



**NOTICE OF THE REGULAR MEETING OF
THE CITY OF SAN BENITO CITY COMMISSION
SEPTEMBER 17, 2024
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.

CALL TO ORDER:

1. Roll call and possible action on the excusing of any absent member of the governing board.
2. Pledge of Allegiance to the U.S. Flag and to the Texas Flag.
3. Invocation.

ANNOUNCEMENT(S)

PUBLIC COMMENTS (Speaker remarks limited to three minutes)

- **Non-Agenda Items:** Kindly submit a "Public Comment Form" stating the City business or City policy you wish to speak to an hour before the start of the scheduled meeting time with the City Secretary. Forms are not reserved for anyone nor may time be deferred to anyone. PowerPoint presentations may not be accommodated. This period is limited to five (5) speakers with a time limit of three (3) minutes per speaker.
- **Agenda Items:** Kindly submit a "Public Comment Form" stating which item(s) on the agenda you wish to speak to an hour before the start of the scheduled meeting time with the City Secretary. Speakers will be allowed to address the Commission on the agenda item before it is to be considered. The speaker is limited to three (3) minutes.
- **Time Limits:** The City Commission shall have the discretion to modify its regulations regarding time limits on public comment if necessary. For example, the time limit may be shortened to accommodate a lengthy agenda or it could be lengthened to allow additional time for discussion on a complicated matter or if there is a need for an interpreter.

CONSENT AGENDA ITEM(S)

The following are considered to be routine by the City Commission and will be approved by one motion. There will be no separate discussion of these items unless a City Commissioner so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

1. Consideration and possible action to approve the minutes of the April 2, 2024 and May 7, 2024 City of San Benito Regular City Commission Meetings.
2. Consideration and possible action to approve the Second and Final Reading of Ordinance Number 2252-V-09-2024 requesting to rezone a property located on Zillock Road, bearing a legal description of: Being 37.592 acre (1,637,507.52 square feet) tract of land out of block 118, San Benito Land and Water Company Subdivision, Cameron County, Texas according to the map thereof recorded in Volume 1, Page 6, Map Records, Cameron County, Texas from MF “Multi-Family Residential” to MH “Mobile Home”. Applicant: Equity Lifestyle Properties.
3. Consideration and possible action to approve the Second and Final Reading of Ordinance Number 2252-X-09-2024 requesting to rezone a property located on South Sam Houston Boulevard and Yost Road, bearing a Legal Description of: Tract II being a 0.603-acre tract of land out of Block 25, San Benito Land and Water Company Subdivision, as recorded in Volume 1, Page 6 of the Map Records of Cameron County, Texas; and further being out of certain 1.42-acre tract recorded in Volume 5458, Page 274, Official Records, Cameron County, Texas from AO “Agriculture and Open Space” to C-1 “Commercial Restricted Business”. Applicant: Orangetree Management Corporation.
4. Consideration and possible action to ratify Resolution Number 2024-0917-001(R), authorizing the Mayor to execute an Agreement For Temporary Closure of State Right-Of Way with the Texas Department of Transportation requesting the temporary closure of Sam Houston Boulevard for the San Benito Consolidated Independent School District 2024 Homecoming Parade on September 19, 2024.
5. Consideration and possible action to approve a Contract for Election Services with Cameron County for the November 5, 2024 Special City Election.
6. Consideration and possible action to approve payment to GDJ Engineering for the San Benito Drainage, Water and Sewer System Survey, and the Geographic Information Systems Dashboard Development, in the amount of \$54,729.42.
7. Consideration and possible action to approve Payment Number 1 to Cornett Construction Company for the reconstruction of Lift Station Number 6, Alamo Improvements Project, in the amount of \$376,129.28.

EXECUTIVE SESSION

1. a) Attorney Consultation pursuant to Texas Government Code Section 552.107(1) to discuss privileged communication protected under attorney-client privilege.

POSSIBLE ACTION ON ANY ITEM(S) AS DISCUSSED IN EXECUTIVE SESSION

NOTE: The City Commission of the City of San Benito reserves the right to discuss any items in Executive Session whenever authorized under the Texas Open Meetings Act, Chapter 551 of the Texas Government Code.

