



MINUTES OF THE CITY OF SAN BENITO REGULAR CITY COMMISSION MEETING

On April 6, 2021 the City Commission met for a Special Meeting at the San Benito Municipal Building, Cesar Gonzalez Meeting Hall, 401 North Sam Houston Boulevard, San Benito, Texas.

City Commission Members Present: Ricardo Guerra, Mayor; Carol Lynn Sanchez, Mayor Pro Tem; Rene Garcia, Commissioner, Place 1; Rene Villafranco, Commissioner, Place 2; Pedro A. Galvan, Commissioner, Place 3; Mark Sossi, City Attorney.

City Administration Personnel Present: Manuel De La Rosa, City Manager; Fred Bell, Assistant City Manager; Ruth McGinnis, City Secretary.

ITEM 1. WELCOME.

Mayor Ricardo Guerra called the meeting to order at 5:30 p.m. confirming a quorum.

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

Mayor Ricardo Guerra led the City Commission and audience in reciting the pledge of allegiance to the U.S. Flag and to the Texas Flag.

ITEM 3: INVOCATION.

Mr. David Favila, Public Relations Director led the City Commission and audience in prayer.

ITEM 4. ANNOUNCEMENTS: ITEMS OF COMMUNITY INTEREST.

Mayor Ricardo Guerra thanked the San Benito Police Department for sponsoring the Easter coloring contest.

ITEM 5. PUBLIC COMMENTS. (*Speakers/Remarks limited to three minutes*).

Ruth McGinnis, City Secretary, announced no public comments.

ITEM 6. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE MINUTES OF THE MARCH 16, 2021 REGULAR CITY COMMISSION MEETING.

Mayor Ricardo Guerra requested a motion. **Commissioner Rene Villafranco** moved to approve. **Commissioner Rene Garcia** seconded the motion. Abstaining: **Mayor Pro Tem Carol Lynn Sanchez**. Voting Aye: **Mayor Ricardo Guerra, Commissioner Rene Garcia, Commissioner Rene Villafranco and Commissioner Pedro A. Galvan**. Motion carried to **APPROVE THE MINUTES OF THE MARCH 16, 2021 REGULAR CITY COMMISSION MEETING.**

ITEM 7. DISCUSSION AND POSSIBLE ACTION ON THE 2021 CONSUMER PRICE INDEX (CPI) ADJUSTMENT TO MUNICIPAL TELECOMMUNICATIONS RIGHT-OF-WAY ACCESS LINE RATES.

City Manager Manuel De La Rosa addressed the City Commission explaining the Public Utility Commission of Texas notification regarding a potential increase. If the City does not take action, it is an automatic increase. In the Public Utility Commission letter, page two are 2020 preferred rates, residential at 0.42 cents and non-residential at 0.82 cents point-to-point \$1.20 and right below is residential proposing to increase from 0.42 cents to 0.43 cents, non-residential from 0.82 cents to 0.83 cents, point-to-point from \$1.20 to \$1.21. You no longer collect a franchise freeze from telecommunications and public right-of-way, it is handled by the state, this is how we get those fees back. I do not see any reason why we would not recommend that the Commission take no action and let the increase automatically occur. It is based on a consumer price increase by 0.4820% and that is on page one at the very top. **Commissioner Rene Garcia** stated so us taking no action then. **City Manager Manuel De La Rosa** advised it is up to you if you take no action, I have to bring it up so you can decide to take action or not and it is reflected in the minutes. **Mayor Ricardo Guerra** announced no action. No motion carried **ON THE 2021 CONSUMER PRICE INDEX (CPI) ADJUSTMENT TO MUNICIPAL TELECOMMUNICATIONS RIGHT-OF-WAY ACCESS LINE RATES.**

ITEM 8. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A LICENSE AGREEMENT FOR TEMPORARY STAGING AREA WITH AEP TEXAS, INC.

Mr. Ramon Rodriguez, Parks and Recreation Director, addressed the City Commission requesting approval of said agreement. City Manager Manuel De La Rosa commented AEP has utilized grounds in the past during Hurricane Harvey and other weather events. Agreement proposed for five years. AEP installed six flood lamps by the Newman Building based on relationship between AEP Texas and the City of San Benito. City Management encourages this agreement be approved. Mayor Ricardo Guerra requested a motion. Mayor Pro Tem Carol Lynn Sanchez moved to approve. Commissioner Rene Villafranco seconded the motion. Voting Aye: Mayor Ricardo Guerra, Mayor Pro Tem Carol Lynn Sanchez, Commissioner Rene Garcia, Commissioner Rene Villafranco and Commissioner Pedro A. Galvan. Motion carried to **APPROVE A LICENSE AGREEMENT FOR TEMPORARY STAGING AREA WITH AEP TEXAS, INC.**

ITEM 9. DISCUSSION AND POSSIBLE ACTION ON ISSUING PERMITS FOR FOOD TRUCKS AT HEAVIN TRAIL PARK ON THE WEEKEND OF APRIL 24TH AND 25TH, 2021.

City Manager Manuel De La Rosa addressed the City Commission advising he anticipates the City Parks will open April 20th and staff is not recommending keeping them closed. Proposing to have a Food Court Event on April 24th and 25th at the Heavin Trail Park; provided review of five different cities and a review of ordinances throughout the Rio Grande Valley. Mayor Pro Tem Carol Lynn Sanchez commented I spoke with Rebeca at EDC and she is willing to lend us their parking lot, so if there is any truck that feels uncomfortable getting on the grass they can use the parking lot. City Manager Manuel De La Rosa stated whether it is the Resaca or downtown, we want to get people back out in a safe environment. Mayor Pro Tem Carol Lynn Sanchez spoke in favor of the Resaca, as it is our biggest asset and need to focus on it and Resaca Village is right across the street. Hopefully even if it is a business from outside of the City or even our own citizens that go, if they do have something successful and like the atmosphere then they would be willing to then look into our new plaza across the street. City Manager Manuel De La Rosa stated we are prepared to issue those market days with all the arts and crafts better suited at the Batts and Reagan location because they don't carry generators. We have to play it by ear, it has been very fluid, it is not something that we do typically but it is something that our Parks Department is geared up to revamp again like before the virus. What we charge does not go in our ordinance because this is not occurring on private property. We are not going to take business away from our brick and mortar, they deserve our attention and our patronage. We are trying to create an environment for families to get about, if we add additional lighting and we can get the fencing resolved we would have adults out on the evening at these events. So we are proposing on a Saturday from noon to six, they set up from 10 a.m. to 12:00 p.m., they will play music, if it is a band, for thirty minutes every hour. On Sunday, we are proposing 2:00 p.m. to 6:00 p.m. Commissioner Pedro A. Galvan questioned is this event on the weekend of the election? City Manager Manuel De La Rosa clarified no, the election is May 1st. Commissioner Pedro A. Galvan questioned is this the weekend after Early Voting? City Manager Manuel De La Rosa confirmed yes, I believe it is after Early Voting. Commissioner Pedro A. Galvan commented I think it is important to look at those dates so that we do not clash. City Manager Manuel De La Rosa stated we looked at that just in case you want to go another week out, it is your decision. Commissioner Rene Villafranco stated I think we have had certain events ongoing during Election Day in the past. On that Weslaco food park, what they have is a set up where the private owners are the ones who sell the adult beverages. Maybe we can look at something like that for us when we create that garden, if we do pick that location. Carol, you can get the non-profits to go out there and use that as a way to make money for themselves. City Manager Manuel De La Rosa stated Commissioner, we use non-profits because we did not carry the license but you still have to fence in the area. Commissioner Rene Villafranco stated that is just something to put out there so if we get started on making changes, that is something to think about, give them an opportunity to make some money too. City Manager Manuel De La Rosa mentioned we see this growing again, we started these events with our museum to become a destination city. Hopefully we do not see an uptick on any COVID-19 or any of the variants, I am not trying to encourage that we bring out so many that we create a health hazard for our own. I am trying to limit the activity, it is a park, it has the Resaca, food and music. Commissioner Rene Garcia commented you have different ordinances from different cities but has anyone from staff gone to see how this operates. City Manager Manuel De La Rosa confirmed some of our staff has already participated in some of those. Commissioner Rene Garcia questioned during COVID-19? I think it was Commissioner Galvan who had been out to the Brownsville one. Did you observe COVID-19

