



NOTICE OF THE MARCH 19, 2024 JOINT MEETING OF  
THE CITY OF SAN BENITO CITY COMMISSION AND  
THE SAN BENITO ECONOMIC DEVELOPMENT CORPORATION  
BOARD OF DIRECTORS

MARCH 19, 2024  
5:30 PM

SAN BENITO ECONOMIC DEVELOPMENT BUILDING  
MEETING HALL  
701 NORTH BOWIE STREET  
SAN BENITO, TEXAS 78586

During the course of this meeting, the City Commission and the San Benito EDC Board of Directors may retire into Executive Session under Texas Government Code Section 551.071 (2) to consult with legal counsel on legal matters relating to any item on this agenda when the duty of the attorney to the City Commission and the San Benito EDC Board of Directors, 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 and the San Benito EDC Board of Directors reserve the right to consider and address any of the items in this agenda in any order during the meeting.

**CALL TO ORDER:**

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

**ANNOUNCEMENTS**

**PUBLIC COMMENTS (Speaker remarks limited to three minutes)**

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

## **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. CITY OF SAN BENITO AGENDA ITEMS:**

2. Consideration and possible action to approve the minutes of the July 18, 2023 City of San Benito Regular City Commission Meeting and July 25, 2023 City of San Benito Special City Commission Meeting and Budget Workshop 2.
3. Consideration and possible action to ratify Resolution Number 2024-0319-001(R), a resolution urging Mexico to comply with the terms of the 1944 United States and Mexico Water Treaty.
4. Consideration and possible action to approve Resolution Number 2024-0319-002(R) suspending the April 4, 2024 effective date of AEP Texas, Inc.'s requested rate change to permit the City time to study the request and to establish reasonable rates.
5. Discussion and action on Resolution Number 2024-0319-003(R), a resolution declaring the position of Carol Lynn Sanchez, Commissioner, Place 4, vacant, abandoned, and unqualified to hold office in the City of San Benito.
6. Consideration and possible action on Resolution 2024-0319-004(R) approving the amended Bylaws of the San Benito Economic Development Corporation, Inc.
7. Consideration and possible action approving an Interlocal Agreement between the City of San Benito and the San Benito Economic Development Corporation.
8. Consideration and possible action to approve a request for a Conditional Use Permit to consent the placement of a Portable Building at a property located at 767 E Business 77, zoned C-2 "Commercial General Retail Business", bearing a Legal Description of: Grajales Estates being a replat in Evans Subdivision, consisting of 0.24 acres of land, being all of Lot Four (4) and the West One-Half (1/2) of Lot Five (5), Block Twelve (12), of the Evans Subdivision, according to map of plat thereof recorded in Volume 13, Page 4, Map Records, Cameron County, Texas. Applicant: Neftali Grajales.
9. Consideration and possible action to approve a request for a Conditional Use Permit to consent Pre-Fabricated Building Manufacturing at a property located on Nixon Rd, zoned SF-1 "Single Family One", bearing a Legal Description of: Lots Two (2) and Three (3), Block One (1), Nixon Road Subdivision, Cameron County Texas, according to the map or plat thereof recorded in Cabinet 1, Page 869-A, Map Records, Cameron County, Texas; save and except a 0.402 acre tract out of Lot Two (2). Applicant: Richard Guerra.

10. Consideration and possible action to approve a request for a variance to allow for off-site drainage for Proposed B77 Phase A & B Subdivision bearing a Legal Description of: Being a 5.53 acre tract of land, out of the Lots 9 and 16, Block 129, and Lots 12 and 13, Block 126 and a 5.29 acre tract of land, out of the Lots 8, 9 and 16, Block 129, San Benito Land & Water Co. Subdivision, Cameron County, Texas, Recorded in Volume 1, Page 6 Map Records of Cameron County, Texas. Applicant: Rio Delta Engineering.
11. First Reading of Ordinance Number 2252-K-03-2024, a request to rezone a property located Williams Road, bearing a Legal Description of: being 0.460 of an acre (20,057 sq. ft.) out of block 124, San Benito Land and Water Company Subdivision, City of San Benito, Cameron County, Texas, according to map thereof recorded in Volume 1, Page 6, map records, Cameron County, from MH "Mobile Home" to C-2 "Commercial General Retail Business". Applicant: Ochoa Capital.
12. Consideration and possible action to approve an Artifact Loan Agreement for the exhibition "*L.U.P.E.: Cultivando Nuestras Semillas - Commemorating the 20<sup>th</sup> Anniversary of Service to the Rio Grande Valley*" commencing March 20 through June 20, 2024, at the San Benito Cultural Center.
13. Consideration and possible action to approve the one-year renewal of the Facility Use Agreement between the Texas Conjunto Music Hall of Fame & Museum and the City of San Benito.
14. Consideration and possible action to approve the annual renewal payment to Versaterm Public Safety US, Inc., for the San Benito Police Department's body camera service in the total amount of \$13,440.00.
15. Consideration and possible action to approve the 2024 Consumer Price Index (CPI) adjustment to municipal telecommunications right-of-way access line rates.