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: September 13, 2024

CITY OF SAN BENITO

Ricardo Guerra

Honorable Ricardo Guerra
Mayor

STATE OF TEXAS

§

COUNTY OF CAMERON

§

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

Ruth A. McGinnis
City Secretary



EXECUTIVE SUMMARY

REQUEST:

Consideration and possible action to approve the minutes of the April 2, 2024 and May 7, 2024 City of San Benito Regular City Commission Meetings.

RECOMMENDATION:

City Administration recommends approval.

RATIONALE:

Upon approval of the minutes, they will be archived in a permanent docket.

BUDGET IMPACT:

None.

RESOURCE PERSONNEL:

Ruth McGinnis, City Secretary

EXHIBITS:

MINUTES April 2 2024 Regular City Commission Meeting
MINUTES May 7 2024 Regular City Commission Meeting

PREPARED BY: Ruth McGinnis
City Secretary

09/12/2024
Date

Fred R. Sandoval

Fred Sandoval
City Manager



MINUTES OF THE CITY OF SAN BENITO REGULAR CITY COMMISSION MEETING

On April 2, 2024, the City Commission convened for a Regular Meeting at the San Benito Annex Building Number Two, Meeting Hall, 705 North Bowie, San Benito, Texas.

City Commission Members Present: Ricardo Guerra, Mayor; Tom Goodman, Commissioner, Place 1; Deborah A. Morales, Commissioner Place 2, Vacant, Commissioner Place 4, and Javier Villalobos, Interim City Attorney.

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

Absent: Pedro A. Galvan, Mayor Pro Tem

ITEM 1. WELCOME.

Mayor Ricardo Guerra called the meeting to order at 5:33 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.

PROCLAMATIONS:

PRESENTATION OF A PROCLAMATION TO MRS. JUANA "JUANITA" GAYTAN IN RECOGNITION OF CELEBRATING HER 100TH YEAR OF EXTRAORDINARY LIFE.

On behalf of the City Commission, a proclamation was presented to Mrs. Juana "Juanita" Gaytan in honor of her 100th year of extraordinary life.

At this time, each member of the Commission recited a section of the proclamation.

PRESENTATION OF A PROCLAMATION DECLARING APRIL 2024 AS CHILD ABUSE PREVENTION MONTH IN THE CITY OF SAN BENITO, TEXAS.

On behalf of the City Commission, a proclamation was presented declaring April 2024 as Child Abuse Prevention Month in the City of San Benito, Texas.

At this time, each member of the Commission recited a section of the proclamation.

ANNOUNCEMENTS:

ITEM 1. ANNOUNCEMENTS: ITEMS OF COMMUNITY INTEREST.

Commissioner Deborah Morales commended City staff for a successful Hog Waddle Event and thanked Police Chief Mario Perea for acknowledging Autism Awareness. Furthermore, Commissioner Morales noted that the Chambers of Commerce will be hosting a Candidate Forum on Thursday, April 4, 2024.

Mayor Ricardo Guerra announced the following:

- Wished a Happy Birthday to Public Works Director Anibal Garcia.
- City Hall for All will be held on Thursday, April 11, 2024, from 4 pm to 7 pm, at the San Benito Cultural Heritage Museum, located at 250 East Heywood Street, join us for this free event, meet with elected officials and City leaders.

- Trash Bash will be held on Saturday, April 13, 2024, from 7 am to 12 pm, at the City Service Center, located at 925 West Stenger Street. The event is open to the City of San Benito residents only, help keep San Benito bonito!
- Market Days on Historic Robertson Street is held on the third Saturday of every month from 10 am to 3 pm, for this month, Market Day will be held on April 20, 2024.
- El Sabor de San Benito, hosted by the Chamber of Commerce will be held on April 25, 2024, from 6 pm to 8 pm at the ABC Event Center.

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, expressed his gratitude to every City department, for being helpful, courteous and professional. Furthermore, Mr. Travis thanked the Housing Authority for mowing the right of way on Gall Street.