restrictions? **Commissioner Pedro A. Galvan** mentioned there are COVID-19 guidelines that are in place. Now if they are being followed is a different question. I think at this point in time most people are vaccinated, we are a little more than a year into the pandemic, I think people know the rules. The City has to make sure restrictions are in place and signage, mask required, six feet social distancing. As long as those requirements are in place and people know that those are restrictions we have to abide by. The good thing is it is an open venue, the risks are lower. You can also set the standard of having your vaccination card to come into the event. I like the food truck idea, I just did not like that we had a Church's Chicken food truck. When I think of food truck park, I think of eclectic new fresh food, not a Church's Chicken. **City Manager Manuel De La Rosa** stated I do not think you can exclude them and I can tell you that there are national franchises that are not in San Benito that are in Harlingen that are looking to open up here that are going to be testing the market and will be at future events. Putting up signage and requiring masks, how do you enforce it? **Commissioner Pedro A. Galvan** interjected I have been to other food truck parks and I do not see other national franchises there. Is it an issue, counsel, if we start excluding national franchises? **City Attorney Mark Sossi** advised I can research that and get back to you, there may be ways. **Commissioner Rene Garcia** stated we need to be inclusive. First of all, this is a great idea, I like it, and I think we need more events here in San Benito. Of course we need to be careful but I feel there needs to be an opportunity for everyone. **City Manager Manuel De La Rosa** commented we have time to make changes, we would limit like having two taco trucks instead of three taco trucks. It is City property and it is based on some standard that we told them upfront. We even said if we get more vendors than we can handle then we start drawing a lottery as to who is allowed, that way it is subjective. First come first serve, somehow we're going to regulate this but again April 24th and 25th we are going to see exactly how it works out. It may be very well, we will have to see what the market looks like on that day. **Commissioner Pedro A. Galvan** stated I think the whole idea behind a food truck park is, franchises have brick and mortar places and food trucks are there to help promote small businesses. A small business might not have the capital to buy a huge property downtown and they want to do a food truck that is maybe more cost effective and they want to promote their small town business. I think that is what the foundation of what a food truck park is, it is not a McDonald's, Popeye's, Church's food truck. So I would like to see if that is something we can exclude. **City Attorney Mark Sossi** advised I think the City can enact reasonable regulations favoring local businesses and limiting the types of, so if you want one taco place, one coffee place. So we can get there without necessarily banning franchises. **Mayor Ricardo Guerra** stated we can always bring it back if you want to tweak it more. **Mayor Ricardo Guerra** requested a motion. **Commissioner Rene Garcia** moved to approve. **Commissioner Rene Villafranco** seconded the motion. Voting Aye: **Mayor Ricardo Guerra, Mayor Pro Tem Carol Lynn Sanchez, Commissioner Rene Garcia, Commissioner Rene Villafranco and Commissioner Pedro A. Galvan.** Motion carried to **APPROVE ISSUING PERMITS FOR FOOD TRUCKS AT HEAVIN TRAIL PARK ON THE WEEKEND OF APRIL 24TH AND 25TH, 2021.**

ITEM 10. CONSIDERATION AND POSSIBLE ACTION TO APPROVE FISCAL YEAR 2020-2021 PROGRAMMING PAYMENT TO THE BOYS AND GIRLS CLUB OF SAN BENITO IN THE AMOUNT OF \$10,000.

Mr. Ramon Rodriguez, Parks and Recreation Director and Ms. Liz Chavez, President Board of Directors, Boys and Girls Club addressed the City Commission requesting approval of funding of \$10,000.00 for Fiscal Year 2020-2021 per Contract Programming Agreement with the City. **Ms. Liz Chavez** advised the \$10,000.00 is used in programming being five percent of their budget. They service approximately two hundred kids on a daily average attendance since 2016; during the pandemic, it is about one hundred. The Club is open from 8 a.m. to 5 p.m. as a Remote Learning Center for the community kids of San Benito, providing Wi-Fi access, meals for breakfast, lunch, dinner to take home, and for the weekends, and covering supplies. Looking to hire a teacher for our kids. It is used very well in accordance with other grants that we're getting towards gaps that we see in our youth in the community. **Commissioner Rene Garcia and Mayor Pro Tem Carol Lynn Sanchez** thanked them for helping the children in the community. **Ms. Liz Chavez** stated thank you City for believing in what we are doing for our kids. **Commissioner Pedro A. Galvan** moved to approve. **Mayor Pro Tem Carol Lynn Sanchez** seconded the motion. Voting Aye: **Mayor Ricardo Guerra, Mayor Pro Tem Carol Lynn Sanchez, Commissioner Rene Garcia, Commissioner Rene Villafranco and Commissioner Pedro A. Galvan.** Motion carried to **APPROVE FISCAL YEAR 2020-2021 PROGRAMMING PAYMENT TO THE BOYS AND GIRLS CLUB OF SAN BENITO IN THE AMOUNT OF \$10,000.**

ITEM 11. CONSIDERATION AND POSSIBLE ACTION TO APPROVE REINSTATEMENT OF THE COMMUNITY DEVELOPMENT CITIZENS ADVISORY COMMITTEE (CDCAC).

