



## **MINUTES OF A JOINT MEETING WITH THE CITY OF SAN BENITO CITY COMMISSION AND THE SAN BENITO ECONOMIC DEVELOPMENT CORPORATION (EDC) BOARD OF DIRECTORS**

On March 19, 2024, the City of San Benito City Commission and the San Benito Economic Development Corporation (EDC) Board of Directors convened for a Joint Meeting at the San Benito Economic Development Building, in the Meeting Hall, located at 701 North Bowie Street, in San Benito, Texas.

City Commission Members Present: Ricardo Guerra, Mayor; Pedro A. Galvan, Mayor Pro Tem; Thomas W. Goodman, Commissioner, Place 1; Deborah A. Morales, Commissioner, Place 2; Carol Lynn Sanchez, Commissioner, Place 4; Javier Villalobos, City Attorney.

City Administration Personnel Present: Fred R. Sandoval, City Manager; Ruth McGinnis, City Secretary.

San Benito EDC Board Present: Joshua Gonzales, Anna G. Llanes, Jose Morales, Eddie Abrego, Jose Flores, Ricardo Guerra, EDC Attorney Michael Pruneda.

San Benito EDC Personnel Present: Fred R. Sandoval, City Manager/Executive Director, Mario Palomo and Angel Avila, Economic Development Specialist.

A quorum was confirmed for both entities.

### **ITEM 1. WELCOME.**

Mayor Ricardo Guerra called the meeting to order at 5:31 p.m., confirming a quorum.

### **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.**

David Favila, Public Relations Director led the invocation.

## **ANNOUNCEMENTS:**

### **ITEM 1. ANNOUNCEMENTS: ITEMS OF COMMUNITY INTEREST.**

Mayor Ricardo Guerra announced the following:

- Join us this weekend for Hog Waddle 2024. Headliners are Little Joe Y Familia on Friday, March 22, and AB Quintanilla on Saturday, March 23. General admission is free, and VIP tickets are available on Eventbrite.com.
- Mark your calendars for April 13, Trash Bash will be held from 7 a.m. to 12 noon at the City Service Center. Help keep San Benito bonito and bring your trash.
- Please note that City offices will be closed on Friday, March 29 through Monday, April 1, in observance of Good Friday and Cesar Chavez Day. Normal business hours will resume on Tuesday, April 2.

- Executive Director Michelle Guerra from San Benito Chamber of Commerce is here to talk about El Sabor de San Benito happening on Thursday, April 25.

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

[Ruth McGinnis, City Secretary](#) announced Mike Travis, stated to reside at 1695 Russell Lane, was in support of Consent Agenda Item 3, and commended the Planning & Zoning Department. Noelia Montes, stated to reside at 27334 Early Road, expressed concern over the backlog of the City Commission meeting minutes and Consent Agenda Item 5.

**CONSENT AGENDA ITEM(S)**

[Mayor Ricardo Guerra](#) requested that Consent Agenda Items 5, be moved out of sequence for discussion and action.

[Commissioner Tom Goodman](#) requested that Consent Agenda Item 15, be moved out of sequence for discussion and action.

[Commissioner Tom Goodman](#) moved to approve Consent Agenda Items 1 through 4, and 6 through 14.

[Commissioner Deborah A. Morales](#) requested that Consent Agenda Items 5, 6, 7, 13, 14, and 15, be moved out of sequence for discussion and action.

[Commissioner Tom Goodman](#) withdrew his motion.

Upon motion by [Commissioner Deborah A. Morales](#) seconded by [Mayor Pro Tem Pedro A. Galvan](#) and carried unanimously, Consent Agenda Items 1 through 4, 10 and 12, were approved.

**ITEM 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.**

**ITEM 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.**

**ITEM 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.**

**ITEM 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.**

[Javier Villalobos, City Attorney](#), briefly informed the Commission that in Texas, if a Commissioner decided to run for another office, it is an automatic resignation and a Special Election must be held within 120 days to fill in the vacancy under the Texas Constitution. He further noted that generally, when a Commissioner resigns, there can be a holdover until another person is duly elected, under the Constitution. However, in this situation is different, as per the City of San Benito City Charter, under Qualifications, a Commissioner, needs to reside inside the City limits. Therefore, since Commissioner, Place 4, Carol Lynn Sanchez resides outside the City limits of San Benito, she forfeits her seat, due to the change of address that she resides in.