PRESENTATION(S)

PRESENTATION OF THE CITY OF SAN BENITO MONTHLY FINANCIALS FOR THE PERIOD ENDED FEBRUARY 29, 2024.

[Stephanie Sarrionandia, Finance Director](#), presented the monthly financials for the period ended February 29, 2024, by providing the total assets, total liabilities, revenue expenditure, expenses for the month, revenues under expenses, and sales taxes.

CONSENT AGENDA ITEM(S)

[Commissioner Deborah Morales](#) requested that Consent Agenda Items 7 and 8, be moved out of sequence for discussion and action.

[Commissioner Tom Goodman](#) requested that Consent Agenda Item 5, be moved out of sequence for discussion and action.

Upon motion by [Commissioner Tom Goodman](#) seconded by [Commissioner Deborah Morales](#) and carried unanimously, Consent Agenda Items 1, through 4, 6, and 9, were approved.

ITEM 1. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE MINUTES OF THE AUGUST 1, 2023, CITY OF SAN BENITO REGULAR CITY COMMISSION MEETING AND THE AUGUST 15, 2023, CITY OF SAN BENITO REGULAR CITY COMMISSION MEETING.

ITEM 2. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE SECOND AND FINAL READING OF ORDINANCE NUMBER 2252-K-03-2024, A REQUEST TO REZONE A PROPERTY LOCATED WILLIAMS ROAD, BEARING A LEGAL DESCRIPTION OF: BEING 0.460 OF AN ACRE (20,057 SQ. FT.) OUT OF BLOCK 124, SAN BENITO LAND AND WATER COMPANY SUBDIVISION, CITY OF SAN BENITO, CAMERON COUNTY, TEXAS, ACCORDING TO MAP THEREOF RECORDED IN VOLUME 1, PAGE 6, MAP RECORDS, CAMERON COUNTY, FROM MH "MOBILE HOME" TO C-2 "COMMERCIAL GENERAL RETAIL BUSINESS'. APPLICANT: OCHOA CAPITAL.

ITEM 3. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A TEN-FOOT DEDICATED EASEMENT AT THE REAR OF THE PROPERTY LOCATED AT 1490 EAST BUSINESS HIGHWAY 77 TO BE GRANTED TO THE CITY OF SAN BENITO, BEARING A LEGAL DESCRIPTION OF HECTOR'S SUBDIVISION, LOT 2, BLOCK 1.

ITEM 4. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A REPLAT OF SAN BENITO PLAZA II SUBDIVISION BEING 5.97 ACRES OF LOT 1, LOT 2, LOT 3, AND LOT 4, SAN BENITO PLAZA II SUBDIVISION, SAN BENITO, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 4598, MAP RECORDS, CAMERON COUNTY, TEXAS. APPLICANT: GUZMAN & MUNOZ ENGINEERING AND SURVEYING, INC.

ITEM 5. CONSIDERATION AND POSSIBLE ACTION TO APPROVE PAYMENT IN THE AMOUNT OF \$30,000 TO RESEARCH APPLIED TECHNOLOGY EDUCATION AND SERVICES (RATES) FOR INSTALLATION OF DEVICE NUMBERS 2 AND 3 OF THE REAL-TIME-HYDROLOGIC-SYSTEM (RTHS) STATIONS INSTALLATION COMPLETED ON MARCH 9, 2024.

Commissioner Tom Goodman enquired about what the devices were being used for and if the payment was for the finished service. In response to Commissioner Goodman's inquiry, Ms. Johanna Maldonado, Planning Director noted that the agreement was that the City would not make a payment until the equipment was installed. Additionally, Ms. Maldonado stated that the sensors were being placed across the city's drainage systems so that data could be obtained to identify and evaluate any possible flooding problems in the event of rain.

Commissioner Tom Goodman moved that the payment in the amount of \$30,000 to Research Applied Technology Education and Services (RATES) for installation of Device Numbers 2 and 3 of the Real-Time-Hydrologic System (RTHS) Stations installation completed on March 9, 2024, be approved. The motion was seconded by Commissioner Deborah Morales and carried unanimously.