Mr. Fred Bell, Assistant City Manager, addressed the City Commission stating this agenda item is being presented as a result of inquiries on the CDBG's Community Development Citizens Advisory Committee (CDCAC). If the Commission wishes to reinstate the advisory committee, there are several steps that must be completed. The documents provided are a copy of April 19, 2016 Commission Meeting Agenda which resulted in the Commission opting to remove the advisory committee in order to streamline the CDBG program. Also a copy of an excerpt of the April 19, 2016 Commission Meeting Minutes which detail the discussion and Commission's removal of the advisory committee, and also a copy of the Citizen Participation Plan (CPP) noting the sections that were amended in 2016. If the Commission wishes to move forward with reinstating this committee, the CPP will have to be amended. In order for that to occur, staff will publish a notice of Substantial Amendment to the CPP, this can actually occur this Friday. A five day comment period is required and we are proposing April 13th through the 20th. During this five day period two public hearings are required, the second hearing must be during a Commission Meeting which can occur April 20th, Commission approval can also occur. Additional discussion regarding the number of members, some of you have mentioned that the Advisory Committee should consist of one appointee per Commissioner and one appointee from the Mayor. Under the previous CPP, the City was divided into four individual zones and each Commission Place had a designated zone. During that time Commissioners nominated two residents of their perspective zone and the Mayor nominated two residents. The Commission can utilize the same set up but nominate one resident instead of two. If approved the Commission can move forward with nominating and appointing members to the advisory committee. That committee would meet to adopt a new set of by-laws for that meeting during the time, staff will be able to present a copy of the current by-laws with recommended revisions. **Commissioner Pedro A. Galvan** commented I know that the CDBG fund has less than \$50,000.00 of funds available after allocation to the street repair program that was approved several years back. So I am wondering is the fund going to grow or why are we bringing the committee back. **City Manager Manuel De La Rosa** stated that was part of the reason in 2016 we did away with this advisory committee because there was only about \$50,000.00. We will be out of this debt payment in 2024 so we are going to have more. Again this is your decision, Commissioner Garcia is the one who inquired about this early on. So again we are presenting it. Commissioner Galvan that was the recommendation back in April 2016 because there was so little money and we were having to move forward. At the time there was ten and the employees said it was difficult to get a quorum. **Commissioner Rene Garcia** commented I am big on advisory committees, I really like public influence. The amount may seem small at this time but there is still some type of significance in how we allocate those funds and using public input is probably the best way to go. I encourage the Commission to consider it and maybe not at ten members, maybe at five, one each. I would like to implement this now so we can start utilizing public input when it comes to the CDBG funds. **Commissioner Pedro A. Galvan** questioned when did the debt payment start? **City Manager Manuel De La Rosa** advised 2004. **Commissioner Pedro A. Galvan** questioned and the debt payment fund was for a street repair program? **City Manager Manuel De La Rosa** confirmed for a street rehabilitation program. **Commissioner Pedro A. Galvan** questioned how much do we currently get allocated from the CDBG, is it annually? **City Manager Manuel De La Rosa** stated it is an annual allocation that runs roughly \$360,000.00. **Commissioner Pedro A. Galvan** questioned so for the past twenty years the additional revenue has been allocated to whatever the requirements of the CDBG are for either park repairs or non-profits. I like the idea of just doing one because ten seems a little difficult. **Mayor Ricardo Guerra** stated we are going to motion that there is going to be one from each elected official. **Mr. Fred Bell Assistant City Manager** stated correct we just have to update with the appropriate place assignments. What staff will do before we finalize everything at the meeting we make it formal and go through the public hearings that is when we will present you with the by-laws that we have. We have already started some recommended edits and revisions and the City Manager and City Attorney will review it first before it is presented back to you all. **City Manager Manuel De La Rosa** stated if you have a preference on the zone please let us know. Someone was inquiring whether we had zones or districts for elected officials, you are all elected at large, this zone has nothing to do with your place on the City Commission. If you do not have a preference then we will just pick them and move on. **Mayor Ricardo Guerra** requested a motion. **Commissioner Rene Villafranco** moved to approve. **Commissioner Rene Garcia** seconded the motion. Voting Aye: **Mayor Ricardo Guerra, Mayor Pro Tem Carol Lynn Sanchez, Commissioner Rene Garcia, Commissioner Rene Villafranco and Commissioner Pedro A. Galvan.** Motion carried to **APPROVE REINSTATEMENT OF THE COMMUNITY**

DEVELOPMENT CITIZENS ADVISORY COMMITTEE (CDCAC) WITH EACH ELECTED OFFICIAL SELECTING ONE BOARD MEMBER.

ITEM 12. CONSIDERATION AND POSSIBLE ACTION TO RATIFY PAYMENT TO FRONTERA MATERIALS, INC., FOR MATERIALS NEEDED AT HULL STREET ASPHALT OVERLAY IN THE AMOUNT OF \$41,000.00.

Mr. Adan R. Gonzalez, Public Works Director, addressed the City Commission stating we are asking your approval to ratify payment to Frontera Materials Inc., for materials needed at Hull Street overlay for the amount of \$41,000.00. City Manager Manuel De La Rosa stated these were the streets that were approved and we listed them in the order that they were approved. Mayor Ricardo Guerra requested a motion. Commissioner Rene Garcia moved to approve. Mayor Pro Tem Carol Lynn Sanchez seconded the motion. Voting Aye: Mayor Ricardo Guerra, Mayor Pro Tem Carol Lynn Sanchez, Commissioner Rene Garcia, Commissioner Rene Villafranco and Commissioner Pedro A. Galvan. Motion carried to **APPROVE PAYMENT TO FRONTERA MATERIALS, INC., FOR MATERIALS NEEDED AT HULL STREET ASPHALT OVERLAY IN THE AMOUNT OF \$41,000.00.**

ITEM 13. CONSIDERATION AND POSSIBLE ACTION TO RATIFY PAYMENT TO FRONTERA MATERIALS, INC., FOR MATERIALS NEEDED AT ROCKEFELLER STREET ASPHALT OVERLAY IN THE AMOUNT OF \$41,000.00.

Mr. Adan R. Gonzalez, Public Works Director, addressed the City Commission stating we are asking your approval to ratify payment to Frontera Materials Inc., for materials needed at Rockefeller Street asphalt overlay for the amount of \$41,000.00. Mayor Ricardo Guerra requested a motion. Commissioner Rene Garcia moved to approve. Commissioner Rene Villafranco seconded the motion. Voting Aye: Mayor Ricardo Guerra, Mayor Pro Tem Carol Lynn Sanchez, Commissioner Rene Garcia, Commissioner Rene Villafranco and Commissioner Pedro A. Galvan. Motion carried to **APPROVE PAYMENT TO FRONTERA MATERIALS, INC., FOR MATERIALS NEEDED AT ROCKEFELLER STREET ASPHALT OVERLAY IN THE AMOUNT OF \$41,000.00.**

ITEM 14. CONSIDERATION AND POSSIBLE ACTION TO RATIFY PAYMENT TO FRONTERA MATERIALS, INC., FOR MATERIALS NEEDED AT MONTEZUMA STREET ASPHALT OVERLAY IN THE AMOUNT OF \$32,800.00.

