



**NOTICE OF A REGULAR MEETING OF
THE CITY OF SAN BENITO CITY COMMISSION**

AUGUST 1, 2023

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.

- 1. Welcome.**
- 2. Pledge of Allegiance to the U.S. Flag and to the Texas Flag.**
- 3. Invocation.**
- 4. Announcements: Items of Community Interest.**
- 5. Public Comments - (Speaker/Remarks limited to three minutes).**
- 6. Consideration and possible action to approve the Minutes of the December 6, 2022 Regular City Commission Meeting.**
- 7. Consideration and possible action on EDC Executive Directors Contract.**

8. **Public Hearing: To solicit input regarding a request for a variance to complete the interior sidewalk until the lots are sold, for a proposed subdivision bearing a Legal Description of: Being a tract, out of lots Three (3) and Four (4), El Camino Real Resubdivision, a subdivision in the City of San Benito, Cameron County, Texas, as shown according to the map or plat thereof recorded in Cabinet 1, Page 3393, Map Records of Cameron County, Texas, Being the Same as Described in an Instrument Number 2021-52365, Official Records of Cameron County, Texas. Applicant: Ochoa Capital LLC.**
 - (a) **Open Public Hearing**
 - (b) **Close Public Hearing**

9. **Consideration and possible action to approve a request for a variance to complete the interior sidewalk until the lots are sold, for a proposed subdivision bearing a Legal Description of: being a tract, out of lots Three (3) and Four (4), El Camino Real Resubdivision, a subdivision in the City of San Benito, Cameron County, Texas, as shown according to the map or plat thereof recorded in Cabinet 1, Page 3393, Map Records of Cameron County, Texas, being the same as described in an Instrument Number 2021-52365, Official Records of Cameron County, Texas. Applicant: Ochoa Capital LLC.**

10. **Consideration and possible action to approve a Preliminary and Final Plat of Resaca Haven Subdivision, bearing a Legal Description of: being a tract, out of Lots Three (3) and Four (4), El Camino Real Resubdivision, a Subdivision in the City of San Benito, Cameron County, Texas, as shown according to the map or plat thereof recorded in Cabinet 1, Page 3393, Map Records of Cameron County, Texas, being the same as described in an Instrument Number 2021-52365, Official Records of Cameron County, Texas. Applicant: Ochoa Capital LLC.**

11. Public Hearing: To solicit input regarding a request for a Conditional Use Permit to consent a Group Home at a property located at 1111 La Palma, on an existing Home zoned SF-1 'Single Family One', bearing a Legal Description of: All of Lot 1, All of Lot 2, and All of Lot 3, of Block 4, Colonia La Palma Addition Number Two (2), City of San Benito, Cameron County, Texas, According to Map Thereof Recorded in Volume 7, Page 38, Map Records, Cameron County, Texas Applicant: Cesar Anguiano.

(a) Open Public Hearing

(b) Close Public Hearing

12. Consideration and possible action to approve a Conditional Use Permit to consent a Group Home at a property located at 1111 La Palma, on an existing home zoned SF-1 "Single Family One", bearing a Legal Description of: All of Lot 1 All of Lot 2, and All of Lot 3, of Block 4, Colonia La Palma Addition Number Two (2), City of San Benito, Cameron County, Texas Applicant: Cesar Anguiano.

13. Public Hearing: To solicit input regarding the adoption of Ordinance Number 2385-D, amending Ordinance 2385-C requiring all vendors, being Holiday, Non-Profit, Event, Produce, General Product, Mobile Food, Street Peddler, Door to Door Salesman and Special Events to apply for a vendor permit for operation within the corporate limits of the City of San Benito, Adopting Mobile Food Trucks, repealing all ordinances in conflict therewith and providing for an effective date and publication.