ITEM 6. CONSIDERATION AND POSSIBLE ACTION TO APPROVE PAYMENT NUMBER 11 TO CAMERON COUNTY REGIONAL MOBILITY AUTHORITY PERTAINING TO THE CITY OF SAN BENITO COMMITMENT FOR THE NORTH WILLIAMS ROAD (PHASE I) PROJECT, PER AGREEMENT NUMBER 2022-0510-4(A), IN THE AMOUNT OF \$7,585.50.

ITEM 7. CONSIDERATION AND POSSIBLE ACTION TO ALLOW THE MAYOR TO SIGN A SUBSCRIPTION AGREEMENT BETWEEN THE SAN BENITO POLICE DEPARTMENT AND INTERACTIVE DATA, LLC., FOR THE USE OF THE idiCORE INTELLIGENCE GATHERING SERVICE.

Police Chief Mario Perea stated that the software would be used to enable the real-time identification and location when investigating a crime. Additionally, Chief Perea disclosed the cost of the program, and was seeking approval from the Commission to evaluate it for a year.

Commissioner Deborah Morales moved that the Mayor be allowed to sign a subscription agreement between the San Benito Police Department and Interactive Data, LLC., for the use of the idiCORE Intelligence gathering service, be approved. The motion was seconded by Commissioner Tom Goodman and carried unanimously.

ITEM 8. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE PURCHASE OF FIVE (5) FLYGT SUBMERSIBLE PUMPS FROM XYLEM WATER SOLUTIONS USA, INC., FOR THE CITY OF SAN BENITO WASTEWATER TREATMENT PLANT FOR THE TOTAL AMOUNT OF \$163,957.50.

Anibal Garcia, Public Works Director stated that the purchase of the five flygt submersible pumps are to replace the current ones that are onsite. There are currently four that are in full operation and the fifth one had to be rebuilt. Mr. Garcia further stated that some of the pumps had been installed seventeen years ago when the lift station was commissioned.

Commissioner Deborah Morales moved that the purchase of five (5) Flygt Submersible Pumps from Xylem Water Solutions USA, Inc., for the City of San Benito Wastewater Treatment Plant for the total amount of \$163,957.50, be approved. The motion was seconded by Commissioner Tom Goodman and carried unanimously.

ITEM 9. CONSIDERATION AND POSSIBLE ACTION TO APPROVE PAYMENT NUMBER 7 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 \$156,217.43.

At this time, [Mayor Ricardo Guerra](#) noted that no Executive Session was needed.

EXECUTIVE SESSION:

a) PURSUANT TO TEXAS GOVERNMENT SECTION 552.107(1) TO DISCUSS PRIVILEGED COMMUNICATION PROTECTED BY THE ATTORNEY-CLIENT PRIVILEGE.

POSSIBLE ACTION ON ANY ITEM(S) AS DISCUSSED IN EXECUTIVE SESSION

No action taken.

ADJOURNMENT.

There being no further business to come before the Commission, upon duly made motion [Mayor Ricardo Guerra](#) announced ADJOURNMENT AT 6:05 P.M.

CITY OF SAN BENITO

HONORABLE RICARDO GUERRA
MAYOR

ATTEST:

RUTH MCGINNIS
CITY SECRETARY



MINUTES OF THE CITY OF SAN BENITO REGULAR CITY COMMISSION MEETING

On May 7, 2024, the City Commission convened for a Regular Meeting at the San Benito Annex Building Number Two, Meeting Hall, 705 North Bowie, San Benito, Texas.

City Commission Members Present: Ricardo Guerra, Mayor; Pedro A. Galvan, Mayor Pro Tem; Tom Goodman, Commissioner, Place 1; Deborah A. Morales, Commissioner, Place 2, Vacant, Place 4; and Javier Villalobos, Interim City Attorney

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

Absent: None

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.

