health and Safety Code Title 10 Health and Safety of Animals Chapter 829 Animal Control Officer Training.

SECTION 1.23. Animal Shelter Advisory Committee

The city of San Benito in which an animal shelter is located shall appoint an advisory committee to assist in and ensure compliance with the requirements of the Texas Health and Safety Code Title 10 Section 823 and this Ordinance. The advisory committee must comply with The Texas Health and Safety Code as follows:

(A) Must be composed of at least one licensed veterinarian, one county or municipal official, one person whose duties include the daily operation of an animal shelter, one representative from an animal welfare organization, and a citizen of San Benito not affiliated with an animal welfare organization.

(B) They shall meet at least three times a year.

All concerns involving appointments, reappointments, term limits, filling of vacancies and replacement of appointments shall be regulated by the City of San Benito Secretary.

SECTION II. EFFECTIVE DATE
This ordinance shall be effective upon its passage

FIRST READING before the City Commission of the City of San Benito Texas, at a Regular City Commission Meeting on the **5th** day of **August 2025.**

PASSED, APPROVED, AND ADOPTED on the Second and Final Reading at a Regular City Commission Meeting of the City of San Benito, Texas on this, **19th** day of **August 2025.**

CITY OF SAN BENITO, TEXAS

_____
Honorable Ricardo Guerra
Mayor

ATTEST:

_____
Ruth A. McGinnis
City Secretary

August 19, 2025

EXECUTIVE SUMMARY

REQUEST:
Consideration and possible action to approve the Second and Final Reading of Ordinance Number 2613-A-09-2025, an ordinance amending Ordinance Number 2613-10-2022(Z) in the subdivision regulations, exemptions to platting requirements to add section (C) Common Ownership Exception to allow structures to be built across internal lot lines on commonly owned lots under a single deed.

RECOMMENDATION:
Staff recommends approval.

RATIONALE:
The purpose of amending the subdivision regulations under the exemptions to platting requirements is to add Section (C), will allow structures to be built across internal lot lines when two or more contiguous lots are under common ownership and held under a single deed. This amendment provides regulatory relief by eliminating the need for a formal replat when no new lots are being created, ensuring development flexibility while maintaining consistency with land use and building codes. It is intended to streamline the permitting process for property owners, reduce administrative burden, and promote efficient land use without compromising public safety or infrastructure planning.

BUDGET IMPACT:
N/A

RESOURCE PERSONNEL:
Monica Rodriguez, Planner I

EXHIBITS: Ordinance 2613-A-09-2025

PREPARED BY: Monica L. Rodriguez
Planner I

08/13/2025
Date

Fred R. Sandoval
Fred Sandoval
City Manager

ORDINANCE NUMBER 2613-A-09-2025

AN ORDINANCE OF THE CITY OF SAN BENITO, TEXAS, AMENDING ORDINANCE NUMBER 2613-10-2022(Z) SUBDIVISION REGULATIONS, EXEMPTIONS TO PLATTING REQUIREMENTS TO ADD SECTION (C) COMMON OWNERSHIP EXCEPTION TO ALLOW STRUCTURES TO BE BUILT ACROSS INTERNAL LOT LINES ON COMMONLY OWNED LOTS UNDER A SINGLE DEED AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of San Benito recognizes that in certain residential or commercial areas, property owners may own contiguous lots or portions thereof under a single deed; and

WHEREAS, requiring replating in such cases may impose unnecessary burdens on homeowners and does not serve a material planning purpose when all lots are under common ownership and no additional development rights are sought; and

WHEREAS, Texas Local Government Code § 212.002 and related provisions permit cities to adopt regulations for subdivision and platting requirements while allowing flexibility in implementation when health, safety, and welfare are not compromised;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SAN BENITO, TEXAS:

Section 1. Purpose

This ordinance amendment, being a part of ordinance 2252, is intended to provide flexibility in subdivision regulations by allowing the construction of a single structure across internal lot lines and allow for additions, provided that the lots are contiguous, under the same ownership, and recorded on a single deed. This measure is designed to simplify development without requiring a formal replat, as long as public health, safety, and welfare are not compromised.

Section 2. Structures Allowed Across Lot Lines

A structure may be built across internal lot lines when all of the following conditions are met:

1. The lots are contiguous and within the same recorded subdivision.
2. Ownership is held by the same person or entity, with identification under a single recorded deed.
3. No new lots, units, or buildable tracts are created.
4. The owner records an Affidavit Unity of Lots in the Official Public Records of Cameron County stating the lots will not be sold, conveyed, or separately developed unless formally replatted in accordance with city regulations.
    a. The lots shall be considered unified for the duration of the structure's existence.
    b. No separate use or sale of the affected lots shall occur unless the structure is removed or modified to comply with applicable regulations.

Section 3. Setback and Zoning Compliance

All construction must comply with the applicable building setbacks, zoning regulations, and building codes of the City of San Benito. The internal lot line shall not be used to require additional side yard setbacks.

NOTE: No more than one single-family dwelling will be allowed on the property. The land use must be consistent with the land use chart for that zoning district and must comply with all relevant zoning regulations.

Section 4. Building Permit Requirements

Prior to issuance of a building permit under this ordinance:

1. The applicant must submit a site plan showing the location of the structure across the lot line;
2. Proof of common ownership must be submitted (e.g., deed or title);
3. A recorded Affidavit Unity of Lots shall be provided to the Planning Department.

Section 5. Effective Date

This ordinance shall take effect upon passage and publication as required by law.