[Commissioner Carol Lynn Sanchez](#) stated that there were provisions in the State that recognize the moving during office. The City Charter just recognizes what you need in order to run for office. Commissioner Sanchez further stated as per the City Charter under qualifications it is 12 months in Texas, and six (6) months residing within the City limits.

[Commissioner Deborah A. Morales](#) noted that the City Charter does state that as a Commissioner she needed to reside within the City limits of San Benito.

Discussion ensued amongst the City Attorney and City Commission regarding Commissioner Carol Lynn Sanchez residential address.

[Mayor Pro Tem Pedro A. Galvan](#) asked Commissioner Carol Lynn Sanchez what was her current address for the record. In response to Mayor Pro Tem Galvan, [Commissioner Carol Lynn Sanchez](#) stated that she resided at 301 East New Hampshire, Harlingen, Texas, since her husband passed away she had to find suitable living.

[Mayor Pro Tem Pedro A. Galvan](#) stated that as per the City Charter, once you move out of the District, it disqualifies her to serve as a City Commissioner.

[Commissioner Deborah A. Morales](#) mentioned to Commissioner Carol Lynn Sanchez, that she failed to notify the City that she was moving outside the City limits and if she was not seeking reelection, it was her duty to ask for the procedures.

Discussion continued between the City Commission, City Attorney, and Commissioner Carol Lynn Sanchez.

[Commissioner Deborah A. Morales](#) moved to approve Resolution Number 2024-0319-003(R) based on the City Charter. The motion was seconded by [Mayor Pro Tem Pedro A. Galvan](#) and carried unanimously.

At this time, after Resolution Number 2024-0319-003(R) was approved, Commissioner Carol Lynn Sanchez left the meeting and building.

**ITEM 6. CONSIDERATION AND POSSIBLE ACTION ON RESOLUTION 2024-0319-004(R) APPROVING THE AMENDED BYLAWS OF THE SAN BENITO ECONOMIC DEVELOPMENT CORPORATION, INC.**

**ITEM 7. CONSIDERATION AND POSSIBLE ACTION APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SAN BENITO AND THE SAN BENITO ECONOMIC DEVELOPMENT CORPORATION.**

Agenda Items 6 and 7 would be discussed later in conjunction with the Economic Development Corporation Board Members.

At this time, Public Hearings 1 through 3 were discussed in conjunction with Consent Agenda Items 8, 9, and 11.

**ITEM 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.**

[Johanna Maldonado, Planning Director](#), noted that the Planning and Zoning Commission had approved the conditional use permit, for placement of a portable building at a commercial property.

At this time, Fred Sandoval, City Manager, stated that Public Hearing 1 needed to be opened for discussion and action as it was interrelated.

After Public Hearing was closed, discussion and action continued with Consent Agenda Item 8.

Upon motion by [Commissioner Tom Goodman](#) seconded by [Mayor Pro Tem Pedro A. Galvan](#) and carried unanimously, Consent Agenda Item 8, was approved.

**PUBLIC HEARING:**

ITEM 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

Public Hearing 1 was discussed in conjunction with Consent Agenda Item 8.

[Mayor Ricardo Guerra](#) opened Public Hearing at 6:02 p.m.

Mike Travis was in support of the permit and suggested that the code be changed to have a better understanding on it.

[Mayor Ricardo Guerra](#) closed Public Hearing at 6:03 p.m.

At this time, City Commission returned to Consent Agenda Item 8.

ITEM 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

At this time, [Fred Sandoval, City Manager](#), stated that Public Hearing 2 needed to be opened for discussion and action as it was interrelated.

Upon motion by [Commissioner Tom Goodman](#) seconded by [Commissioner Deborah A. Morales](#) and carried unanimously, Consent Agenda Item 9, was approved.

**PUBLIC HEARING:**

ITEM 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

Public Hearing 2 was discussed in conjunction with Consent Agenda Item 9.

[Mayor Ricardo Guerra](#) opened Public Hearing at 6:04 p.m.

No Public Comments for Public Hearing 2.

[Mayor Ricardo Guerra](#) closed Public Hearing at 6:04 p.m.

At this time, City Commission returned to Consent Agenda Item 9.

ITEM 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.

ITEM 11. FIRST READING OF ORDINANCE NUMBER 2252-K-03-2024, A REQUEST TO REZONE A PROPERTY LOCATED WILLIAM 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.

At this time, [Fred Sandoval, City Manager](#), stated that Public Hearing 3 needed to be opened for discussion and action as it was interrelated.

No action taken.