[Commissioner Tom Goodman](#) announced the following:

- Join us from 4 to 7 p.m. on Thursday, May 9, at Falligant Park for our fourth installation of City Hall for All. Meet with elected officials and City leaders to discuss items at this free community event. Take this opportunity to engage with your local government.
- The City will host a food distribution on Thursday, May 16, from 9 a.m. to 11 a.m. at the San Benito Fairgrounds. All are welcome to attend.
- Market Days on Historic Robertson Street is on Saturday, May 18. Please note for the next few months, Market Days will be held from 5 to 9 p.m. This month's festivities will feature a graduation block party.

[Mayor Pro-Tem Pedro Galvan](#) stated that the food distribution is sponsored by the Rio Grande Valley (RGV) Food Bank.

[Commissioner Deborah A. Morales](#) stated that a few Commission members honored the late Lieutenant Milton Resendiz in Austin, Texas, by joining the San Benito Police Officers. Commissioner Morales urged the public to express gratitude to police officers for their everyday work whenever they are seen.

[Captain Michael Cortez](#) announced that on Monday, May 13, 2024, at 9:00 am, a ceremony will be held at the San Benito Police Department Headquarters, located at 601 North Oscar Williams. Captain Cortez, noted that the ceremony is open to the public and encouraged everyone to attend to honor the late Lieutenant Milton Resendiz, including all who have passed away in the line of duty, and all officers who are currently serving in law enforcement.

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

[Ruth McGinnis, City Secretary](#) announced that there were no Public Comment Forms received.

PRESENTATION(S)

PRESENTATION AND ACCEPTANCE OF THE CASCOS & ASSOCIATES, P.C., FISCAL YEAR 2022-2023 ANNUAL COMPREHENSIVE FINANCIAL REPORTS PERTAINING TO THE CITY OF SAN BENITO, THE SAN BENITO ECONOMIC DEVELOPMENT CORPORATION, INC., AND THE SAN BENITO FIREMEN RELIEF & RETIREMENT FUND.

[Carlos Cascos, from Cascos & Associates, P.C.](#), presented the Fiscal Year 2022-2023 Annual Comprehensive Financial Report. Mr. Cascos expressed gratitude to City staff for their help with the audit presentation. In addition, Mr. Cascos presented the audit's highlights and mentioned that a business may obtain a favorable opinion from a CPA firm with an unmodified opinion. Nothing that required reporting to the City Commission or Administration came to his attention.

Brief discussion ensued amongst the City Commission and Carlos Cascos, from Associates, P.C., regarding the audit. Mr. Cascos stated that obtaining the Government Finance Officers Association Certificate (GFOA), which represents the highest standard of financial reporting offered by a third party, it requires evaluating the audit and fulfilling certain financial reporting criteria. Not every organization holds a certificate, but the City of San Benito has earned the GFOA certificate.

[Mayor Pro Tem Pedro A. Galvan](#) enquired if the Commission would request an audit, will the firm be able to conduct the audit to a specific section of the budget. In response to Mayor Pro Tem Galvan, Carlos Casco, from Associates, P.C., provided a brief explanation as to how the audit would be conducted, upon the request of the Commission.

Upon motion by [Commissioner Deborah A. Morales](#) seconded by [Commissioner Tom Goodman](#) and carried unanimously, the Fiscal Year 2022-2023 Annual Comprehensive Financial Reports pertaining to the City of San Benito, the San Benito Economic Development Corporation, Inc., and the San Benito Firemen Relief & Retirement Fund was accepted.

PRESENTATION OF THE CITY OF SAN BENITO FINANCIAL STATEMENTS FOR THE PERIOD ENDED MARCH 31, 2024.

[Stephanie Sarrionandia, Finance Director](#), presented the financial statements for the period ended March 31, 2024, by providing the total assets, total liabilities, revenue expenditure, expenses for the month, revenues under expenses, and sales taxes.

[Commissioner Tom Goodman](#) enquired if the Commission will be receiving any requests for budget amendments, for approval. In response to Commissioner Goodman's inquiry, Ms. Sarrionandia noted that the budget amendment was an internal process. She had met with Department Director's and the requests were very minimum, and were provided to City Manager for approval.