FIRST READING before the City Commission of the City of San Benito, Texas, at a Regular City Commission Meeting on the **5th** day of **August, 2025**.

PASSED, APPROVED, AND ADOPTED on the Second and Final Reading at a Regular City Commission Meeting of the City of San Benito, Texas, on this, **19th** day of **August, 2025**.

CITY OF SAN BENITO, TEXAS

_____
Honorable Ricardo Guerra
Mayor

ATTEST:

_____
Ruth A. McGinnis
City Secretary

August 19, 2025

EXECUTIVE SUMMARY

REQUEST:

Consideration and possible action to approve a road closure request by Saint Benedict Catholic Church for their Annual Kermes on September 6, 2025, from 1:00 p.m. to 11:00 p.m.

a. Powers Street from South Travis Street to South Resaca Drive
b. Bowie Street from Landrum Street to West Brooks Street

RECOMMENDATION:

The City Staff recommends approval.

RATIONALE:

The St. Benedict Catholic Church has requested the closure of the city streets surrounding the church to host their annual Karmes. The closure will restrict vehicular traffic from passing through the area during the event. This event is expected to draw a large crowd.

BUDGET IMPACT:

None.

RESOURCE PERSONNEL:

Mario Perea, Police Chief

EXHIBITS: St. Benedict Karmes

PREPARED BY: Mario G. Perea
Chief of Police

08/13/2025
Date

Fred R. Sandoval
Fred Sandoval
City Manager

RECEIVED BY: LV DATE: 8/7/25

CITY OF SAN BENITO
EVENT PERMIT APPLICATION

Type of Event	Fees	Number of Days
Benefit-Non Profit Benefit-Non Profit	$25.00 with tax-exemption $50.00 no tax-exemption	Per Single Event
Event Permit	$75.00 per day $15.00 per additional booth	For Duration of Event
Mobile/Produce Vendor	$100.00	3 Months Consecutively

Check One: □Benefit/Fundraiser ■Church/School Festival □Market Days
□Community Event

Event Information

Name of Event/Purpose of Event: St. Benedict Karmes

Event Address/Location: 351 South Bowie Street San Benito, Texas 78586

Date of Event: September 6, 2025

Hours of Operation: From 1:00 pm to 11:00 pm.
(The food booth(s) shall be set-up & ready for inspection at start of Hours of Operation)

Total # of Food Booths: 10 **Sales Tax Permit Tax I.D. #** Exempt

Organization/Name: St. Benedict Catholic Churc

Mailing Address: 351 South Bowie Street San Benito, Texas 78586

Contact Phone#: 956-793-9448 E-mail Address: mresendez@rgv.rr.com

- **ATTACH A COPY OF A VALID GOVERNMENT ISSUED PHOTO I.D. FOR THE EVENT ORGANIZER**
- **ATTACH A COPY OF TEXAS SALES TAX CERTIFICATE AND/OR PROOF OF TAX EXEMPTION**
- **ATTACH SIGNED & DATED LETTER FROM BUSINESS ALLOWING USE OF PARKING AND BATHROOM FACILITIES FOR THIS SPECIFIED EVENT.**

All applications must be complete and submitted to this department (3) business days prior to event and fees paid when submitted. **(NO REFUND OF PERMIT FEE UNDER ANY CIRCUMSTANCE).**

ALL FOOD MUST COME FROM AN APPROVED SOURCE. List **ALL** food items (meats, sides, fruits, vegetables, beverages **and ice**) that will be served to the public from this booth.
In cases where pre-cooked food is purchased a copy of the business Health Permit is required.

NO HOME-PREPARED FOODS ARE ALLOWED (as per state regulations)

Food Items	Supplier	Prepared on Site	Entity/Business providing
Hamburgers	Tomatoes, lettuce, onions, pickles, & buns	Prepared on site	St. Benedict
Funnel Cakes	flour mix and oil	Prepared on site	St. Benedict
Cakes	Store bought	No	Donated for cake walk
Hot dogs/Frito pies	buns,chips, weiner franks, Fritos, chili	Prepared on site	St. Benedict
Tacos and Gorditas	meat, tortillas, masa mix	Prepared on site	St. Benedic

I hereby certify that I have received the guidelines for a food event permit. I understand that, as a condition of my operation at this event, I am responsible to insure that these guidelines are strictly adhered to at all times. Failure to provide accurate and true information and failure to adhere to these guidelines may result in the revocation of this permit and/or fines by City of San Benito Municipal Court.

Signature: [signature] Printed Name: Melissa G. Resendez Date: 8/7/25

OFFICE USE ONLY:

Received:	Amt. Paid:	Permit #	Expires:

Certificate of Coverage

Date: 3/19/2024

Certificate Holder
Diocese of Brownsville
1910 University Blvd.
PO Box 2279
Brownsville TX 78522-2279

This Certificate is issued as a matter of information only and confers no rights upon the holder of this certificate. This certificate does not amend, extend or alter the coverage afforded below.

Company Affording Coverage
THE CATHOLIC MUTUAL RELIEF SOCIETY OF AMERICA
10843 OLD MILL RD
OMAHA, NE 68154

Covered Location
ST BENEDICT CHURCH
351 S BOWIE
SAN BENITO, TX 78586-0000

Coverages

This is to certify that the coverages listed below have been issued to the certificate holder named above for the certificate indicated, notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the coverage afforded described herein is subject to all the terms, exclusions and conditions of such coverage. Limits shown may have been reduced by paid claims.