#### PUBLIC HEARING:

ITEM 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

Public Hearing 3 was discussed in conjunction with Consent Agenda Item 11.

[Mayor Ricardo Guerra](#) opened Public Hearing at 6:05 p.m.

No Public Comments for Public Hearing 3.

[Mayor Ricardo Guerra](#) closed Public Hearing at 6:05 p.m.

At this time, City Commission returned to Consent Agenda Item 9.

ITEM 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.

ITEM 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.

[Aleida Garcia, Museum and Visitor Center Director](#), noted that the San Benito Cultural Arts Department continues to work with local community members. Ms. Garcia was seeking approval from the City Commission for the renewal of the agreement between the Texas Conjunto Music Hall of Fame & Museum and the City of San Benito.

A brief discussion ensued amongst the Commission and City staff regarding the second floor of the museum, which will require for it to be ADA compliance, possibility elevators, which will require extensive work.



Upon motion by [Commissioner Tom Goodman](#) seconded by [Commissioner Deborah A. Morales](#) and carried unanimously, Consent Agenda Item 13, was approved.

**ITEM 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.**

[Chief Mario Perea](#), noted that the item is an annual renewal for the body camera service, with Versaterm Public Safety US, Inc.

[Mayor Pro Tem Pedro A. Galvan](#) enquired if the data storage was still a concern. In response to Mayor Pro Tem Galvan's inquiry, Chief Mario Perea briefly informed the Commission of the hours of recording, the amount of storage and the retention period of the body camera.

Upon motion by [Commissioner Deborah A. Morales](#) seconded by [Mayor Pro Tem Pedro A. Galvan](#) and carried unanimously, Consent Agenda Item 14 was approved.

**ITEM 15. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE 2024 CONSUMER PRICE INDEX (CPI) ADJUSTMENT TO MUNICIPAL TELECOMMUNICATIONS RIGHT-OF-WAY ACCESS LINE RATES.**

[Fred Sandoval, City Manager](#), provided a brief explanation in regards to the Consumer Price Index (CPI).

No action was taken by the City Commission.

At this time, the discussion and action began for the following agenda items by the Economic Development Corporation Board of Directors.

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

**ITEM 17. CONSIDERATION AND POSSIBLE ACTION APPROVING THE SAN BENITO EDC AMENDED BYLAWS.**

[Fred Sandoval, City Manager/Executive Director](#) stated that upon consultation and discussion with Economic Development Corporation (EDC) Attorney and with the City Attorney, the bylaws are being amended to follow the state statute.

[Jose L. Morales, EDC Board Member](#) proposed that the terms of the EDC Board Members concur with the City Commission term of office. Mr. Morales, EDC Board Member further noted that it will be up to the City Commission if they wish to keep the same or replace the Board member. Jose L. Morales, Board Member expressed concern regarding the professional capacity that a Board Member is expected to have, in order to serve on the EDC Board.

[Eddie Abrego, EDC Board Member](#) stated that the phrase Professional Capacity serves what needs to represent, the member will not always have a business background to have a positive input into the project progression of the EDC.

[Jose L. Morales, EDC Board Member](#) noted that the EDC Director/City Manager, should not have double insurance coverage.

A brief discussion ensued amongst the Economic Development Corporation (EDC) Board Members, regarding the insurance coverage for the EDC Director.

[Mayor Pro Tem Pedro A. Galvan](#) enquired about the Economic Development Corporation (EDC) Board Member term limit. In response to Mayor Pro Tem Galvan, Michael Pruñeda, EDC Attorney noted that the Board Member can be appointed twice, as per the EDC Bylaws.

After a brief discussion, [Fred Sandoval, City Manager/EDC Executive Director](#) requested to move the agenda item into Executive Session. [Javier Villalobos, City Attorney](#) stated as per the Texas Government Code Section 551.071, recommended to discuss the agenda item in Executive Session.

**ITEM 18. CONSIDERATION AND POSSIBLE ACTION ON THE SMALL BUSINESS INVESTMENT PROGRAM-COMMERCIAL FAÇADE GRANT AWARD TO REACH FOR THE SKY BAKESHOP IN THE AMOUNT OF \$1,275.**

[Jose L. Morales, EDC Board Member](#) moved to approve the Small Business Investment Program Commercial Façade Grant Award to Reach for the Sky Bakeshop, in the amount of \$1,275. The motion was seconded by [Anna G. Llanes, EDC Board Member](#) and carried unanimously.

