



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

On April 16, 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 Annex Building Number 2, Meeting Hall, located at 705 North Bowie Street, in San Benito, Texas, 78586.

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; Vacant, Commissioner, Place 4; Javier Villalobos, Interim City Attorney.

City Administration Personnel Present: Fred R. Sandoval, City Manager; Ruth McGinnis, City Secretary, and Jasmine Partida, Administrative Assistant to the City Secretary

A quorum was confirmed for City Commission.

San Benito EDC Board Present: Alex Salinas, John Flores, Jr., Board Member, Eddie Abrego, Board Member, Anna G. Llanes, Board Member, and Michael Pruneda, EDC Attorney.

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

Absent: Jose Morales, EDC Board Member
Joshua Gonzales, EDC Board Member

A quorum was confirmed for Economic Development Corporation (EDC)

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 Pro Tem Pedro A. Galvan](#) announced the following:

- Market Days on Historic Robertson Street will be held on Saturday, April 20, 2024, from 10 a.m. to 3 p.m., for vendor information call 956-456-4012.
- El Sabor de San Benito will be held on Thursday, April 25, 2024, from 6 p.m. to 8 p.m., at the ABC Event Center. For ticket information, contact the San Benito Chamber of Commerce at 956-626-2559.
- Please note that early voting for the May 4th General Election begins Monday, April 22, 2024, through April 30, 2024. For polling locations, visit the City's website at www.cityofsanbenito.com.

[Mayor Ricardo Guerra](#) thanked City staff for placing the six (6) large trash bins for the community. Mayor Guerra encouraged the community to bring in their trash and help maintain our City clean and beautiful.

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

[Ruth McGinnis, City Secretary](#) announced the following citizens that signed up for Public Comment:

Mike Travis, stated to reside at 1695 Russell Lane, thanked and commended the Public Works Department for paving Bowie Street and the continuance of paving projects.

CONSENT AGENDA ITEM(S)

At this time, all Consent Agenda Items were discussed and voted on individually.

ITEM 1. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE MINUTES OF THE SEPTEMBER 5, 2023, CITY OF SAN BENITO REGULAR CITY COMMISSION MEETING AND THE SEPTEMBER 26, 2023, CITY OF SAN BENITO SPECIAL CITY COMMISSION MEETING.

[Commissioner Tom Goodman](#) moved that the minutes of the Regular City Commission meeting of September 5, 2023, and the Special City Commission meeting of September 26, 2023, be approved. The motion was seconded by [Commissioner Deborah A. Morales](#) and carried unanimously.

ITEM 2. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NUMBER 2557-A, AN ORDINANCE REPEALING ORDINANCE NUMBER 2557 OF THE CITY OF SAN BENITO, ADOPTING THE 2023 EDITION INTERNATIONAL CODES, BY THE INTERNATIONAL CODE COUNCIL, INC., TO INCLUDE THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE FOR ONE AND TWO FAMILY DWELLINGS, INTERNATIONAL FIRE CODE, INTERNATIONAL WILDLAND URBAN INTERFACE CODE, INTERNATIONAL ENERGY CONSERVATION CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL PLUMBING CODE, INTERNATIONAL FUEL GAS CODE, INTERNATIONAL PRIVATE SEWAGE DISPOSAL CODE, INTERNATIONAL EXISTING BUILDING CODE, INTERNATIONAL SWIMMING POOL AND SPA CODE, INTERNATIONAL PROPERTY MAINTENANCE CODE, ICC PERFORMANCE CODE FOR BUILDING AND FACILITIES, INTERNATIONAL GREEN CONSTRUCTION CODE, AND ADOPTING THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 101 LIFE SAFETY CODE, INCLUDING THE ANNEX CHAPTERS, AND ADOPTING THE 2023 EDITION OF THE NATIONAL ELECTRIC CODE (NFPA70), INCLUDING THE ANNEX CHAPTERS.

[Commissioner Tom Goodman](#) commended Johanna Maldonado, Planning Director for bringing the codes up to date. Commissioner Goodman enquired about the impact that the new codes might have on any existing projects. In response to Commissioner's Goodman inquiry, Ms. Maldonado, Planning Director

noted that her department will be notifying the builders of the upcoming changes to the building codes and the builders will be given a three (3) month grace period to comply with the codes.

