



MINUTES OF THE CITY OF SAN BENITO REGULAR CITY COMMISSION MEETING

On May 19, 2020 the City Commission met for a Regular Meeting at the San Benito Municipal Building, Cesar Gonzalez Meeting Hall, 401 North Sam Houston Boulevard, San Benito, Texas.

City Commission Members Present: Benjamin Gomez, Mayor; Carol Lynn Sanchez, Mayor Pro Tem; Rene Villafranco, Commissioner, Place 2; Mark Sossi, City Attorney.

City Commission Member Absent: Antonio Gonzales, Commissioner, Place 1: Vacant, Commissioner, Place 3.

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

Mayor Benjamin Gomez announced starting this meeting five minutes late as waiting for a commissioner to arrive.

ITEM 1. WELCOME.

Mayor Benjamin Gomez called the meeting to order at 5:36 p.m. announcing a quorum.

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

Assistant City Manager/Interim Police Chief, Fred Bell 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.

Martha McClain, Public Relations Director led City Commission and audience in prayer.

ITEM 4. ANNOUNCEMENTS: ITEMS OF COMMUNITY INTEREST.

Mayor Benjamin Gomez announced several city events and requested to keep practicing social distancing and face covering due to pandemic.

ITEM 5. PUBLIC COMMENTS. (Speakers/Remarks limited to three minutes. Public Comments limited to forty-five minutes).

Ruth McGinnis, City Secretary announced **Mr. Francisco J. Orozco, Attorney**, who advised he is an attorney representing Mario and Mrs. Linan on an item before the city agenda on a re-zone and advised he would prefer to speak during the agenda item.

ITEM 6: CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE MINUTES OF THE MAY 5, 2020 REGULAR CITY COMMISSION MEETING.

Mayor Benjamin Gomez requested a motion. **Commissioner Rene Villafranco** moved to approved. **Mayor Benjamin Gomez** seconded the motion. **Mayor Pro Tem Carol Lynn Sanchez** moved to abstain due to being absent. Voting Aye; **Mayor Benjamin Gomez** and **Commissioner Rene Villafranco**. Motion carried to **APPROVE THE MINUTES OF THE MAY 5, 2020 REGULAR CITY COMMISSION MEETING.**

ITEM 7. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE SECOND AND FINAL READING OF ORDINANCE NUMBER 2573, AN ORDINANCE OF THE CITY OF SAN BENITO, TEXAS AMENDING ORDINANCE 2348 D-2, PROVIDING A COMPREHENSIVE SCHEDULE OF FEES AND RELATED POLICIES AND PROCEDURE FOR BUILDING PERMITS, DEVELOPMENT, HEALTH INSPECTIONS, VENDORS, ANIMAL CONTROL, FIRE AND POLICE REPORTS, VITAL STATISTICS, PERMITS AND DOCUMENTS, LIBRARY FEES, FAXES, PHOTOCOPIES, MUNICIPAL COURT FINES, FACILITIES AND GROUNDS FEES, AND OTHER FEES AND POLICIES AS STIPULATED.

City Manager, Manuel De La Rosa addressed the City Commission advising Ordinance 2573 is to amend Ordinance 2348 D-2 mentioning Exhibit Schedule of Fees pertaining to the burial permits fees for the San Benito City Cemetery and the burial permits pertaining to the San Benito Memorial Park. The San Benito City Cemetery, we no longer sell plots, it is no longer applicable so that is just being taken out of that ordinance and the San Benito Memorial Park, the next agenda item, has its own specific ordinance with its own rate structure, so therefore, it was in two different places and some of these things were conflicting. That's the only amendments, we provided you with the original ordinance and then with the new ordinance only removing those burial permits pertaining to those two cemeteries. Mayor Benjamin Gomez requested a motion. Commissioner Rene Villafranco moved to approve. Mayor Pro Tem Carol Lynn Sanchez seconded the motion. Voting Aye; Mayor Benjamin Gomez, Mayor Pro Tem Carol Lynn Sanchez and Commissioner Rene Villafranco. Motion carried to APPROVE THE SECOND AND FINAL READING OF ORDINANCE NUMBER 2573, AN ORDINANCE OF THE CITY OF SAN BENITO, TEXAS AMENDING ORDINANCE 2348 D-2, PROVIDING A COMPREHENSIVE SCHEDULE OF FEES AND RELATED POLICIES AND PROCEDURE FOR BUILDING PERMITS, DEVELOPMENT, HEALTH INSPECTIONS, VENDORS, ANIMAL CONTROL, FIRE AND POLICE REPORTS, VITAL STATISTICS, PERMITS AND DOCUMENTS, LIBRARY FEES, FAXES, PHOTOCOPIES, MUNICIPAL COURT FINES, FACILITIES AND GROUNDS FEES, AND OTHER FEES AND POLICIES AS STIPULATED.