(a) Open Public Hearing

(b) Close Public Hearing

14. **First Reading of Ordinance Number 2385-D amending Ordinance 2385-C requiring all vendors, being Holiday, Non-Profit, Event, Produce, General Product, Mobile Food, Street Peddler, Door to Door Salesman and Special Events to apply for a vendor permit for operation within the corporate limits of the City of San Benito, Adopting Mobile Food Trucks, repealing all ordinances in conflict herewith and providing for an effective date and publication.**

15. **Public Hearing: To solicit input regarding the adoption of Ordinance Number 2252-I, amending Ordinance Number 2252, and any other ordinances, and codified in the Code of Ordinances in Chapter 4, Business regulations to add Section 4.12 pertaining to 'Food Truck Parks' and repealing any other ordinances in conflict therewith, as provided by the City of San Benito and providing for an effective date and publication.**

(a) Open Public Hearing

(b) Close Public Hearing

16. **First Reading of Ordinance Number 2252-I, amending Ordinance Number 2252, and any other ordinances, and codified in the Code of Ordinances in Chapter 4, Business Regulations to add Section 4.12 Pertaining to 'Food Truck Parks' and repealing any other ordinances in conflict therewith, as provided by the City of San Benito and providing for an effective date and publication.**

17. **Public Hearing: To solicit input regarding the adoption of Ordinance Number 2111, amending Ordinance Number 2111 and sections of the Code of Ordinances that pertain to business, and codified in the Code of Ordinances in Chapter 4.02.034, Hours of Sale, repealing any other ordinances in conflict therewith, as provided by the City of San Benito and providing for an effective date and publication.**

(a) Open Public Hearing

(b) Close Public Hearing

18. **First Reading of Ordinance Number 2111-A, amending Ordinance Number 2111 and sections of the Code of Ordinances that pertain to business, and codified in the Code of Ordinances in Chapter 4.02.034, Hours of Sale repealing any other ordinances in conflict therewith, as provided by the City of San Benito and providing for an effective date and publication.**
19. **First Reading of Ordinance 2496-A amending Ordinance Number 2496, and any other amending ordinances, and codified in the Code of Ordinances in Chapter 4, Section 4.10.006, pertaining to "Maximum fees to be charged for non-consent tows" and repealing any other ordinances in conflict therewith, as provided by the City of San Benito and providing for an effective date.**
20. **Consideration and possible action to approve changing the Code Enforcement Officer position title to Plans Examiner Technician.**
21. **Consideration and possible action to approve payment to Ambiotec Civil Engineering Group, Inc. pertaining to the Preliminary Engineering Design Phase for the proposed Water Scada System to be implemented to five ground storage tanks, one elevated storage tank and Water Treatment Plant Number 2 in the amount of \$10,284.00.**
22. **Consideration and possible action to approve payment to Ambiotec Civil Engineering Group, Inc. pertaining to the preliminary engineering design, final design plans and specification and surveying services for the proposed One-million-gallon surface ground storage tank at water treatment plant No.2 in the amount of \$158,472.20.**
23. **Consideration and possible action to approve payment to U.S. Water Service Corporation pertaining to Phase 1 Scope for environmental compliance audit in the amount of \$14,196.50.**
24. **Consideration and possible action to approve an agreement with RCX Sports, LLC for the license to the MLS Go Youth Soccer Program.**

25. Consideration and possible action to remove, appoint or re-appoint members to the Traffic and Safety Board Advisory Committee (TSBAC).
 - a) Place 4- Appointee Term Expired June 30, 2022
26. Consideration and possible action to approve the Fiscal Year 2023 - 2024 Annual Action Plan for the Community Development Block Grant (CDBG) funding and authorize the mayor to sign the corresponding application for Federal Assistance.
27. Discussion and possible action to authorize City staff to proceed with seeking a headline entertainment act for the South Texas Music Festival with the conditions set by the City Commission.
28. Consideration and possible action to approve payment number four to Axon Enterprise Inc. for the Taser X26Ps per the five-year Purchase Agreement in the total amount of \$13,158.00
29. First Public Hearing on the Proposed Ad Valorem Property Tax Rate for the Fiscal Year 2023-2024.
30. Public Hearing on the Proposed Budget for the Fiscal Year 2023-2024.
31. 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: July 28, 2023

CITY OF SAN BENITO

Ricardo Guerra

Honorable Ricardo Guerra, Mayor

STATE OF TEXAS §
COUNTY OF CAMERON §
CITY OF SAN BENITO §

I, the undersigned authority, do hereby certify that the above Notice of the City of San Benito Regular City Commission Meeting 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 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 A. McGinnis

Ruth A. McGinnis

City Secretary