[Commissioner Tom Goodman](#) noted that the Commission wants to inform the community that the City is updating the building codes and will be effective immediately.

[Mayor Pro Tem Pedro A. Galvan](#) asked which other local governments were using the International Codes, 2023 Edition. In response to Mayor Pro Tem's Galvan inquiry, Ms. Maldonado, Planning Director, stated that the City was operating under the 2015 Building Codes, which puts the City out of compliance; even if the City chooses to utilize the 2018 and 2021 Building Codes, the City will be out of compliance. In order for the City to be in compliance with the codes and ahead of other local municipalities, using the 2024 Building regulations was the best option.

[Commissioner Tom Goodman](#) moved that Ordinance Number 2557-A, an ordinance repealing ordinance number 2557 of the City of San Benito, adopting the 2024 Edition International Codes, by the International Code Council, Inc., to include the International Building Code, International Residential Code for One and Two Family Dwellings, International Fire Code, International Wildland Urban Interface Code, International Energy Conservation Code, International Mechanical Code, International Plumbing Code, International Fuel Gas Code, International Private Sewage Disposal Code, International Existing Building Code, International Swimming Pool and Spa Code, International Property Maintenance Code, ICC Performance Code for Building and Facilities, International Green Construction Code, and adopting the National Fire Protection Association (NFPA) 101 Life Safety Code, including the Annex Chapters, and adopting the 2023 Edition of the National Electric Code (NFPA 70), including the Annex Chapters, be approved. The motion was seconded by [Commissioner Deborah A. Morales](#) and carried unanimously.

ITEM 3. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A MATERIAL AND/OR SERVICE AGREEMENT -CONTRACT WITH M&M LAWN SERVICE FOR CODE COMPLIANCE ABATEMENT FOR LAWN MOWING RFP#2024-02-001.

[Fred Sandoval, City Manager](#) noted that the lawn services will assist in keeping residents in compliance with lawn mowing.

[Commissioner Tom Goodman](#) asked how the community will be informed about the procedure. In response to Commissioner Goodman's inquiry, Ms. Maldonado, Planning Director, stated that a letter informing the property owner that they are in violation and must mow their lawn would be sent out initially. In the event, that the code inspector finds that the property is still not in compliance, the property owner will be notified by a second letter from the department. If the property owner refuses to comply after receiving a second letter, the City will mow the grass if it is 24 inches high.

Brief discussion ensued amongst the City Commission and City staff regarding the high grass in empty lots, notifying the property owners to be in code compliance. In the event, that the property owner is not in compliance, a mechanical lien would be filed.

[Mayor Pro Tem Pedro A. Galvan](#) expressed concern that in the past there have been issues with the high cost of mechanical and mowing liens. Mayor Pro Tem Galvan enquired if the City will have something in place to prevent the high cost on liens. In response to Mayor Pro Tem Galvan's inquiry, Ms. Maldonado, Planning Director noted that the cost depends on how many times the City has gone to mow the property.

Brief discussion ensued amongst the City Commission and City staff regarding the cost of the lien and if a cap on the interest would be put in place to avoid a high cost to the property owner.

[Commissioner Deborah A. Morales](#) expressed concern that she did not receive any additional information regarding the vendors, which would have been helpful to make a decision.

[Stephanie Sarrionandia, Finance Director](#) briefly informed the Commission that in order for a company to be approved to place their bid with the City, an evaluation is conducted and all requirements need to be met in order to be considered.

[Commissioner Tom Goodman](#) moved that the Material and/or Service Agreement-Contract with M & M Lawn Service for Code Compliance Abatement for Lawn Mowing RFP#2024-02-001, be approved. The motion was seconded by [Commissioner Deborah A. Morales](#) and carried unanimously.

ITEM 4. CONSIDERATION AND POSSIBLE ACTION TO RATIFY A SUBRECIPIENT AGREEMENT WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S COMMUNITY DEVELOPMENT BLOCK GRANT MITIGATION PROGRAM, GENERAL LAND OFFICE CONTRACT NUMBER 23-160-030-E547.