Mr. Adan R. Gonzalez, Public Works Director, addressed the City Commission stating we are requesting your approval to ratify payment to Frontera Materials Inc., for materials needed at Montezuma Street asphalt overlay for the amount of \$32,800.00. Mayor Ricardo Guerra requested a motion. Commissioner Pedro A. Galvan moved to approve. Commissioner Rene Villafranco seconded the motion. Voting Aye: Mayor Ricardo Guerra, Mayor Pro Tem Carol Lynn Sanchez, Commissioner Rene Garcia, Commissioner Rene Villafranco and Commissioner Pedro A. Galvan. Motion carried to **APPROVE PAYMENT TO FRONTERA MATERIALS, INC., FOR MATERIALS NEEDED AT MONTEZUMA STREET ASPHALT OVERLAY IN THE AMOUNT OF \$32,800.00.**

ITEM 15. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE SALE AND AUCTION OF A PUBLIC WORKS SWEEPER, DURA PATCHER, BRUSH TRUCK, TWO FORD F-150 PICK-UPS, JOHN DEERE BACKHOE, POWER CURBER, AND BELLY DUMP LOAD KING.

Mr. Adan R. Gonzalez, Public Works Director, addressed the City Commission stating we are asking your approval for the sale and auction of a Public Works Sweeper, Dura Patcher, Brush Truck, two Ford F-150 Pick-ups, John Deere Backhoe, Power Curber, and Belly Dump Load King. City Manager Manuel De La Rosa stated we have had discussions about replacing vehicles and equipment. There is inventory that has not moved. Mayor Ricardo Guerra requested a motion. Commissioner Rene Villafranco moved to approve. Mayor Pro Tem Carol Lynn Sanchez seconded the motion. Voting Aye: Mayor Ricardo Guerra, Mayor Pro Tem Carol Lynn Sanchez, Commissioner Rene Garcia, Commissioner Rene Villafranco and Commissioner Pedro A. Galvan. Motion carried to **APPROVE THE SALE AND AUCTION OF A PUBLIC WORKS SWEEPER, DURA PATCHER, BRUSH TRUCK, TWO FORD F-150 PICK-UPS, JOHN DEERE BACKHOE, POWER CURBER, AND BELLY DUMP LOAD KING.**

ITEM 16. PUBLIC HEARING: TO SOLICIT INPUT REGARDING A REQUEST FOR A CONDITIONAL USE PERMIT TO CONSENT A TOWING SERVICE AT 1047 NORTH OSCAR WILLIAMS ROAD, ALSO BEARING A LEGAL DESCRIPTION OF 6.33 ACRES OUT OF LOTS FOUR (4) AND FIVE (5), BLOCK ONE HUNDRED TWENTY-NINE (129), SAN BENITO LAND & WATER COMPANY SUBDIVISION IN THE CITY OF SAN BENITO, CAMERON COUNTY, TEXAS ACCORDING TO THE PLAT RECORDED IN VOLUME 1, PAGE 6 OF THE CAMERON COUNTY MAP RECORDS. APPLICANT: MR. ELIAS LOZANO DBA CAMEL TOW.

- A) OPEN PUBLIC HEARING
- B) CLOSE PUBLIC HEARING

Mr. Bernard Rodriguez, Planning and Development Director, addressed the City Commission advising of requirements to approve or deny a conditional use permit. In order to approve a conditional use permit, the property must be in compliance with the City's Code of Ordinance. A conditional use permit was filed for 1047 North Oscar Williams Road. We are looking within a 200 foot radius and the site property that is off Williams Road, right now it is zoned as agricultural and open space, usually that is primarily residential. This is an aerial view of the map, you have residential structures, to the North you have a Church Ministry, and to the South you do have a proposed residential subdivision. The developer is looking at proposed a hundred and twenty-six residential lots. You do have two letters of opposition provided to you and I received another one today.

Mayor Ricardo Guerra opened the floor at 6:45 p.m. for the public to receive input from citizen participation.

Mr. Randal Crane addressed the City Commission stating we are the ones that are planning to put in that subdivision that was just shown to you, I think we submitted the plans to the Zoning Commission maybe thirty days ago. I really think that having the towing company that they are asking for the conditional use permit on would adversely affect the value of the property that we are looking to subdivide. I know additionally there is talk of another subdivision going right next to ours and I think it would also be adversely affected. That whole area all the way down to Hunter's Crossing, I think before long is going to be developed into nice homes and I just do not think the towing company would be a proper fit. Thank you all for your time.

Ms. Ana Buenrostro Lozano addressed the City Commission stating my husband is Elias Lozano and I are interested in having a tow truck business. We have 6.33 acres and would be using 1 acre for the business. There are laws and regulations according to the state that need to be followed to build the tow truck company. My husband and I are Army Veterans, my husband is disabled, he could not be here today because he has to work hard for us to have what we have. He is an entrepreneur, self-made, he is born and raised in Los Angeles and he fell in love with San Benito. He sees potential in San Benito and he wants to continue his dream with building the tow truck company. We have 6.33 acres and will only be using 1 acre which will be to the back and we are going to have a shop that will be the business portion of it and I am just here to request permission. Thank you.

Mr. Max Torres, Citizen, addressed the City Commission stating his address is 1561 Russell Lane and his concern is a tow truck company will have cars going be towed, fees will be paid then be pulled out. The storage of those vehicles will be detrimental our health, our safety, fire hazard, and an unsightly vision. The second concern is what kind of fencing is going to go up, how is it going to be protected, how is it going to be surrounded? The next concern is the devaluation of our property. Thank you.

Ms. Ana Buenrostro Lozano addressed the City Commission stating I understand everyone's concern referring to state rules and regulations before we can get a license. There will be a privacy fence and it has to be within a certain height so you will not be able to see that. I also live there so I do not want it to depreciate my home as well. We would do everything in our power to put plants around there so it would look nice. Thank you.

Ms. Norma Gomez, Citizen, addressed the City Commission stating I also live on Russell Lane and value my home. I feel like it would depreciate our home. Thank you.

Commissioner Pedro A. Galvan questioned if there was a petition by the neighboring subdivision? **Mr. Bernard Rodriguez** stated we did receive three different letters, you do have two letters within your packet and I received a third letter today. **City Manager Manuel De La Rosa** directed Mr. Rodriguez to introduce

the letter. [Mr. Bernard Rodriguez](#) addressed the City Commission reading from the letter received today submitted by [Mr. Max Torres](#), who addressed the City Commission during Public Hearing.

[Mayor Ricardo Guerra](#) announced the time is 6:52 p.m. and the floor is closed.