**ITEM 19. DISCUSSION AND POSSIBLE ACTION TO APPROVE A SPONSORSHIP IN THE AMOUNT OF \$20,000 TO THE CITY OF SAN BENITO HOG WADDLE EVENT.**

[Jose L. Morales, EDC Board Member](#), moved to approve a sponsorship to the City of San Benito Hog Waddle Event, in the amount of \$20,000. The motion was seconded by [Juan Flores, EDC Board Member](#) and carried unanimously.

**ITEM 20. DISCUSSION AND POSSIBLE ACTION TO TERMINATE THE CONTRAT WITH U.S. LAWN FOR LANDSCAPING SERVICES OF THE SAN BENITO EDC PROPERTIES.**

[Jose L. Morales, EDC Board Member](#) moved to approve to terminate the contract with U.S. Lawn for landscaping services of the San Benito EDC Properties. The motion was seconded by [Eddie Abrego, EDC Board Member](#) and carried unanimously.

At this time, the Public Hearings were discussed in conjunction with Consent Agenda Items 8, 9 and 11.

**PUBLIC HEARING(S)**

**ITEM 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 94) 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.**

- (c) OPEN PUBLIC HEARING
- (d) CLOSE PUBLIC HEARING

Public Hearing 1 was discussed in conjunction with Consent Agenda Item 8.

**ITEM 2. PUBLIC HEARING: TO SOLICIT INPUT REGARDING A REQUEST FOR A CONDITIONAL USE PERMIT TO CONSENT PRE-FABRICATED BULDING 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**

- (c) OPEN PUBLIC HEARING
- (d) CLOSE PUBLIC HEARING

Public Hearing 2 was discussed in conjunction with Consent Agenda Item 9.

**ITEM 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

Public Hearing 3 was discussed in conjunction with Consent Agenda Item 11.

At this time, the City Commission and the Economic Development Corporation (EDC) Board Members stepped into Executive Session at 6:34 p.m., to discuss the following Agenda Items and Consent Agenda Item 17.

## **EXECUTIVE SESSION**

### **ITEM 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 ECONOMIC DEVELOPMENT CORPORATION (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.**

### **ITEM 17. CONSIDERATION AND POSSIBLE ACTION APPROVING THE SAN BENITO EDC AMENDED BYLAWS.**

All items listed in Executive Session including Agenda Item 17, were discussed during the Executive Session, and a certified agenda was kept.

Upon conclusion of Executive Session, [Mayor Ricardo Guerra](#) convened the Regular meeting with City Commission and the Economic Development Corporation (EDC) Board Members, at 7:26 p.m.



**SAN BENITO EDC BOARD OF DIRECTORS: POSSIBLE ACTION ON ANY ITEM(S) AS DISCUSSED IN EXECUTIVE SESSION**

**ITEM 17. CONSIDERATION AND POSSIBLE ACTION APPROVING THE SAN BENITO EDC AMENDED BYLAWS.**

Upon motion by [Joshua Gonzales, EDC Board Member](#) seconded by [Anna G. Llanes, EDC Board Member](#) and carried unanimously, Agenda Item 17, was tabled, with amendment of seven to ten days.

- 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.

[Jose L. Morales, EDC Board Member](#), moved to rescind as discussed in Executive Session. The motion was seconded by [Joshua Gonzales, EDC Board Member](#) and carried unanimously.

**ADJOURNMENT.**

There being no further business to come before the San Benito Economic Development Corporation (EDC), upon duly made motion by [Alex Salinas, EDC President](#), announced ADJOURNMENT AT 7:22 P.M.

**CITY OF SAN BENITO  
ECONOMIC DEVELOPMENT CORPORATION**

\_\_\_\_\_  
**ALEX SALINAS  
ECONOMIC DEVELOPMENT  
CORPORATION (EDC)  
CHAIR**

**ATTEST:**

\_\_\_\_\_  
**ANNA G. LIANES  
SECRETARY/TREASURER**

**SAN BENITO CITY COMMISSION: POSSIBLE ACTION ON ANY ITEM(S) AS DISCUSSED IN EXECUTIVE SESSION**

The City Commission did not take action on agenda items after the Executive Session.

**ADJOURNMENT.**

There being no further business to come before the Commission, upon duly made motion by [Mayor Ricardo Guerra](#) announced ADJOURNMENT AT 7:22 P.M.

**CITY OF SAN BENITO**

**HONORABLE RICARDO GUERRA  
MAYOR**

**ATTEST:**

**RUTH MCGINNIS  
CITY SECRETARY**