	Type of Coverage	Certificate Number	Coverage Effective Date	Coverage Expiration Date	Limits	
	Property				Real & Personal Property	
	D. General Liability				Each Occurrence	1,000,000
	[x] Occurrence	9007	7/1/2023	7/1/2024	General Aggregate	
	[ ] Claims Made				Products-Comp/OP Agg	
					Personal & Adv Injury	
					Fire Damage (Any one fire)	
					Med Exp (Any one person)	
	Excess Liability				Each Occurrence	
					Annual Aggregrate	
	Other				Each Occurrence	
					Claims Made	
					Annual Aggregrate	
					Limit/Coverage	

Description of Operations/Locations/Vehicles/Special Items (the following language supersedes any other language in this endorsement or the Certificate in conflict with this language)
St. Benedict Church's Good Friday Live Station of the Cross on Friday, March 29, 2024 from 9:00 a.m. to 12:00 p.m. at Heaven Resaca Trail.

Holder of Certificate

City of San Benito
401 N Sam Houston Blvd
San Benito, TX 78586

Cancellation

Should any of the above described coverages be cancelled before the expiration date thereof, the issuing company will endeavor to mail 30 **days written notice to the holder of certificate named to the left, but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives.**

Authorized Representative

0261002985

ST. BENEDICT
CATHOLIC CHURCH

August 6, 2025

City of San Benito
401 N Sam Houston Boulevard
San Benito, TX 78586

To Whom It May Concern:

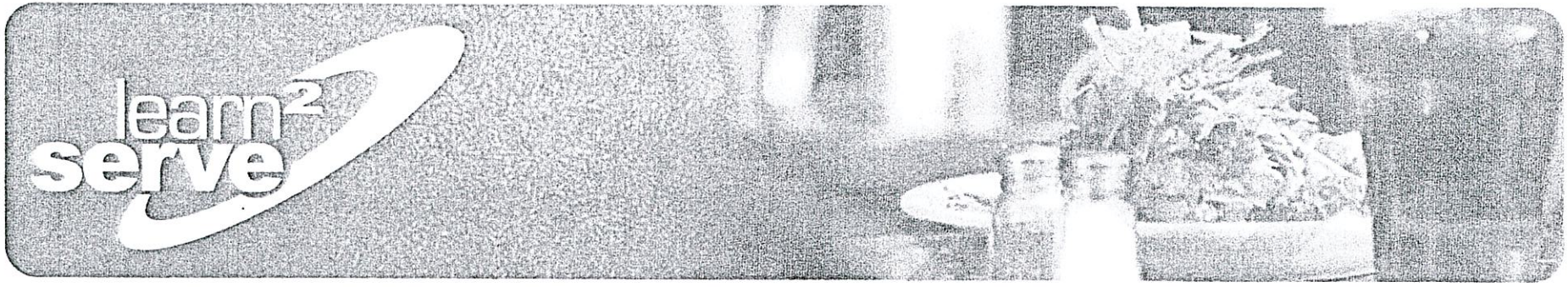
As the parish administrator of St. Benedict Catholic Church, I, Fr. Genaro Garza III, grant permission for individuals to utilize our restroom facilities. The restroom is equipped with an operable toilet, a hand wash sink with running water, and is supplied with soap, paper towels, and toilet paper as needed. Access to the restroom will be available to individuals during all scheduled events on Saturday, September 6, 2025.

Thank you for your attention to this matter. Please do not hesitate to contact me if you require any further information.

Sincerely in Christ,

Rev. Genaro Garza, III
Parish Administrator

SAINT BENEDICT PARISH - 351 S. BOWIE ST. • SAN BENITO, TX 78586
ST. BENEDICT



Learn2Serve Texas Food Manager Certification Program

This document hereby certifies that

Gilberto De La Fuente

Has successfully completed the Learn2Serve Texas Food Safety Manager Certification Examination

Samantha Montalbano, Learn2Serve
Authorized Signature
www.learn2serve.com

Effective Date: 03/04/2024

Expiration Date: Expires 5 years from the effective date

Certification Number: TX-FM-278980

This is an electronic certificate which must be presented to your local Health Regulatory Agency for approval. Course fees do not include any fees associated with receiving your food manager re-certification or certification license.

EMERGENCY PLAN

ST. BENEDICT CATHOLIC CHURCH

351 S. BOWIE ST.

SAN BENITO, TEXAS 78586

INTRODUCTION

Purpose

An emergency that involves St. Benedict Catholic Church could impact the business operations of the church, cause physical damage to the facilities, disrupt daily and/or weekly activities, and threaten the church's ability to serve its congregants and the community. The purpose of this guide is to provide direction for places of worship concerning reasonable safety measures and procedures for the timely and efficient response to threats and emergencies they may face at their place of worship, during church processions, or other church activities.

This template should not be relied upon as legal advice and is designed as a guide only.

Facility Information:

Church Name: St. Benedict Catholic Church

Church Address: 351 S. Bowie St. San Benito, TX 78586

Telephone Number: 956-626-1265

Pastor Name: Rev. Genaro Garza III Phone: 956-778-4433

Emergency Contact: Gilbert De La Fuente Phone: 956-535-1147

SAFETY RESPONSE TEAM MEMBERS

The Safety Response Team members are staff members or volunteers who understand and are prepared to facilitate a safe and effective response to any emergency situation. Safety Response Team Members' responsibilities include the following:

- Building evacuations
- Lock down/shelter in place procedures
- Other intervention procedures as the situations dictate
- Calling 911

Safety Response Team members should immediately identify themselves as such to any personnel.