ITEM 8. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE SECOND AND FINAL READING OF ORDINANCE NUMBER 2464-B, AN ORDINANCE OF THE CITY OF SAN BENITO, TEXAS AMENDING ORDINANCE 2464-A, GOVERNING THE SAN BENITO MEMORIAL PARK CEMETERY PROVIDING A COMPREHENSIVE SCHEDULE OF FEES RELATED POLICIES AND PROCEDURES FACILITIES AND GROUNDS FEES AND OTHER FEES AND POLICIES A STIPULATED AND REPEALING ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

City Manager Manuel De La Rosa addressed the City Commission advising this ordinance amends the previous 2464-A. We discussed the ratification of the rate structures for the burial plots for adults, the baby lawn, the urns and the double urns. We were approved by council minutes for those price changes; those are now rectified in here. We also made some minor changes and we provided you those at the last meeting; they were highlighted. For now, we've established park hours or at least, visitors' hours, if I can call it since of the name; but, it is a cemetery and not a recreational park. But, now, it has hours that were not established anywhere else. And, we made some other corrections identified as exhibit A that are contracts; so, therefore, unless you have any questions, the most recent email that we sent you, we made some grammatical changes, nothing of any substance. Mayor Benjamin Gomez requested a motion. Commissioner Rene Villafranco moved to approved. Mayor Pro Tem Carol Lynn Sanchez seconded the motion. Voting Aye; Mayor Benjamin Gomez, Mayor Pro Tem Carol Lynn Sanchez, and Commissioner Rene Villafranco. Motion carried to APPROVE THE SECOND AND FINAL READING OF ORDINANCE NUMBER 2464-B, AN ORDINANCE OF

THE CITY OF SAN BENITO, TEXAS AMENDING ORDINANCE 2464-A, GOVERNING THE SAN BENITO MEMORIAL PARK CEMETERY PROVIDING A COMPREHENSIVE SCHEDULE OF FEES RELATED POLICIES AND PROCEDURES FACILITIES AND GROUNDS FEES AND OTHER FEES AND POLICIES A STIPULATED AND REPEALING ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

ITEM 9. PUBLIC HEARING: TO SOLICIT INPUT REGARDING A REQUEST TO REZONE A PROPERTY ON COMBES STREET, BEARING A LEGAL DESCRIPTION OF A 3.0 ACRE TRACT OUT OF A 3.91 ACRES TRACT OF LAND, BLOCK NUMBER THIRTY-TWO (32), COMBES RESERVE IN BLOCK NUMBER TWENTY (20), SAN BENITO LAND AND WATER COMPANY SUBDIVISION, CAMERON COUNTY, TEXAS FROM A SINGLE FAMILY ONE (SF-1) ZONE TO MULTI-FAMILY RESIDENTIAL (MF) ZONE. APPLICANT: MARIO AND NORMA LINAN C/O FRANCISCO J. OROZCO.