[Commissioner Deborah A. Morales](#) noted that she only wanted to inform the community what the agreement with the U. S. Department of Housing and Urban Development Block Community Development Block Grant Mitigation Program is for. Commissioner Morales yielded the floor to Mr. Sandoval, City Manager so he could provide additional information to the community.

[Fred Sandoval, City Manager](#) stated that the agreement involves updating the comprehensive plan, ordinances, and any other plans that require revision. All that is required is the inclusion of a resilience study for preparedness in case of a storm. The City of San Benito has received an amount of \$250,000.

[Commissioner Tom Goodman](#) noted that the City would be first in line with the Federal Emergency Management Agency (FEMA) and other government agencies in the event of a natural disaster, thanks to the resiliency plan.

[Commissioner Tom Goodman](#) moved that the Subrecipient Agreement with the U.S. Department of Housing and Urban Development's Community Development Block Grant Mitigation Program, General Land Office Contract Number 23-160-030-E547, be ratified and approved. The motion was seconded by [Mayor Pro Tem Pedro A. Galvan](#) and carried unanimously.

ITEM 5. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN AGREEMENT WITH MUNDO AND ASSOCIATES TO PROVIDE PROFESSIONAL SERVICES FOR THE TAX INCREMENT REINVESTMENT ZONE.

[Stephanie Sarrionandia, Finance Director](#) briefly informed the Commission that Mundo and Associates, tabulate the appraise, tier values, calculate the increments and review the City's financials and provide a report, which is submitted to the Texas Comptrollers Office. The work that Mundo and Associates performs is done on an annual basis.

[Commissioner Tom Goodman](#) enquired if the City was current, since he had not seen a similar agenda item in previous agendas. In response to Commissioner Goodman's inquiry, Ms. Sarrionandia, Finance Director noted that the report is provided annually to the Comptroller's Office.

Brief discussion ensued amongst the City Commission and City staff regarding tax increment reinvestment zone properties.

[Commissioner Deborah A. Morales](#) moved that an agreement with Mundo and Associates to provide professional services for the Tax Increment Reinvestment Zone, be approved. The motion was seconded by [Commissioner Tom Goodman](#) and carried unanimously.

ITEM 6. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE PURCHASE OF A CAT D150 GC DIESEL GENERATOR FOR THE SAN BENITO ANNEX BUILDING NUMBER 2.

[Fred Sandoval, City Manager](#) briefly informed the Commission that the purchase of a new diesel generator is to replace the outdated one that Annex Building Number 2 currently has. The building is hurricane proof and serves as the Emergency Operations Center (EOC) in case of a natural disaster.

[Commissioner Deborah A. Morales](#) enquired if City staff had gone out for bids, since it was over \$50,000.00. In response to Commissioner Morales inquiry, Mr. Sandoval, City Manager noted that the proper procedure was followed.

Brief discussion ensued amongst the City Commission and City staff.

[Commissioner Deborah A. Morales](#) moved that the purchase of a CAT D150 GC Diesel Generator for the San Benito Annex Building Number 2, be approved. The motion was seconded by [Commissioner Tom Goodman](#) and carried unanimously.

ITEM 7. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A MASTER OPEN-END VEHICLE LEASE AGREEMENT WITH COMMERCIAL VEHICLE LEASING, LLC., DBA D&M LEASING, FOR THE LEASING OF FLEET VEHICLES FOR SEVERAL CITY DEPARTMENTS.

[Fred Sandoval, City Manager](#) stated that the proposed agenda item was simply an approval of the lease agreement. City staff wants to have the lease agreement in place, so when staff is ready to purchase city vehicles, it does not delay the process. Mr. Sandoval, City Manager further noted that the Police Department will start with ten (10) vehicles, implement a replacement program, with a five-year vehicle rotation.

[Commissioner Tom Goodman](#) moved that the Master Open-End Vehicle Lease Agreement with Commercial Vehicle Leasing, LLC., dba D&M Leasing, for the leasing of fleet vehicles for several City departments, be approved. The motion was seconded by [Mayor Pro Tem Pedro A. Galvan](#) and carried unanimously.