RESPONSE

Intruder/Active Shooter Emergency Action Plan

If an intruder is discovered in the building:

- Do not activate the fire alarm.
- Call 911 immediately and provide as much information as possible.
- Provide a description of the intruder and any specific characteristics (height, weight, hair color, race, and type and color of clothing) and types of weapon(s), if any.
- Notify other staff/offices as discreetly possible.

Medical Emergency

Call 911 or other appropriate emergency response activation number. Be prepared to give the following information:

• Name and extension.

• Location (street address and position inside of building)

• Number of people involved.

• Nature of injury or illness.

• Remember to stay on the line until help arrives, if at all possible.

Note: Treat minor injuries from supplies in the first aid kits. While waiting for professional help do not move the ill or injured person, unless safety considerations necessitate movement or transportation to a safer location. When professional help arrives:

- Allow responding units to take control of situation
- Emergency response team members will stand by to assist as needed.

Fires

If you detect smoke:

- Call 911 or other emergency number(s).

• Give your name, telephone number, and location within the building.

• Describe the situation.

If you detect fire:

• Activate the manual fire alarm

• Call 911 (move to a safe area before making this call).

• Give your name, telephone number, and location.

• Describe the situation.

• If you know how to use a fire extinguisher and feel the best course of action is to attempt to extinguish the fire, locate an extinguisher and, without risking injury, attempt to extinguish the fire.

• If the fire is beyond the point of a safe attempt to extinguish it, isolate the fire by closing door in the area before evacuating.