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

Mayor Benjamin Gomez opened the Public Hearing at **5:47 p.m.**

Bernard Rodriguez, Planning and Zoning Director, addressed the City Commission advising a Public Notice was published on the local newspaper on April 10, 2020 and a Public Hearing Notice was mailed to property owners within a 200-foot radius of the subject property location. City Staff received one written notice of objection from a resident residing at 1281 Combes Street included in your packet. **Mayor Benjamin Gomez** announced Mr. Orozco to address the City Commission per his request from Public Comments. **Mr. Francisco J. Orozco, Attorney** advised he represents Mr. and Mrs. Linan and distributed packets containing pictures to the City Commission and advised his clients are seeking to rezone their currently single family residential lot into a multi-family residential lot with the idea of building essentially a duplex complex in the area. He went into detail relating to the location of the property and creation of duplexes. **City Manager Manuel De La Rosa** advised the City Commission, being this is a Public Hearing, he wished to add that Bernard Rodriguez did mention that he did have one objection, let me go ahead and enter that name; it's a letter dated April 20th of this year by Faustino Reyes of 1281 Combes Street in which he makes comments and submitted it in writing. It is in your packet but I wanted to make sure that it got added into the public hearing portion.

Mayor Benjamin Gomez closed the Public Hearing at **6:14 p.m.**

ITEM 10. EXECUTIVE SESSION:

- a) Consultation with City Attorney pursuant to Texas Government Code §551.071(2), regarding request to rezone property on Combes Street.
- b) Consultation with City Attorney pursuant to Texas Government Code §551.071 (2), regarding Business Prospect 2018-003 and regarding economic development negotiations pursuant to Texas Government Code §551.087(1) and (2).

THE CITY COMMISSION CONVENED INTO EXECUTIVE SESSION AT 6:15 P.M. AND ADJOURNED AT 6:51 P.M.

GENERAL SESSION:

Mayor Benjamin Gomez announced No Action on Executive Session items.

ITEM 11. CONSIDERATION AND POSSIBLE ACTION AFTER PUBLIC HEARING ON REQUEST TO REZONE A PROPERTY ON COMBES STREET, BEARINGA LEGAL DESCRIPTION OF A 3.0ACRE TRACT OUT OF A 3.91 ACRES TRACT OF LAND, BLOCK NUMBER THIRTY-TWO (32), COMBES RESERVE IN BLOCK NUMBER TWENTY (20), SAN BENITO LAND AND WATER COMPANY SUBDIVISION CAMERON COUNTY TEXAS. FROM A SINGLE FAMILY ONE (SF-1) ZONE TO MULTI-FAMILY RESIDENTIAL (MF) ZONE. APPLICANT: MARIO AND NORMA UNAN CLO FRANCISCO J. OROZCO.

Mayor Benjamin Gomez, requested a motion. Mayor Pro Tem Carol Lynn Sanchez moved to approve. Commissioner Rene Villafranco seconded the motion. Voting Aye; Mayor Benjamin Gomez, Mayor Pro Tem Carol Lynn Sanchez, and Commissioner Rene Villafranco. Motion carried to APPROVE REQUEST TO REZONE A PROPERTY ON COMBES STREET, BEARINGA LEGAL DESCRIPTION OF A 3.0ACRE TRACT OUT OF A 3.91 ACRES TRACT OF LAND, BLOCK NUMBER THIRTY-TWO (32), COMBES RESERVE IN BLOCK NUMBER TWENTY (20), SAN BENITO LAND AND WATER COMPANY SUBDIVISION CAMERON COUNTY TEXAS. FROM A SINGLE FAMILY ONE (SF-1) ZONE TO MULTI-FAMILY RESIDENTIAL (MF) ZONE. APPLICANT: MARIO AND NORMA UNAN CLO FRANCISCO J. OROZCO.

ITEM 14. ADJOURNMENT.

Mayor Benjamin Gomez requested a motion to adjourn. Commissioner Rene Villafranco moved to approved. Mayor Pro Tem Carol Lynn Sanchez seconded the motion. Voting Aye; Mayor Benjamin Gomez, Mayor Pro Tem Carol Lynn Sanchez and Commissioner Rene Villafranco. Motion carried to ADJOURN AT 6:53 P.M.

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.

CITY OF SAN BENITO

BENJAMIN "BEN" GOMEZ
MAYOR

ATTEST:

RUTH MCGINNIS
CITY SECRETARY