[Mayor Pro Tem Pedro A. Galvan](#) noted that although most departments were under 50% of their allotted budget, which indicates that they are under budget for six months and leave the City with a surplus to roll over, he expressed his appreciation for the percentage of each department's budget that was utilized.

[Mayor Pro Tem Pedro A. Galvan](#) enquired what steps the city was taking to make sure the businesses were staying current with their sales tax, or was it the comptroller's responsibility. In response to Mayor Pro Tem Galvan's inquiry, Ms. Sarrionandia, stated that it was the State Comptroller's Office responsibility.

Brief discussion ensued amongst the City Commission and City staff, regarding the sales tax, as to what steps can be taken in order to collect the fees from the businesses that are delinquent.

At this time, [Fred Sandoval, City Manager](#), read the Public Hearing Agenda Items 1 through 5. Mayor Ricardo Guerra opened Public Hearing, at 5:58 p.m.

PUBLIC HEARING(S)

ITEM 1. PUBLIC HEARING AND FIRST READING ON ORDINANCE NUMBER 2252-L-05-2024, REQUESTING TO REZONE A PROPERTY LOCATED AT 248 CHARLES BARBER ROAD, BEARING A LEGAL DESCRIPTION OF LOT ELEVEN (11) BLOCK ONE (1), OWENS SUBDIVISION, CAMERON COUNTY, TEXAS, ACCORDING TO MAP THEREOF RECORDED ON MAP 17, PAGE 13, MAP RECORDS OF CAMERON COUNTY, TEXAS FROM SF-1 "SINGLE FAMILY ONE" TO C-2 "COMMERCIAL GENERAL RETAIL BUSINESS". APPLICANT: EDUARDO LOA.

- (a) OPEN PUBLIC HEARING
- (b) CLOSE PUBLIC HEARING

Ramiro Pecina and Dana Pecina, stated to reside at 232 Charles Barber Road, noted that they have been a resident for the City of San Benito for ten (10) years. He expressed concern in regards to his neighbor that resides east of his residential property, operating an unlicensed auto body paint shop for the last four (4) years in a residential area. Mr. Pecina further noted that due to the toxic fumes, it has caused so many issues with his family health, and his property. Mr. Pecina depicted pictures of his property and, provided a petition with signatures, and records of trespassing.

Eduardo Loa, applicant, stated to reside at 248 Charles Barber Road, introduced his wife and his attorney, noted that he is registered with the State Comptroller's Office, and his business was cleared with the Texas Commission on Environmental Quality (TCEQ). Furthermore, Mr. Loa, stated that he has applied for a rezoning conditional business permit just like the other four businesses down the road from where he resides, to work on his personal vehicles as a hobby. Mr. Loa further noted that Mr. Pecina was in violation of an ordinance that he has disputed for the past two years. Mr. Loa provided details of Mr. Pecinas violations.

Elia Lopez, Attorney of Eduardo Loa, stated to reside at 1040 South Frontage Road, Brownsville, Texas, noted that in the packet there was information where Mr. Loa states that he is in compliance and Mr. Pecina continues to file complaints towards Mr. Loa. Ms. Lopez stated that there was no one close in proximity to the paint other than Mr. Loa. Ms. Lopez further stated that there were other commercial businesses located in the surrounding area of Mr. Loa's property.

No action taken.

ITEM 2. PUBLIC HEARING AND FIRST READING ON ORDINANCE NUMBER 2252-O-05-2024, REQUESTING TO REZONE A PROPERTY LOCATED ON STOOKEY ROAD, BEARING A LEGAL DESCRIPTION OF LOT NUMBER EIGHT (8) PARQUE VISTA, CITY OF SAN BENITO, CAMERON COUNTY, TEXAS, RECORDED IN VOLUME 1, PAGE 6, MAP RECORDS OF CAMERON COUNTY, TEXAS FROM SF-1 "SINGLE FAMILY ONE" TO SF-2 "DUPLEX RESIDENTIAL". APPLICANT: RUDY OCHOA.