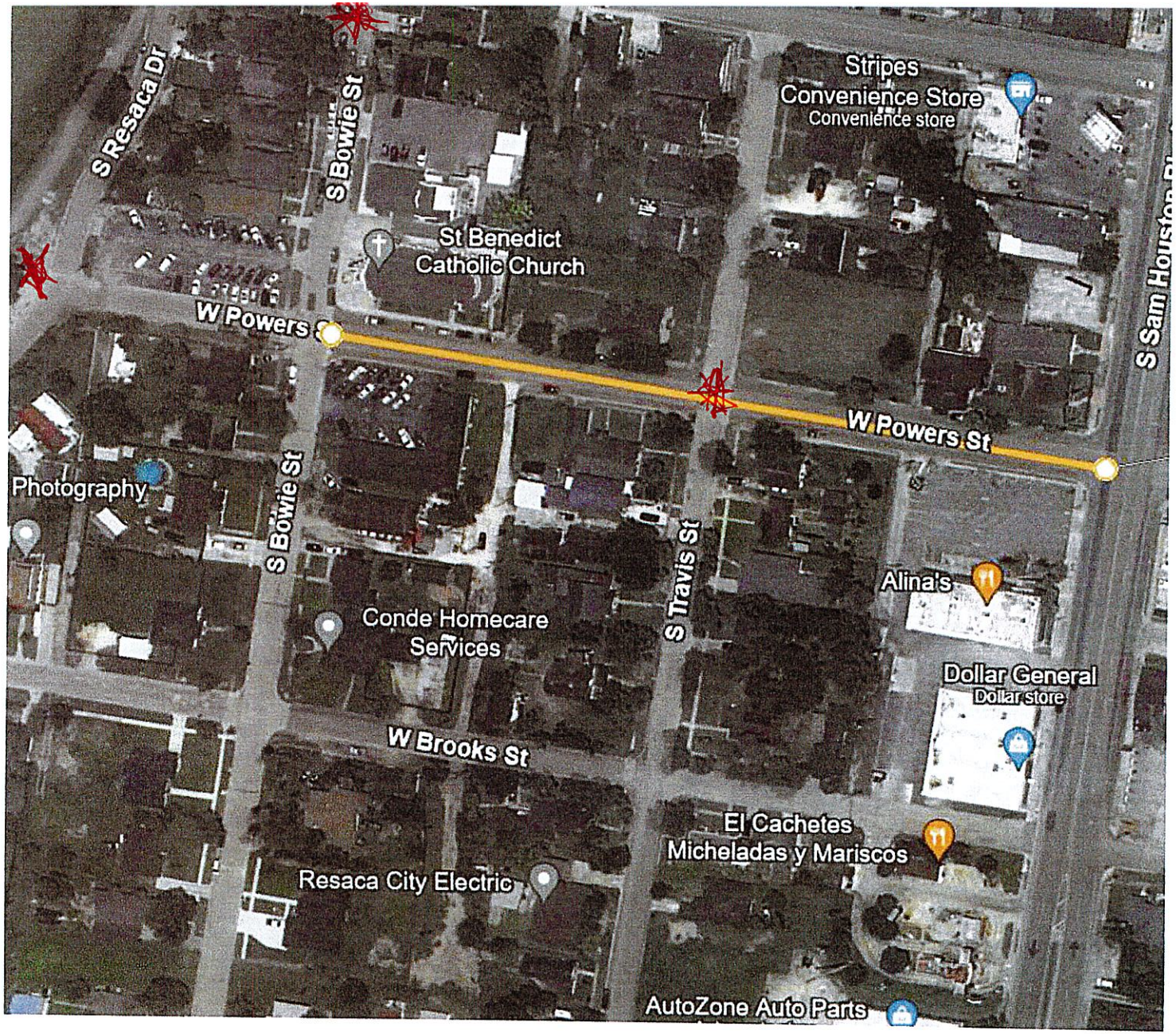
If the Fire Warning Alarm Sounds

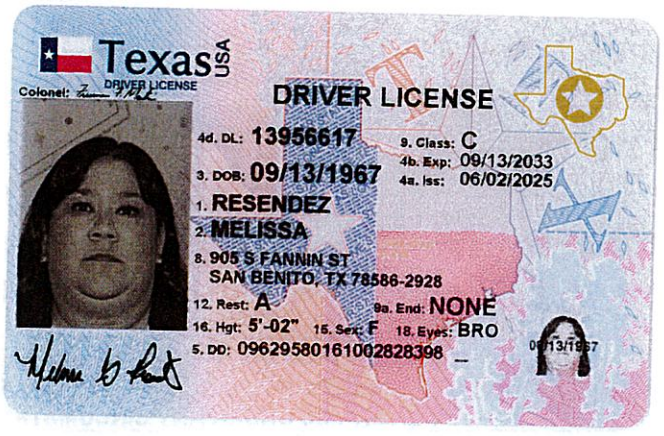
• Evacuate immediately, using the nearest exit. Walk quickly. Do not run. Emergency Response Team members should direct congregation, all classrooms, restrooms, projection booth personnel, etc. where to gather outside for head count. All measures should be taken to ensure everyone has exited the building.

Violent Incident

Violent incidents, including acts of terrorism, assaults, and anti-religious aggression, can occur at any time and with little warning. Members of your local church should consider the following to minimize the loss of life and or injuries:

- Report any emergency situations to law enforcement authorities immediately by dialing 911.
- Make every attempt to secure yourselves and others in a safe location.


S Resaca Dr
S Bowie St
Stripes
Convenience Store
Convenience store
St Benedict
Catholic Church
W Powers
S Sam Houston
W Powers St
Photography
S Bowie St
S Travis St
Alina's
Conde Homecare
Services
Dollar General
Dollar store
W Brooks St
El Cachetes
Micheladas y Mariscos
Resaca City Electric
AutoZone Auto Parts


Texas
USA
DRIVER LICENSE
Colonel:
DRIVER LICENSE
4d. DL: 13956617
9. Class: C
3. DOB: 09/13/1967
4b. Exp: 09/13/2033
4a. Iss: 06/02/2025
1. RESENDEZ
2. MELISSA
8. 905 S FANNIN ST
SAN BENITO, TX 78586-2928
12. Rest: A
9a. End: NONE
16. Hgt: 5'-02"
15. Sex: F
18. Eyes: BRO
5. DD: 09629580161002828398
09/13/1967

August 19, 2025

EXECUTIVE SUMMARY

REQUEST:
Consideration and possible action to award RFP Number 2025-08-001 Amended Employee Benefits Insurance Broker and Consulting Services proposal representing the best interest of the City of San Benito.

RECOMMENDATION:

RATIONALE:

BUDGET IMPACT:

RESOURCE PERSONNEL:

EXHIBITS: None

PREPARED BY:

_____ 08/13/2025
Date

Fred R. Sandoval
Fred Sandoval
City Manager

August 19, 2025

EXECUTIVE SUMMARY

REQUEST:
First Reading of Ordinance Number 2376-003, an ordinance amending ordinance number 2376-001 & 2376-002 to establish regulations for new car wash facilities by establishing a distance requirement, ensuring no new car wash business to be established within a (1) one mile radius of an existing car wash; and to promote the conservation of water by requiring the installation of a water relamation and recycling system.

RECOMMENDATION:
Staff recommends approval.

RATIONALE:
This ordinance will establish a one-mile spacing between new and existing car washes to prevent oversaturation and distribute water demand. Water recycling requirements for new automatic and conveyor car washes, reusing at least 50% of rinse water. Water-use limits for both automatic and self-service bays to promote conservation. Grandfathering provisions for existing facilities, with compliance required if a business closes for more than 90 days before reopening.

BUDGET IMPACT:
N/A

RESOURCE PERSONNEL:
Monica Rodriguez, Planner I

EXHIBITS: Ordinance Number 2376-003

PREPARED BY: Monica L. Rodriguez
Planner I

08/13/2025
Date

Fred R. Sandoval
Fred Sandoval
City Manager

ORDINANCE NUMBER 2376-003

AN ORDINANCE AMENDING ORDINANCE NUMBER 2376-1 & 2376-002 TO ESTABLISH REGULATIONS FOR NEW CAR WASH FACILITIES BY ESTABLISHING A DISTANCE REQUIREMENT, ENSURING NO NEW CAR WASH BUSINESS TO BE ESTABLISHED WITHIN A (1) ONE MILE RADIUS OF AN EXISTING CAR WASH; AND TO PROMOTE THE CONSERVATION OF WATER BY REQUIRING THE INSTALLATION OF A WATER RELAMATION AND RECYCLING SYSTEM; PROVIDING FOR SEVERABILITY CLAUSE AND PROVIDING FOR EFFECTIVE DATE.