ITEM 8. CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE THE MAYOR TO EXECUTE THE ANNUAL WORKFORCE SOLUTIONS CAMERON WORKSITE AGREEMENT FOR SUBSIDIZED WORK-BASED TRAINING FOR INDIVIDUALS SEEKING TO GAIN PRACTICAL WORK EXPERIENCE.

[Fred Sandoval, City Manager](#) stated that the proposed agenda item is a standard agreement with Cameron Workforce Solutions. The agreement provides employee or potential employees with training and possibility of hiring them.

[Commissioner Tom Goodman](#) asked why the training was not held at the San Benito Economic Development Corporation (SBEDC) as it sounded more like an EDC project and if it was only for City employees. In response to Commissioner Goodman's inquiry, Mr. Sandoval, City Manager stated that since the City has the most open positions, the training is provided to prospective employees.

[Commissioner Tom Goodman](#) moved that the Mayor, be authorized, to execute the annual Workforce Solutions Cameron Worksite Agreement for Subsidized Work-Based Training for individuals seeking to gain practical work experience, be approved. The motion was seconded by [Mayor Pro Tem Pedro A. Galvan](#) and carried as follows:

Ayes: Commissioner Tom Goodman, Mayor Pro Tem Pedro A. Galvan and Mayor Ricardo Guerra

Nays: None

[Commissioner Deborah A. Morales](#) recused herself from Consent Agenda Item 8.

ITEM 9. CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE THE MAYOR TO EXECUTE THE AMERICAN ASSOCIATION OF RETIRED PERSONS SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM AGREEMENT FOR PARTICIPANTS TO RECEIVE TRAINING AND WORK EXPERIENCE.

[Fred Sandoval, City Manager](#) stated that the proposed agenda item is a standard agreement with American Association of Retired Persons (AARP). The agreement provides retired employee or potential employees with training and possibility of hiring them.

[Christine Lucio, Human Resources Director](#) stated that AARP assists senior individuals to keep or gain additional experience with the city. Ms. Lucio introduced Mr. Jose Mendez, Assistant Project Director, who provided additional information regarding the program. Mr. Mendez noted that the program assists individuals 55 and older that are looking for work or are having difficulties finding employment.

Brief discussion ensued regarding the AARP program.

[Commissioner Tom Goodman](#) moved that the Mayor be authorized to execute The American Association of Retired Persons Senior Community Service Employment Program Agreement for participants to receive training and work experience, be approved. The motion was seconded by [Commissioner Deborah A. Morales](#) and carried unanimously.

ITEM 10. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A FIREWORKS DISPLAY CONTRACT WITH KILLER V FIREWORKS AND PYROTECHNICS, LLC., FOR THE PROFESSIONAL FIREWORKS DISPLAY DURING THE 2024 RESACAFEST ON JULY 6, 2024.

[Nikkie Serrano, Parks and Recreation Special Projects Planner](#) noted that the contract with Killer V. Fireworks, will have the fireworks display during the ResacaFest and will furnish a professional choreograph show lasting 12 to 13 minutes.

[Commissioner Deborah A. Morales](#) expressed concern about not finding information on the website regarding the vendor and the cost for the fireworks display.

Brief discussion ensued amongst the City Commission and City staff regarding the cost of the fireworks display.

[Commissioner Tom Goodman](#) moved that the Fireworks Display contract with Killer V Fireworks and Pyrotechnics, LLC, for the professional fireworks display during the 2024 ResacaFest on July 6, 2024, be approved. The motion was seconded by [Mayor Pro Tem Pedro A. Galvan](#) and carried unanimously.

ITEM 11. CONSIDERATION AND POSSIBLE ACTION TO APPROVE PAYMENT NUMBER 8 TO FERGUSON SERVICE SYSTEMS, INC., AS RECOMMENDED BY HANSON PROFESSIONAL SERVICES, INC., PERTAINING TO THE STENGER SURGE TANK LIFT STATION IMPROVEMENTS PROJECT IN THE AMOUNT OF 49,336.66.

[Anibal Garcia, Public Works Director](#) briefly informed the Commission, that payment number 8 was for the Stenger surge Tank Lift Station. The payments are done in phases in different payouts, as the project is being completed.