ITEM 17. CONSIDERATION AND POSSIBLE ACTION AFTER PUBLIC HEARING ON REQUEST OF A CONDITIONAL USE PERMIT TO CONSENT A TOWING SERVICE AT 1047 NORTH OSCAR WILLIAMS ROAD, ALSO BEARING A LEGAL DESCRIPTION OF 6.33 ACRES OUT OF LOTS FOUR (4) AND FIVE (5), BLOCK ONE HUNDRED TWENTY-NINE (129), SAN BENITO LAND & WATER COMPANY SUBDIVISION IN THE CITY OF SAN BENITO, CAMERON COUNTY, TEXAS ACCORDING TO THE PLAT RECORDED IN VOLUME 1, PAGE 6 OF THE CAMERON COUNTY MAP RECORDS. APPLICANT: MR. ELIAS LOZANO DBA CAMEL TOW.

[Mr. Bernard Rodriguez](#), [Planning and Development Director](#), addressed the City Commission advising the Planning and Zoning Commission heard same item on March 25th and it was denied. Staff recommends denial as it is in conflict with the Code of Ordinances Section 14.05 prerequisites for the approval of the board. [City Manager Manuel De La Rosa](#) advised you cannot have a business and a residence on the same lot, it would have to be replatted because of the difference uses. Let Ms. Lozano answer any questions you might have regarding the operation of the business. [Mayor Pro Tem Carol Lynn Sanchez](#) questioned the nature of the shop, is it going to be a mechanic shop and what are the hours of operation? Would it be within that one same acre or would it be extended. [Ms. Lozano](#) stated the shop by the state it requires an office that needs to be available twenty four hours. The hours of operation for the actual tow truck I do not know. The shop is going to be for personal use and only a section of it is going to be for the office, according to state requirements. [Mayor Pro Tem Carol Lynn Sanchez](#) questioned you will not be doing any late night mechanical work? Or is it just an office? [Ms. Lozano](#) stated it is not going to be mechanic shop or anything like that. A lot of people have misconceptions of what a tow truck lot is and yes they do come in but they are not there long. They are going to be in and out. The wrecked vehicles come in just until their insurance company tows them away to where they need to go. There is not going to be permanent vehicles there. The shop is going to be for personal use to store some of our belongings and do our own personal work but mostly it is going to be just a little area for the office of the business. [City Manager Manuel De La Rosa](#) commented you can operate the wrecker services and have the wrecker trucks on site. But when you start bringing vehicles in whether they are wrecked or broken down or repossession, is it a salvage yard or is it a storage? The City's Land Use Ordinance does make a distinction between those. When they try to bring vehicles in that is another whole conditional use permit. That was what [Mr. Rodriguez](#) was providing you out of the Section 14 that is the City's Zoning Ordinance, the Land Use Ordinance. So wrecker services is different from bringing in wrecked cars, they are going to have to come back because it is a different land use. [Mayor Ricardo Guerra](#) requested a motion. [Mayor Pro Tem Carol Lynn Sanchez](#) stated since it is in denial due to the conditional use permit request, it is in conflict with Code of Ordinance Section 14.05, I move to deny. [Commissioner Rene Villafranco](#) seconded the motion. Voting Aye: [Mayor Ricardo Guerra](#), [Mayor Pro Tem Carol Lynn Sanchez](#), [Commissioner Rene Garcia](#), [Commissioner Rene Villafranco](#) and [Commissioner Pedro A. Galvan](#). Motion carried to **DENY THE REQUEST OF A CONDITIONAL USE PERMIT TO CONSENT A TOWING SERVICE AT 1047 NORTH OSCAR WILLIAMS ROAD, ALSO BEARING A LEGAL DESCRIPTION OF 6.33 ACRES OUT OF LOTS FOUR (4) AND FIVE (5), BLOCK ONE HUNDRED TWENTY-NINE (129), SAN BENITO LAND & WATER COMPANY SUBDIVISION IN THE CITY OF SAN BENITO, CAMERON COUNTY, TEXAS ACCORDING TO THE PLAT RECORDED IN VOLUME 1, PAGE 6 OF THE CAMERON COUNTY MAP RECORDS. APPLICANT: MR. ELIAS LOZANO DBA CAMEL TOW.**

ITEM 18. PUBLIC HEARING: TO SOLICIT INPUT REGARDING A REQUEST TO REZONE FROM MF "MULTI-FAMILY" TO C-2 "COMMERCIAL GENERAL RETAIL BUSINESS" FOR A PROPERTY LOCATED AT 730 SOUTH MCCULLOUGH STREET BEARING A LEGAL DESCRIPTION OF LOT 1, EAST WILLIAMS SUBDIVISION, AS RECORDED IN CABINET 1, PAGE 3530, OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS. APPLICANT: MR. JESUS GONZALEZ, JR.

- A) OPEN PUBLIC HEARING
- B) CLOSE PUBLIC HEARING

Mr. Bernard Rodriguez, Planning and Development Director, addressed the City Commission stating the property in question is zoned as multi-family, the Northside is commercial development as well as the Eastside. We did have a public hearing notice and did not receive negative responses. We did receive one call in favor of the request who owns this property on the corner across the street. The aerial map shows the site in question, some are businesses and some are residential but all zoned commercial.

Mayor Ricardo Guerra announced the time is 7:01 p.m. and the floor is opened for the public to receive input from citizen participation.

Mr. Jesus Gonzalez, Property Owner, addressed the City Commission stating the address is 730 South McCullough, the property was zoned for multi-family dwelling, there is a big apartment complex in the back, that was the original focus but with the property of wood going thirty percent high, I do not want to go that route. I would like to see if we can change the rezoning to commercial retail, thank you.

Mayor Ricardo Guerra announced the time is 7:02 p.m. and the floor is now closed.

ITEM 19. CONSIDER FIRST READING OF ORDINANCE 2585-03-2021(Z) 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 ON 730 SOUTH MCCULLOUGH STREET ALSO BEARING A LEGAL DESCRIPTION OF LOT 1, EAST WILLIAMS SUBDIVISION, AS RECORDED IN CABINET 1, PAGE 3530, OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS FROM MF "MULTI-FAMILY" TO C-2 "COMMERCIAL GENERAL RETAIL BUSINESS". APPLICANT: MR. JESUS GONZALEZ, JR.

Mr. Bernard Rodriguez, Planning and Development Director, addressed the City Commission referencing the Public Hearing and asking if anyone had any questions. Mayor Pro Tem Carol Lynn Sanchez and Commissioner Rene Garcia requested clarification on the use of the property. Mr. Jesus Gonzalez, Jr., Property Owner, advised the City Commission he is planning to use the property for a used car sales business being it is a one acre lot it is sufficiently big. No motion carried **FIRST READING.**

ITEM 20. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE PRELIMINARY PLAT OF ALERIK SUBDIVISION, BEING 1.394-ACRE TRACT OF LAND OUT OF AND PART OF LOT 5, BLOCK 127, SAN BENITO LAND & WATER COMPANY SUBDIVISION, AS DEPICTED BY THE INSTRUMENT RECORDED IN VOLUME 1, PAGE 6 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS, BEING THE LAND DESCRIBED IN VOLUME 19577 PAGE 178 OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS. APPLICANT: MR. ARMANDO LOPEZ, DBA ALERIK, LLC.