WHEREAS, the City of San Benito is experiencing prolonged drought conditions and faces a shortage of essential public facilities, namely adequate potable-water capacity; and

WHEREAS, car wash establishments are high-volume water users who's incremental demand would exacerbate the shortage; and

WHEREAS, Chapter 211 of the Texas Local Government Code authorizes the City to adopt zoning regulations for the purpose of promoting public health, safety, morals, or general welfare, and protecting and preserving places and areas of historical, cultural, or architectural importance and significance; and

WHEREAS, this ordinance will allow the City of San Benito to limit the car wash use by implementing land spacing requirements; and

WHEREAS, this ordinance will promote the conservation of water by requiring the installation of a water reclamation and recycling system as part of its operations model; and

WHEREAS, Section 54.004 of the Texas Local Government Code allows the City to enforce ordinances necessary to protect health life, and property, and to preserve the good governments, order, and the security of the municipality and its inhabitants; and

WHEREAS, the City of San Benito seeks to encourage economic development while maintaining a high quality of life for residents and visitor.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN BENITO, TEXAS:

SECTION 1: Definitions

For purpose of this ordinance the following definitions apply:

1) **Car Wash**: a facility for washing or steam cleaning of vehicles.

2) **Self-service**: facility where a vehicle may be manually washed, sprayed, dried or vacuumed by its owner or operator with equipment provided by the facility. Typically, no employees will be on-site at the facility.

3) **Automatic-service**: a facility where a vehicle is driven by the owner or operator through an automated tunnel or structure for washing and drying but the owner or operator vacuums the vehicle with equipment provided by the facility. Minimal staff will be on-site at the facility.

4) **Full-service**: a facility where operating functions are preformed entirely by the facility with the use of washing, waxing, drying, and vacuuming equipment supplemented with manual detailing. Employees will be on-site at the facility.

5) **Conveyer car wash**: a car wash in which sprays and/or brushes are mounted on stationary arches and spray a vehicle that moves underneath along a conveyer.

6) **In bay automatic car wash**: a car wash in which the vehicle remains stationary withing a wash bay while automatic arms move back and forth over a vehicle.

7) **Water recycling system**: a system of pumps, tanks, and treatment components used to treat and reuse water continuously for a single purpose.

8) **Existing**: shall mean in operation or under construction prior to the effective date of ordinance enacting the applicable section.

9) **New**: shall mean constructed on or after the effective date of ordinance enacting the applicable section.

SECTION 2: Regulation of New Car Wash Facilities

1) No new car wash facility shall be permitted to operate within a (1) one mile radius of an existing car wash facility located within the city limits of San Benito.

2) The (1) one-mile radius shall be measured in a straight line from the property boundary of the existing car wash to the proposed location of the new facility.

3) This restriction applies to all types of car wash businesses, including but not limited to automatic-service, self-service, and full-service operations.

4) Exceptions may be considered by the City Council upon demonstration of extraordinary circumstances, including but not limited to water recycling systems or other conservation technologies that significantly reduce water usage.

5) The City Planning and Development Department shall maintain a registry of existing car wash facilities and shall verify compliance prior to issuing any permits for new car wash establishments.

SECTION 3: Conservation of Water

1) New conveyer and in-bay automatic car washes must be equipped with and utilize a water recycling system that reuses a minimum of fifty (50) percent of water from previous vehicle rinses in subsequent washes.

2) New conveyer systems shall not use more than forty (40) gallons of water per vehicle.

3) New self-service car washes shall utilize positive cutoff device spray wands with a flow rate of no more than three (3) gallons of water per minute.

SECTION 4: Grandfathering and Exceptions

1) A car wash facility established prior to the adoption of this ordinance may continue operations at its existing location, even if it does not comply with this ordinance.

2) If such a business reopens after a closure of more than (90) ninety days, the location must comply with all provisions of this ordinance.

SECTION 5: Severability Clause

If any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional, such unconstitutional or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance since the same would have been enacted by the City Commission without the incorporation in this Ordinance of any such unconstitutional or invalid phrase, clause, paragraph or section. That such invalidity or unconstitutionality shall not affect the remaining parts hereof and such remaining parts shall remain in full force and effect, and to that extent this Ordinance is considered severable.

SECTION 6: Effective Date

FIRST READING before the City Commission of the City of San Benito, Texas, at a Regular city Commission Meeting on the **__19th_** day of **_August_**, **2025**.

PASSED, APPROVED, AND ADOPTED on the Second and Final Reading at a Regular City Commission Meeting of the City of San Benito, Texas, on this, **_2nd_** day of **_September, 2025.**

CITY OF SAN BENITO,TEXAS

_____

Honorable Ricardo Guerra

Mayor

ATTEST:

_____
Ruth A. McGinnis
City Secretary

August 19, 2025

EXECUTIVE SUMMARY

REQUEST:
First Reading of Ordinance Number 2633-08-2025, an ordinance levying the Ad Valorem Property Tax Rate for the City of San Benito, Texas, for the year 2025 and repealing all ordinances or parts of the ordinance in conflict herewith.

RECOMMENDATION:
First Reading, No Action.

RATIONALE:
Yearly Ordinance to adopt Ad Valorem Tax Rate.

BUDGET IMPACT:
Property Tax Revenue.

RESOURCE PERSONNEL:
Stephanie Sarrionandia, Finance Director

EXHIBITS: 2633-08-2025 AD VALOREM TAX RATE ORDINANCE FIRST READING

PREPARED BY: Stephanie Sarrionandia
Finance Director

08/13/2025
Date

Fred R. Sandoval
Fred Sandoval
City Manager

TAX RATE ORDINANCE NO. 2633-08-2025

AN ORDINANCE LEVYING THE AD VALOREM PROPERTY TAX RATE FOR THE CITY OF SAN BENITO, TEXAS, FOR THE YEAR 2025 AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SAN BENITO, TEXAS:

We, the City Commission of the City of San Benito, Texas, do hereby levy or adopt the Ad Valorem Property tax rate on a $100.00 valuation for Tax Year 2024 as follows:

$0.668923 maintenance and operations (General Fund)
$0.039202 principal and interest on bonds
$0.708125 total tax rate

The Ad Valorem Property Tax Rate for the year 2025 will not increase from the previous year's tax rate.