[Commissioner Tom Goodman](#) moved that Payment Number 8 to Ferguson Service Systems, Inc., as recommended by Hanson Professional Services, Inc., pertaining to the Stenger Surge Tank Lift Station Improvements Project in the amount of \$49,336.66, be approved. The motion was seconded by [Mayor Pro Tem Pedro A. Galvan](#) and carried unanimously.

ITEM 12. CONSIDERATION AND POSSIBLE ACTION TO APPROVE BIDS RECEIVED FOR RFP#2024-03-001 FOR FOURTEEN FLEET VEHICLES FROM BOSWELL ELIFF FORD.

Anibal Garcia, Public Works Director stated that considering that the Public Works Department is also emergency responders, and making sure that staff is safe when responding not only to emergencies but as well in performing their daily duties, city vehicles need to be replaced. Mr. Garcia, Public Works Director noted that he was requesting the approval to purchase fourteen (14) new vehicles. The department received five bidders as it is displayed on the Bid Tabulation and Boswell Eliff Ford came in as the lowest bidder on the vehicles the city is requesting.

Brief discussion ensued amongst the City Commission and City staff regarding the type of purchase of city vehicles.

Mayor Pro Tem Pedro A. Galvan moved that the bids received for RFP #2024-03-001 for fourteen fleet vehicles from Boswell Eliff Ford, be approved. The motion was seconded by Commissioner Deborah A. Morales and carried unanimously.

ITEM 13. CONSIDERATION AND POSSIBLE ACTION TO APPROVE BIDS RECEIVED FOR RFP#2024-03-002 FOR THE PURCHASE OF TWO COMPACT EXCAVATORS FROM ROMCO EQUIPMENT CO.

Anibal Garcia, Public Works Director stated that the department did go out for bids and received six (6) bids for specific excavators, for utilities that are located in alleyways. The city is in need to replace an excavator that the city purchased approximately twelve (12) years ago.

Brief discussion ensued amongst the City Commission and City staff regarding the hours and years of the excavator.

Commissioner Tom Goodman moved that the bids received for RFP #2024-03-002 for the purchase of two compact excavators from Romco Equipment Co., be approved. The motion was seconded by Mayor Pro Tem Pedro A. Galvan and carried as follows:

Ayes: Commissioner Tom Goodman, Mayor Pro Tem Pedro A. Galvan and Mayor Ricardo Guerra

Nays: Commissioner Deborah A. Morales

ITEM 14. 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.

No discussion regarding the proposed agenda item.

Mayor Pro Tem Pedro A. Galvan moved that the Small Business Investment Program-Commercial Facade Grant award to Reach for the Sky Bakeshop in the amount of \$1,275, be approved. The motion was seconded by Commissioner Tom Goodman and carried unanimously.

After the City Commission discussed and took action on the agenda items, Mayor Ricardo Guerra yielded the floor to the Economic Development Corporation President Alex Salinas.

SAN BENITO ECONOMIC DEVELOPMENT CORPORATION (EDC) BOARD OF DIRECTORS

ITEM 1. CONSIDERATION AND POSSIBLE ACTION ON THE REGULAR SCHEDULED EDC BOARD OF DIRECTORS MEETING MINUTES FOR FEBRUARY 15, 2024.

[Anna G. Llanes, EDC Board Member](#) moved that the Regular scheduled EDC Board of Directors Meeting Minutes for February 15, 2024, be approved. The motion was seconded by [Eddie Abrego, EDC Board Member](#) and carried unanimously.

At this time, [Michael Pruneda, EDC Legal Counsel](#), stated that Agenda Item 3 be moved out of sequence for discussion and action regarding the election of officers.

ITEM 3. CONSIDERATION AND ACTION, IF ANY, ON NOMINATIONS AND ELECTION OF OFFICER POSITIONS FOR THE BOARD OF DIRECTORS.

[Anna G. Llanes, EDC Board Member](#) noted if a member is appointed to the board, he/she would serve as an interim to the position, since the EDC Board is not complete. Hoping that in May when a new commissioner is elected, they have the opportunity to appoint a member to the EDC Board. She further noted that three (3) current positions are to be expired. Ms. Llanes recommended that the appointee serve as an interim to the appointed position.