Mr. Bernard Rodriguez, Planning and Development Director, addressed the City Commission advising the location is by the Animal Hospital and Business 77. The subdivision itself has an existing eight inch waterline and sewer line. They propose the water meter at this location and by ordinance they will have to install a new hydrant off of this eight inch waterline, all that is in compliance with the City of San Benito Ordinance. Staff recommends approval of the preliminary plat. Mayor Ricardo Guerra requested a motion. Commissioner Pedro A. Galvan moved to approve. Mayor Pro Tem Carol Lynn Sanchez seconded the motion. Voting Aye: Mayor Ricardo Guerra, Mayor Pro Tem Carol Lynn Sanchez, Commissioner Rene Garcia, Commissioner Rene Villafranco and Commissioner Pedro A. Galvan. Motion carried to **APPROVE THE PRELIMINARY PLAT OF ALERIK SUBDIVISION, BEING 1.394-ACRE TRACT OF LAND OUT OF AND PART OF LOT 5, BLOCK 127, SAN BENITO LAND & WATER COMPANY SUBDIVISION, AS DEPICTED BY THE INSTRUMENT RECORDED IN VOLUME 1, PAGE 6 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS, BEING THE LAND DESCRIBED IN VOLUME 19577 PAGE 178 OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS. APPLICANT: MR. ARMANDO LOPEZ, DBA ALERIK, LLC.**

ITEM 21. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE PRELIMINARY PLAT OF VIAIDE SUBDIVISION, BEING TRACT I: 0.175 ACRE OF LAND OUT OF BLOCK 38, ROSE SUBURBAN SUBDIVISION RECORDED IN VOLUME 2, PAGE 17, MAP RECORDS AND 0.766 ACRE OUT OF BLOCK 84, SAN BENITO LAND & WATER COMPANY SUBDIVISION, RECORDED IN VOLUME 1, PAGE 25, MAP RECORDS, CAMERON COUNTY, TEXAS & TRACT II: THE NORTH 50.0 FEET (0.25 ACRE) OUT OF A CERTAIN 0.80 ACRE TRACT OUT OF A PORTION OF BLOCK 38, ROSE

SURBURBAN SUBDIVISION RECORDED IN VOLUME 2, PAGE 17, MAP RECORDS, CAMERON COUNTY, TEXAS. APPLICANT: MR. GUSTAVO JAVIER GONZALEZ.

Mr. Bernard Rodriguez, Planning and Development Director, addressed the City Commission informing this is a one lot subdivision located off the Old Sam Houston Road which has a fire hydrant at the location and have water and sewer available. Their intent for this is single family residential, the preliminary plans presented is about 8,900 square foot residence. They will be required that all be single family residential codes including sidewalks and paved entry way. They do meet all the requirements for a preliminary plat. Staff recommends approval. Mayor Ricardo Guerra requested a motion. Commissioner Rene Villafranco moved to approve. Mayor Pro Tem Carol Lynn Sanchez seconded the motion. Voting Aye: Mayor Ricardo Guerra, Mayor Pro Tem Carol Lynn Sanchez, Commissioner Rene Garcia, Commissioner Rene Villafranco and Commissioner Pedro A. Galvan. Motion carried to APPROVE THE PRELIMINARY PLAT OF VIAIDE SUBDIVISION, BEING TRACT I: 0.175 ACRE OF LAND OUT OF BLOCK 38, ROSE SURBURBAN SUBDIVISION RECORDED IN VOLUME 2, PAGE 17, MAP RECORDS AND 0.766 ACRE OUT OF BLOCK 84, SAN BENITO LAND & WATER COMPANY SUBDIVISION, RECORDED IN VOLUME 1, PAGE 25, MAP RECORDS, CAMERON COUNTY, TEXAS & TRACT II: THE NORTH 50.0 FEET (0.25 ACRE) OUT OF A CERTAIN 0.80 ACRE TRACT OUT OF A PORTION OF BLOCK 38, ROSE SURBURBAN SUBDIVISION RECORDED IN VOLUME 2, PAGE 17, MAP RECORDS, CAMERON COUNTY, TEXAS. APPLICANT: MR. GUSTAVO JAVIER GONZALEZ.

ITEM 22. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A REPLAT TO BE NAMED J.S. CASTRO SUBDIVISION, BEING A 50.0 FOOT BY 140.50 FOOT TRACT OF LAND KNOWN AS THE NORTH HALF OF TRACT "O", OF THE UNRECORDED LA MARSCHAL SUBDIVISION, BEING OUT OF BLOCK TWENTY-FOUR, SAN BENITO LAND & WATER COMPANY SUBDIVISION, ACCORDING TO MAP RECORDED IN VOLUME 1, PAGE 6, MAP RECORDS OF CAMERON COUNTY, TEXAS, BEING THE SAME TRACT AS DESCRIBED IN CASH WARRANTY DEED TO JAIME ANTONIO CASTRO JR. AND MS. SARAH NICOLE CHAVEZ, FILE NUMBER 27347, OF THE DEED RECORDS OF CAMERON COUNTY, TEXAS. APPLICANT: MR. JAIME ANTONIO CASTRO AND MS. SARAH NICOLE CHAVEZ.

Mr. Bernard Rodriguez, Planning and Development Director, addressed the City Commission advising this is a replat of a location of the property off of Fannin Street. La Marschal Subdivision was presented to the City, however, it was never recorded. The developer wishes to build a single family residence at this location. We propose a one lot residential replat which lies within the City of San Benito, the developer has an existing water and sewer services available and a fire hydrant located approximately 150 feet from the North West corner of the property which meets City ordinance requirements. The replat complies with all the applicable City ordinances and state statutes. Staff recommends approval. Mayor Ricardo Guerra requested a motion. Mayor Pro Tem Carol Lynn Sanchez moved to approve. Commissioner Pedro A. Galvan seconded the motion. Voting Aye: Mayor Ricardo Guerra, Mayor Pro Tem Carol Lynn Sanchez, Commissioner Rene Garcia, Commissioner Rene Villafranco and Commissioner Pedro A. Galvan. Motion carried to APPROVE A REPLAT TO BE NAMED J.S. CASTRO SUBDIVISION, BEING A 50.0 FOOT BY 140.50 FOOT TRACT OF LAND KNOWN AS THE NORTH HALF OF TRACT "O", OF THE UNRECORDED LA MARSCHAL SUBDIVISION, BEING OUT OF BLOCK TWENTY-FOUR, SAN BENITO LAND & WATER COMPANY SUBDIVISION, ACCORDING TO MAP RECORDED IN VOLUME 1, PAGE 6, MAP RECORDS OF CAMERON COUNTY, TEXAS, BEING THE SAME TRACT AS DESCRIBED IN CASH WARRANTY DEED TO JAIME ANTONIO CASTRO JR. AND WIFE, SARAH NICOLE CHAVEZ, FILE NUMBER 27347, OF THE DEED RECORDS OF CAMERON COUNTY, TEXAS. APPLICANT: MR. JAIME ANTONIO CASTRO AND MS. SARAH NICOLE CHAVEZ.