$100,000.00 VALUE OF HOME

FY 2024-2025	FY 2025-2026
Tax Rate 0.00708125 = $708.125	Tax Rate 0.00708125 = $708.125

The Tax Assessor-Collector is hereby authorized to assess and collect the taxes of the City of San Benito, Texas, employing the above Ad Valorem Property Tax Rate.

FIRST READING of this ordinance before the City Commission of the City of San Benito at its Special City Commission Meeting on the 19th day of August 2025.

PASSED, APPROVED, AND ADOPTED on the Second and Final Reading at a Regular Meeting of the City Commission of the City of San Benito, Texas, on this 02 day of September 2024.

CITY OF SAN BENITO

ATTEST:

_____
RICARDO GUERRA, MAYOR

_____
RUTH A. MCGINNIS, CITY SECRETARY

August 19, 2025

EXECUTIVE SUMMARY

REQUEST:
First Reading of Ordinance Number 2634-08-2025 an ordinance adopting a Budget for the General Fund, Debt Service Fund, Community Development Block Grant, Economic Development Fund, Waterworks Enterprise Fund, Wastewater Enterprise Fund, Solid Waste Enterprise Fund, The UT Health Science Center at Houston and the Hotel Motel Occupancy Tax for the Ensuing Fiscal Year October 1, 2025 and ending September 30, 2026, in accordance with the Charter of the City of San Benito, Texas and repealing all ordinance or part of ordinance in conflict herwith.

RECOMMENDATION:
First Reading Staff recommends acknowledgment

RATIONALE:
Yearly Budget appropriation ordinance for the budget

BUDGET IMPACT:
N/A

RESOURCE PERSONNEL:
Stephanie Sarrionandia, Finance Director

EXHIBITS: 2634-08-2025 BUDGET ORDINANCE FIRST READING

PREPARED BY: Stephanie Sarrionandia
Finance Director

08/13/2025
Date

Fred R. Sandoval
Fred Sandoval
City Manager

APPROPRIATION ORDINANCE NO. 2634-08-2025

AN ORDINANCE ADOPTING A BUDGET FOR THE GENERAL FUND, DEBT SERVICE FUND, COMMUNITY DEVELOPMENT BLOCK GRANT, ECONOMIC DEVELOPMENT FUND, WATERWORKS ENTERPRISE FUND, WASTEWATER ENTERPRISE FUND, SOLID WASTE ENTERPRISE FUND, UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON FUND, AND HOTEL AND MOTEL OCCUPANCY TAX FUND FOR THE ENSUING FISCAL YEAR OCTOBER 1, 2025 AND ENDING SEPTEMBER 30, 2026, IN ACCORDANCE WITH THE CHARTER OF THE CITY OF SAN BENITO, TEXAS AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

WHEREAS, the City Manager of the City of San Benito submitted to the City Commission a budget estimate of the revenues and expenditures of said City for conducting the affairs thereof for the ensuing fiscal year, beginning October 1, 2025, and ending September 30, 2026; and

WHEREAS, the City Commission has received said City Manager's estimate and is of the opinion that the same should be approved and adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SAN BENITO, TEXAS;

Section 1: That the budget estimate of the revenues and expenses of the City of San Benito for conducting the affairs thereof for the ensuing fiscal year October 1, 2025, and ending September 30, 2026, as submitted to the City Commission by the City Manager of said City, be and the same is in all things adopted and approved as the budget estimate of all the current expenses as well as the fixed charges against said City for the fiscal year beginning the 1st day of October 2025 and ending the 30th day of September 2026.

Section 2: That the sum of $19,129,691 is hereby appropriated out of the General Fund for the payment of operating expenditures and debt service for the City Government as follows:

Mayor & Commission	96,940
City Management	1,816,090
(fixed amount)	1,209,571
(Debt Service)	606,519
Public Relations	130,714
Personnel/Civil Service	265,013
Finance	696,530
Information Technology	507,325
Total Administration	3,512,613
Planning & Development	439,259
Total Planning & Development	439,259
Public Library	541,799
Cultural Arts	176,211
Total Culture and Recreation	718,009
Police Department	5,964,032
Fire Department	3,116,727
Municipal Court	305,572
Code Enforcement	583,523
Storm Water	85,024
Total Public Safety	10,054,878

PUBLIC WORKS	
General Maintenance	756,016
Streets Maintenance	2,032,227
Parks Maintenance	949,179
Recreation	667511
Total Public Works	4,404,932
Total Expenditures	19,129,691

Section 3: That the sum of $ 382,724 is hereby appropriated out of the Debt Service Fund for the purpose of paying principal and interest due and redeeming the bonds as they mature.

Section 4: That the sum of $ 321,140 is hereby appropriated out of the Housing and Urban Development Community Development Block Grant.

Section 5: That the sum of $ 4,647,232 is hereby appropriated out of the Waterworks Enterprise Fund for the payment of Maintenance and Operations.

Section 6: That the sum of $ 3,375.392 is hereby appropriated out of the Wastewater Enterprise Fund for the payment of Maintenance and Operations.