**16. SAN BENITO ECONOMIC DEVELOPMENT CORPORATION  
BOARD OF DIRECTORS AGENDA ITEMS:**

17. Consideration and possible action approving the San Benito EDC amended Bylaws.
18. Consideration and possible action on the Small Business Investment Program-Commercial Facade Grant award to Reach for the Sky Bakeshop in the amount of \$1,275.
19. Discussion and possible action to approve a sponsorship in the amount of \$20,000 to the City of San Benito Hogwaddle event.
20. Discussion and possible action to terminate the contract with U.S. Lawn for landscaping services of the San Benito EDC properties.

## **PUBLIC HEARING(S)**

1. Public Hearing: To solicit input regarding a request for a Conditional Use Permit to consent the placement of a Portable Building at a property located at 767 E Business 77, zoned C-2 "Commercial General Retail Business", bearing a Legal Description of: Grajales Estates being a replat in Evans Subdivision, consisting of 0.24 acres of land, being all of Lot Four (4) and the West One-Half (1/2) of Lot Five (5), Block Twelve (12), of the Evans Subdivision, according to map of plat thereof recorded in Volume 13, Page 4, Map Records, Cameron County, Texas. Applicant: Neftali Grajales

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

2. Public Hearing: To solicit input regarding a request for a Conditional Use Permit to consent Pre-Fabricated Building Manufacturing at a property located on Nixon Rd, zoned SF-1 "Single Family One", bearing a Legal Description of: Lots Two (2) and Three (3), Block One (1), Nixon Road Subdivision, Cameron County Texas, according to the map or plat thereof recorded in Cabinet 1, Page 869-A, Map Records, Cameron County, Texas; save and except a 0.402 acre tract out of Lot Two (2). Applicant: Richard Guerra

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

3. Public Hearing to solicit input regarding a request to rezone a property located Williams Rd., bearing a Legal Description of: being 0.460 of an acre (20,057 sq. ft.) out of block 124, San Benito Land and Water Company Subdivision, City of San Benito, Cameron County, Texas, according to map thereof recorded in Volume 1, Page 6, map records, Cameron County, from MH "Mobile Home" to C-2 "Commercial General Retail Business". Applicant: Ochoa Capital

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

## EXECUTIVE SESSION

### 1. CITY OF SAN BENITO EXECUTIVE SESSION ITEMS:

a) Pursuant to Texas Government Code Section 552.107(1) to discuss privileged communication protected by the attorney-client privilege.

b) Pursuant to Texas Government Code Section 551.074 to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee or to hear a complaint or charge against an officer or employee.

### SAN BENITO EDC BOARD OF DIRECTORS EXECUTIVE ITEMS:

a) Pursuant to Section 551.074, the Board of Directors may convene in a closed, non-public meeting to discuss any matters related to appointment, employment, evaluation, reassignment, duties and discipline or dismissal of a public officer or employee and to hear any complaints or charges against an officer or employee.

b) Pursuant to Section 551.072, the Board of Directors may convene in a closed, non-public meeting to discuss any matters related to real property and deliberate the purchase, exchange, lease, or value of real property a such would be detrimental to negotiations between the Board of Directors and a third party in an open meeting.

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

## 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: March 15, 2024**

**CITY OF SAN BENITO**

***Ricardo Guerra***

**Honorable Ricardo Guerra**

**Mayor**

STATE OF TEXAS §

COUNTY OF CAMERON §

I, the undersigned authority, do hereby certify that the above Notice of a Joint Meeting of the City of San Benito City Commission and the San Benito Economic Development Corporation, Inc., Board of Directors, 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, the San Benito Annex Building Number 2, 705 North Bowie, and San Benito Economic Development Building, 701 North Bowie, all three locations in San Benito, Texas, places convenient and readily accessible to the general public at all times which have been continuously posted for a period of seventy-two (72) hours prior to the date and time said meeting was convened. This agenda may be downloaded by accessing: <http://cityofsanbenito.com/AgendaCenter>.



ATTEST:

Ruth McGinnis

Ruth A. McGinnis  
City Secretary