ITEM 23. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A REPLAT TO BE NAMED NOELIA SUBDIVISION, BEING A 0.1768 ACRE TRACT OF LAND, INCLUDING ALL OF LOT 1, BLOCK 3, 10TH ADDITION SUBDIVISION AS DEPICTED BY THE INSTRUMENT RECORDED IN VOLUME 5, PAGE 56 OF THE MAP RECORDS OF CAMERON COUNTY, AND ALL OF LOT 5, BLOCK 4, JUAREZ ADDITION TO THE CITY OF SAN BENITO, AS DEPICTED BY THE INSTRUMENT RECORDED IN VOLUME 1, PAGE 29 OF THE MAP OF THE RECORDS OF CAMERON COUNTY, TEXAS. APPLICANT: MS. NOELIA CASTRO.

Mr. Bernard Rodriguez, Planning and Development Director, addressed the City Commission informing the site location is an established subdivision and the applicant wants to make one bigger lot for his residential structure. It is a proposed one lot subdivision which lies within the City of San Benito, the

developer has an existing water and sewer services available and a fire hydrant is located approximately 50 feet from the North West corner of the property which meets City ordinances requirements. Staff does recommend approval. Mayor Ricardo Guerra requested a motion. Commissioner Rene Villafranco moved to approve. Mayor Pro Tem Carol Lynn Sanchez seconded the motion. Voting Aye: Mayor Ricardo Guerra, Mayor Pro Tem Carol Lynn Sanchez, Commissioner Rene Garcia, Commissioner Rene Villafranco and Commissioner Pedro A. Galvan. Motion carried to APPROVE A REPLAT TO BE NAMED NOELIA SUBDIVISION, BEING A 0.1768 ACRE TRACT OF LAND, INCLUDING ALL OF LOT 1, BLOCK 3, 10TH ADDITION SUBDIVISION AS DEPICTED BY THE INSTRUMENT RECORDED IN VOLUME 5, PAGE 56 OF THE MAP RECORDS OF CAMERON COUNTY, AND ALL OF LOT 5, BLOCK 4, JUAREZ ADDITION TO THE CITY OF SAN BENITO, AS DEPICTED BY THE INSTRUMENT RECORDED IN VOLUME 1, PAGE 29 OF THE MAP OF THE RECORDS OF CAMERON COUNTY, TEXAS. APPLICANT: MS. NOELIA CASTRO.

ITEM 24. CONSIDERATION AND POSSIBLE ACTION ON THE SAN BENITO EDC FISCAL YEAR 2020-2021 ANNUAL BUDGET AMENDMENT NUMBER 2.

Ms. Rebeca Castillo, Executive Director, San Benito EDC, addressed the City Commission stating we are coming to have you consider the approval of Fiscal Year 2020-2021 annual San Benito EDC budget amendment number two. In your packet you will find the revisions that were made in essence it is a salary increase that was approved by the board in January, including fringe benefits including the IRA benefits, video production of \$6,000.00 was added to the budget as well. We have been invited to participate in the RGV Partnership in September to have a virtual tour of our community. We will try to use the minimum of those funds, but if we need to we want to have the resources available to be able to do drone video production and other things that we will be able to be utilized for that virtual tour of our community. Also there is \$12,000.00 for a marketing sponsorship with Rio Sports Live that the board approved on March 24th of this year. Also some mapping dollars for doing the mapping of inventory of the properties that the EDC is currently conducting. The bulk of those \$56,000.00 that the budget is being revised for an increase in the budget of \$30,000.00 for roof improvements at the EDC Office. It is in dire need and we have been working on proposals, again we are trying not to utilize that money, our grant writers are looking at a grant application to allow us to seek some grant dollars for the roof improvements but also for the overlay of the parking lot. So she might be able to find us those resources and we will have those savings in our budget but in the meantime that we figure that out, we want to make sure that we have it in our budget to be able to move forward. Those revisions are highlighted in yellow, do you have any questions? We are recommending to move those \$56,157.00 from the fund balance that has a balance of \$2,600,000.00 as of January 31, 2021 Financials. Commissioner Rene Garcia stated you mentioned Rio Sports Live was. Ms. Rebeca Castillo interjected yes sir, we have been funding them since 2019, 2020 and the board approved March 24th the renewal of their services. Basically they have a platform that does a livestream of the football games, all sports in the area and they have expanded into Dallas and Houston area as well. A lot of the videos that we have been producing in-house and we have out-source as well promoting the EDC and our community have been aired through Rio Sports Live. Commissioner Rene Garcia questioned has it been revised? Or is there a plan to revise those videos? Or update? Ms. Rebeca Castillo clarified they are new videos that we just launched and he is already airing them. We have had results where a lot of prospects and new businesses that are coming in have come to the EDC because they have seen us at the Rio Sports Live, it is the results that we have seen, the exposure that it gives to our community especially when they are airing games somewhere else. That is what we want, to be able to promote ourselves outside of this community as well to be able to attract prospects into our community. For the cost that we are having compared to other venues, it is cost effective for the EDC and staff recommends approval. Commissioner Rene Garcia stated I know it is a real popular YouTube and of course during football season it is very popular, now with everything going virtual it is even more popular throughout the year. I am worried about, are you going to be putting something together with new business? Ms. Rebeca Castillo clarified we have had the EDC produce some videos promoting and doing testimonials about the Small Business Investment Program, the Rent Subsidy, the Façade Improvements. We created two general videos that invites the business community to apply for our grants, those he is airing them. We are doing it through Social Media and through our YouTube channel as well. But he is rotating those ads for us in his platform. Commissioner Rene Garcia stated I know you had one across City not too much business but can you take a look at that again and see if we could promote the City business districts and maybe other things. Just a revision from the initial one. Ms. Rebeca Castillo stated this is definitely an

opportunity about eight videos, the two general of the Small Business Investment Program and with the virtual tour that we are planning for September all that content could be utilized for different platforms. So that will definitely allow us to do a lot of that. Mayor Ricardo Guerra requested a motion. Commissioner Rene Garcia moved to approve. Commissioner Rene Villafranco seconded the motion. Voting Aye: Mayor Ricardo Guerra, Mayor Pro Tem Carol Lynn Sanchez, Commissioner Rene Garcia, Commissioner Rene Villafranco and Commissioner Pedro A. Galvan. Motion carried to **APPROVE THE SAN BENITO EDC FISCAL YEAR 2020-2021 ANNUAL BUDGET AMENDMENT NUMBER 2.**

ITEM 25. CONSIDERATION AND POSSIBLE ACTION ON THE SAN BENITO EDC SMALL BUSINESS INVESTMENT PROGRAM APPLICATION FOR LA CASA DE LAS FLORES RENT SUBSIDY AWARD IN THE AMOUNT OF \$2,100.00.