[Michael Pruneda, EDC Legal Counsel](#) noted that there was no restriction as to how the Board would like to proceed, this is to have signature cards done, and if the bylaws get approved, it can be executed.

[Mayor Pro-Tempore Pedro A. Galvan](#), noted that the EDC Board needed a President and a Treasurer, for the reason that the President cannot hold both positions.

Brief discussion ensued amongst the City Commission and EDC Board regarding the appointment of a member to serve as interim.

After a brief discussion, [Alex Salinas, EDC Board President](#) nominated Anna G. Llanes, EDC Board Member to be appointed as Secretary/Treasurer. The motion was seconded by [Juan Flores, EDC Board Member](#) and carried unanimously.

[Alex Salinas, EDC Board President](#), nominated Joshua Gonzales, EDC Board Member as the EDC Vice-President.

[Juan Flores, EDC Board Member](#) nominated Jose L. Morales, EDC Board Member as the EDC Vice-President.

[Michael Pruneda, EDC Legal Counsel](#) noted that there were two nominations on the table and the Board needed to vote on each one individually.

[Alex Salinas, EDC Board President](#), nominated Joshua Gonzales, EDC Board Member as the EDC Vice-President. The motion was seconded by [Eddie Abrego, EDC Board Member](#) and carried as follows:

Ayes: Alex Salinas, EDC Board President and Eddie Abrego, EDC Board Member

Nays: Anna G. Llanes, Board Member and Juan Flores, Board Member

Motion failed due to a majority vote

[Juan Flores, EDC Board Member](#) nominated Jose L. Morales, EDC Board Member as the EDC Vice-President. The motion was seconded by [Anna G. Llanes, EDC Board Member](#) and carried as follows:

Ayes: Juan Flores, EDC Board Member and Anna G. Llanes, EDC Board Member

Nays: Alex Salinas, EDC Board President and Eddie Abrego, EDC Board Member

Motion failed due to a majority vote

ITEM 4. CONSIDERATION AND ACTION, IF ANY, AUTHORIZING THE ISSUANCE AND EXECUTION OF BANK SIGNATURE CARDS FOR ALL CORPORATE ACCOUNTS.

Stephanie Sarrionandia, Finance Director inquired if the Secretary/Treasurer position would be serving only as an interim. Ms. Sarrionandia briefly explained the process of providing the signature to the bank, which it would be a long process, and at this time the bank has allowed to have one signature only.

Brief discussion ensued between the City Commission, EDC Board Members, and City staff regarding the signature for the bank.

No action taken.

ITEM 2. DISCUSSION AND POSSIBLE ACTION ON THE AMENDED BYLAWS OF THE SAN BENITO ECONOMIC DEVELOPMENT CORPORATION, INC.

Agenda Item was discussed in Executive Session.

ITEM 5. CONSIDERATION AND ACTION, IF ANY, ON PERFORMANCE AGREEMENT AND GROUND LEASE AGREEMENT WITH EXTENSION OPTION WITH VARCO REAL ESTATE SAN BENITO LLC.

Agenda Item was discussed in Executive Session.

EXECUTIVE SESSION

The City Commission and the Economic Development Corporation (EDC) Board of Directors convened into Executive Session at 6:29 p.m., to discuss the following agenda items:

CITY OF SAN BENITO CITY COMMISSION EXECUTIVE SESSION ITEMS:

- a) **CONSULTATION WITH CITY ATTORNEY 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 (A)(1) PERSONNEL MATTERS, TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE.**

SAN BENITO EDC, INC., BOARD OF DIRECTORS EXECUTIVE SESSION ITEMS:

- a) PURSUANT TO §551.071 and 551.129, THE BOARD OF DIRECTORS MAY CONVENE IN A CLOSED, NON-PUBLIC MEETING WITH ITS ATTORNEY AND DISCUSS ANY MATTERS RELATED TO LEGAL ADVICE ON PENDING OR CONTEMPLATED LITIGATION, SETTLEMENT OFFER, AND/OR ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THIS CHAPTER.
- b) PURSUANT TO §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 AS MUCH WOULD BE DETRIMENTAL TO NEGOTIATIONS BETWEEN THE BOARD OF DIRECTORS AND A THIRD PARTY IN AN OPEN MEETING.
- c) PURSUANT TO §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; AND
- d) PURSUANT TO §§551.087(1-2), THE BOARD OF DIRECTORS MAY CONVENE IN A CLOSED, NON-PUBLIC MEETING TO DISCUSS ANY MATTERS REGARDING ECONOMIC DEVELOPMENT ISSUES.
- e) DELIBERATION ON PERFORMANCE AGREEMENT AND GROUND LEASE AGREEMENT WITH EXTENSION OPTION WITH VARCO REAL ESTATE SAN BENITO LLC.
- f) DELIBERATION ON AMENDED BYLAWS OF THE SAN BENITO ECONOMIC DEVELOPMENT CORPORATION.

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

Upon conclusion of the Executive Session, [Alex Salinas, Board President](#), the San Benito Economic Development Corporation (EDC) Board of Directors convened the meeting at 7:38 p.m.

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

**ITEM 1: DISCUSSION AND POSSIBLE ACTION ON THE AMENDED BYLAWS OF THE SAN
BENITO ECONOMIC DEVELOPMENT CORPORATION, INC.**

Anna G. Llanes, EDC Board Member moved to approve the bylaws of the San Benito Economic Development Corporation, Inc., as discussed in Executive Session. The motion was seconded by Juan Flores, EDC Board Member and carried unanimously.

**ITEM 2. CONSIDERATION AND ACTION, IF ANY, ON PERFORMANCE AGREEMENT AND
GROUND LEASE AGREEMENT WITH EXTENSION OPTION WITH VARCO REAL ESTATE SAN
BENITO LLC.**

Michael Pruneda, EDC Legal Counsel noted that EDC staff and Legal Counsel be directed and authorized to move forward as discussed in Executive Session.

Eddie Abrego, EDC Board Member moved that the EDC staff and Legal Counsel be directed and authorized to move forward as discussed in Executive Session, be approved. The motion was seconded by Anna G. Llanes, EDC Board Member and carried unanimously.

ADJOURNMENT.

There being no further business to come before the San Benito Economic Development Corporation (EDC), upon duly motion by Anna G. Llanes, EDC Board Member seconded by Eddie Abrego, EDC Board Member and carried unanimously, the San Benito EDC Board of Directors adjourned at 7:38 p.m.

**CITY OF SAN BENITO
ECONOMIC DEVELOPMENT CORPORATION**

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

ATTEST:

**ANNA G. LLANES
SECRETARY/TREASURER**

All items listed in Executive Session for the City of San Benito City Commission were discussed during the Executive Session, and a certified agenda was kept.

Upon conclusion of the Executive Session, [Mayor Ricardo Guerra](#), convened the City of San Benito City Commission meeting at 7:46 p.m.

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

ITEM 1. DISCUSSION AND POSSIBLE ACTION REGARDING THE CITY MANAGER EMPLOYMENT CONTRACT.

No action taken.

ITEM 2. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE AMENDED BYLAWS OF THE SAN BENITO ECONOMIC DEVELOPMENT CORPORATION, INC.

[Commissioner Tom Goodman](#) moved that the amended bylaws of the San Benito Economic Development Corporation, Inc., as discussed in Executive Session, be approved. The motion was seconded by [Mayor Pro Tem Pedro A. Galvan](#) and carried unanimously.

ITEM 3. CONSIDERATION AND POSSIBLE ACTION ON PERFORMANCE AGREEMENT AND GROUND LEASE AGREEMENT WITH EXTENSION OPTION WITH VARCO REAL ESTATE SAN BENITO LLC.

[Commissioner Deborah A. Morales](#) moved to approve as discussed by City Commission, City staff and City Attorney, in Executive Session. The motion was seconded by [Commissioner Tom Goodman](#) and carried unanimously.

ADJOURNMENT.

There being no further business to come before the Commission, upon duly made motion [Mayor Ricardo Guerra](#) announced ADJOURNMENT AT 7:47 P.M.

CITY OF SAN BENITO

**HONORABLE RICARDO GUERRA
MAYOR**

ATTEST:

**RUTH MCGINNIS
CITY SECRETARY**