Section 7: That the sum of $ 4,410,493 is hereby appropriated out of the Solid Waste Enterprise Fund for the payment of Maintenance and Operations.

Section 8: That the sum of $ 283,900 is hereby appropriated out of the San Benito Economic Development Corporation for the payment of debt service.

Section 9: That the sum of $ 60,000 is hereby appropriated out of the University of Texas Health Science Center at Houston.

Section 10: That the sum of $ 120,090 is hereby appropriated out of the Hotel and Motel Occupancy Tax for the payment of the Visitor Center.

Section 11: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 12: This ordinance shall be in full force and effect on October 1, 2025.

FIRST READING of this ordinance before the City Commission of the City of San Benito at its Special City Commission Meeting on this, the 19th day of August 2025.

PASSED, APPROVED, AND ADOPTED on the Second and Final Reading at a Regular Meeting of the City Commission of the City of San Benito, Texas on this the 2nd day of September 2025.

CITY OF SAN BENITO

ATTEST:

_____

RICARDO GUERRA, MAYOR

_____

RUTH A. MCGINNIS, CITY SECRETARY

August 19, 2025

EXECUTIVE SUMMARY

REQUEST:
Consideration and possible action to appoint members to the Animal Shelter Advisory Committee for the place and term starting and expiring as shown:

a. Licensed Veterinarian - Term August 1, 2025, through July 31, 2028
b. County or Municipal Official - Term August 1, 2025, through July 31, 2028
c. A person whose duties include the daily operations of the animal shelter - Term August 1, 2025, through July 31, 2028
d. Representative from an animal welfare organization - Term August 1, 2025, through July 31, 2028
e. A citizen of the City of San Benito not currently affiliated with an animal welfare organization - Term August 1, 2025, through July 31, 2028.

RECOMMENDATION:
The City Staff recommends approval.

RATIONALE:
These appointments will allow the City to appoint members to the Animal Shelter Advisory Committee as per requirements of the Texas Health and Safety Code 823.005 and City Ordinance 2418. The purpose of the committee is to assist in compliance with the requirements of state law regarding animal shelters and control. Additionally, they will provide recommendations to ensure humane care, disease prevention, and best practices. They will also review and advise on operational policies, budget considerations, and community engagement related to animal welfare.

BUDGET IMPACT:
None.

RESOURCE PERSONNEL:
Mario Perea, Police Chief

EXHIBITS: H.S.C. 823.005 Advisory Committee
Copy of Animal Shelter Advisory Committee (1)
Standard Operating Procedures Animal Shelter Advisory Committee (1) (1)

PREPARED BY: Mario G. Perea 08/13/2025

Chief of Police

Date

Fred R. Sandoval

Fred Sandoval
City Manager

Sec. 823.005. ADVISORY COMMITTEE. (a) The governing body of a county or municipality in which an animal shelter is located shall appoint an advisory committee to assist in complying with the requirements of this chapter.

(b) The advisory committee must be composed of at least one licensed veterinarian, one county or municipal official, one person whose duties include the daily operation of an animal shelter, and one representative from an animal welfare organization.

(c) The advisory committee shall meet at least three times a year.

Acts 1989, 71st Leg., ch. 678, Sec. 1, eff. Sept. 1, 1989.

Animal Shelter Advisory Committee

Place	Board Member	Effective Date	Expiration Date	Term	Comments
1	License Veterinarian	August 1, 2025	July 31, 2025		
2	County or Municipal Official	August 1, 2025	July 31, 2025		
3	ACO Officer	August 1, 2025	July 31, 2025		
4	Animal Welfare Representative	August 1, 2025	July 31, 2025		
5	Citizen of San Benito	August 1, 2025	July 31, 2025		

Last Updated:

Standard Operating Procedures

Animal Shelter Advisory Committee

Department: Animal Services/Shelter Operations

Effective Date: August 1, 2025

Revised Date:

Approved: Chief Mario Perea

1. **Purpose**
   To provide oversight, recommendations, and community input regarding the operation and policies of the animal shelter. The committee ensures compliance with applicable laws, promotes animal welfare, and supports shelter transparency and public engagement.

2. **Authority**
   This committee is established City of San Benito Ordinance Number 2418 and Texas Health and Safety Code 823.005. The committee advised the animal shelter and governing body.

3. **Members**
   - At least one licensed veterinarian
   - One municipal or county official
   - A person whose duties include the daily operation of the animal shelter.
   - A representative from an animal welfare organization.
   - A citizen of San Benito not affiliated with an animal welfare organization.

   All members are appointed by the City Commission and will serve a length of three years.

4. **Meetings**
   - Meetings will be held at least three times a year.
   - Meetings will be held at City Hall or a location where the public can attend.
   - Meetings will be posted in accordance with the Texas Open Meetings Act.
   - All meetings require a quorum of three members.
   - The minutes of the meeting will be provided to the City Secretary.

5. **Responsibilities**
   - Review shelter policies and procedures.
   - Recommend best practices in shelter operations.

- Monitor compliance with local and state animal laws.
- Promote community outreach and education.
- Address citizen concerns or complaints regarding shelter operations.
- Assist in planning events or fundraisers for the shelter.
- Review animal shelter reports (intakes, fosters, euthanasia, etc.)

6. **Amendments to SOP**
   All changes to this SOP must be approved by the Chief of Police and City Commission.

7. **Code of Conduct**
   - Members must conduct themselves professionally.
   - Conflicts of interest must be disclosed.
   - No member shall act independently on behalf of the committee.