Ms. Rebeca Castillo, Executive Director, San Benito EDC, addressed the City Commission stating in your packets is the application for La Casa De Las Flores rent subsidy award in the amount of \$2,100.00. The board reviewed it on March 24, and approved it. The current balance that we have in this Fiscal Year's funds for this program is a \$76,000.00. With the final approval of this application, the remaining balance will be \$73,900.00. This is the first application that we approve for this Fiscal Year, the prior ones we approved in October were for the COVID-19 Emergency Response. So there is plenty of funds, we have another three applications coming up for the April board meeting for the board to consider. You have a spreadsheet with an explanation and a snapshot of the applicant and the funds that are being requested, this will be for 50% of the rent for six months. Mayor Ricardo Guerra requested a motion. Mayor Pro Tem Carol Lynn Sanchez moved to approve. Commissioner Rene Villafranco seconded the motion. Voting Aye: Mayor Ricardo Guerra, Mayor Pro Tem Carol Lynn Sanchez, Commissioner Rene Garcia, Commissioner Rene Villafranco and Commissioner Pedro A. Galvan. Motion carried to **APPROVE THE SAN BENITO EDC SMALL BUSINESS INVESTMENT PROGRAM APPLICATION FOR LA CASA DE LAS FLORES RENT SUBSIDY AWARD IN THE AMOUNT OF \$2,100.00.**

ITEM 26. CONSIDERATION AND POSSIBLE ACTION ON THE SAN BENITO EDC EXECUTIVE DIRECTOR'S EMPLOYMENT CONTRACT.

Ms. Rebeca Castillo, Executive Director, San Benito EDC, addressed the City Commission stating in your packet you have a document with yellow highlights of the changes that have been done to the contract and followed by the clean copy of that. What is reflects now is a 4% increase in the salary along with the increase of health insurance and dental contribution and clarity on the language to reflect that 3% IRA contribution by the EDC. The contract was approved by the San Benito EDC Board of Directors on March 24, 2021. The clarification on the, more specific on the contract is that it is approved for three years, last year it was approved for three years and now it specifically reads that it will expire on January of 2023. Those are part of the budget amendment that you just approved reflects those changes of the 4% salary increase, along with the increase on the dental and health insurance and the 3% contribution of my salary for the IRA. Commissioner Rene Garcia stated I appreciate everything you have done for EDC and for the community here in San Benito. Thank you for your leadership. Ms. Rebeca Castillo commented thank you, I appreciate for your words. We are here for our community, I appreciate the trust and your leadership because I am the implementer, and you are the ones who provide the vision and the direction for our community to move forward. Mayor Ricardo Guerra requested a motion. Commissioner Rene Garcia moved to approve. Mayor Pro Tem Carol Lynn Sanchez seconded the motion. Voting Aye: Mayor Ricardo Guerra, Mayor Pro Tem Carol Lynn Sanchez, Commissioner Rene Garcia, Commissioner Rene Villafranco and Commissioner Pedro A. Galvan. Motion carried to **APPROVE THE SAN BENITO EDC EXECUTIVE DIRECTOR'S EMPLOYMENT CONTRACT.**

ITEM 27. EXECUTIVE SESSION:

- a) CONSULTATION WITH CITY ATTORNEY PURSUANT TO TEXAS GOVERNMENT CODE §551.071(2) REGARDING THE SAN BENITO ECONOMIC DEVELOPMENT, INC. RELATING TO APPOINTMENTS AND REMOVALS OF BOARD DIRECTORS.

- b) DELIBERATION PURSUANT TO TEXAS GOVERNMENT CODE §551.087(2), TO DELIBERATE INCENTIVES OR BUSINESS PROSPECT THAT CITY SEEKS TO LOCATE WITHIN CITY (RGV EPICENTER PROJECT) AND TO CONSULT WITH LEGAL COUNSEL PURSUANT TO TEXAS GOVERNMENT CODE §551.071(2) ON RELATED ISSUES.
- c) TO DISCUSS PURSUANT TO TEXAS GOVERNMENT CODE §551.074(a)(1) THE EVALUATION OF THE CITY MANAGER.

THE CITY COMMISSION CONVENED INTO EXECUTIVE SESSION AT 7:44 P.M. AND ADJOURNED AT 8:41 P.M.

GENERAL SESSION:

ITEM 28. CONSIDERATION AND POSSIBLE ACTION ON EXECUTIVE SESSION ITEM 27 (a).

Mayor Ricardo Guerra requested a motion. Commissioner Rene Villafranco moved to approve. Commissioner Rene Garcia seconded the motion. Voting Aye: Mayor Ricardo Guerra, Mayor Pro Tem Carol Lynn Sanchez, Commissioner Rene Garcia, Commissioner Rene Villafranco and Commissioner Pedro A. Galvan. Motion carried to APPROVE CONTRACT AMENDMENT WITH WESTERN SPHERICAL DEVELOPERS RGV EPICENTER AS DESCRIBED IN EXECUTIVE SESSION AND SUBJECT INTO FINAL REVISIONS BY CITY COMMISSION.

ITEM 29. CONSIDERATION AND POSSIBLE ACTION ON EXECUTIVE SESSION ITEM 27 (b).

Mayor Ricardo Guerra announced NO ACTION.

ITEM 30. CONSIDERATION AND POSSIBLE ACTION ON EXECUTIVE SESSION ITEM 27 (c).

Mayor Ricardo Guerra requested a motion to table until the first City Commission Meeting of May 2021. Commissioner Rene Garcia moved to approve. Commissioner Rene Villafranco seconded the motion. Voting Aye: Mayor Ricardo Guerra, Mayor Pro Tem Carol Lynn Sanchez, Commissioner Rene Garcia, Commissioner Rene Villafranco and Commissioner Pedro A. Galvan. Motion carried to TABLE ITEM 27(c) UNTIL THE FIRST CITY COMMISSION MEETING IN MAY 2021.

ITEM 31. ADJOURNMENT.

Mayor Ricardo Guerra requested a motion. Commissioner Rene Garcia moved to approve. Mayor Pro Tem Carol Lynn Sanchez seconded the motion. Voting Aye: Mayor Ricardo Guerra, Mayor Pro Tem Carol Lynn Sanchez, Commissioner Rene Garcia, Commissioner Rene Villafranco and Commissioner Pedro A. Galvan. Motion carried to ADJOURN AT 8:43 P.M.

CITY OF SAN BENITO

HONORABLE RICARDO GUERRA
MAYOR

ATTEST

RUTH MCGINNIS
CITY SECRETARY