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

Liz Quintanilla, stated to reside at 6683 North Stookey, noted that she opposed to the rezoning of the proposed ordinance. Ms. Quintanilla provided letters of opposition, signed by the neighbors, to the City Secretary for the record.

No action taken.

ITEM 3. PUBLIC HEARING AND FIRST READING ON ORDINANCE NUMBER 2252-P-05-2024, REQUESTING TO REZONE A PROPERTY LOCATED ON 2007 E. EXPRESSWAY 83, BEARING A LEGAL DESCRIPTION OF LOT TWO (2), BLOCK NUMBER ONE (1), VALLEY INTERNATIONAL CHRISTIAN CENTER, CAMERON COUNTY, TEXAS, ACCORDING TO MAP RECORDED IN CABINET I, PAGE 1629-B, MAP RECORD SOF CAMERON COUNTY, TEXAS, FROM AO "AGRICULTURE AND OPNE SPACE", TO C-2 "COMMERCIAL GENERAL RETAIL BUSINESS." APPLICANT: MARIO MUNOZ.

- (e) OPEN PUBLIC HEARING
- (f) CLOSE PUBLIC HEARING

There was no opposition to the proposed rezoning ordinance.

No action taken.

ITEM 4. PUBLIC HEARING AND FIRST READING ON ORDINANCE NUMBER 2252-M-05-2024, TO APPROVE A REQUEST TO REZONE A PROPERTY LOCATED ON THE CORNER OF U.S. BUSINESS 77 AND WILLIAMS ROAD, BEARING A LEGAL DESCRIPTION OF BEING 29.26 ACRES TRACT OF LAND OUT OF 65.37 ACRES OF LAND CONSISTING OF THAT PORTION OF LOT TWELVE (12) LYING NORTH OF THE SOUTH RIGHT OF WAY LINE OF U.S. HIGHWAY 77, AND ALL LOT THIRTEEN (13) LYING NORTH OF U.S. HIGHWAY 77, OUT OF BLOCK ONE HUNDRED TWENTY-FIVE (125), AND ALL OF BLOCK ONE HUNDRED AND THIRTY (130), OF THE SAN BENITO LAND AND WATER COMPANY SUBDIVISION, AS RECORDED IN VOLUME 1 PAGE 6 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS FROM AO "AGRICULTURE AND OPEN SPACE"/C-2 "COMMERCIAL GENERAL RETAIL BUSINESS" TO C-2 "COMMERCIAL GENERAL RETAIL BUSINESS". APPLICANT: ELIAS SANDOVAL.

- (g) OPEN PUBLIC HEARING
- (h) CLOSE PUBLIC HEARING

There was no opposition to the proposed rezoning ordinance.

No action taken.

ITEM 5. PUBLIC HEARING AND FIRST READING ON ORDINANCE NUMBER 2252-N-05-2024, TO SOLICIT INPUT REGARDING A REQUEST TO REZONE A PROPERTY LOCATED ON THE CORNER OF US BUSINESS 77 AND WILLIAMS ROAD, BEARING A LEGAL DESCRIPTION OF: BEING 35.05 ACRES TRACT OF LAND OUT OF 65.37 ACRES OF LAND CONSISTING OF THAT PORTION OF LOT TWELVE (12) LYING NORTH OF THE SOUTH RIGHT OF WAY LINE OF U.S. HIGHWAY 77, AND ALL OF LOT THIRTEEN (13) LYING NORTH OF U.S. HIGHWAY 77, OUT OF BLOCK ONE HUNDRED TWENTY-FIVE (125), AND ALL OF BLOCK ONE HUNDRED AND THIRTY (130), OF THE SAN BENITO LAND AND WATER COMPANY SUBDIVISION, AS RECORDED IN VOLUME 1, PAGE 6 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS FROM AO "AGRICULTURE AND OPEN SPACE"/C-2 "COMMERCIAL GENERAL RETAIL BUSINESS" TO SF-1 "SINGLE FAMILY ONE". APPLICANT: ELIAS SANDOVAL.

- (i) OPEN PUBLIC HEARING
- (j) CLOSE PUBLIC HEARING

There was no opposition to the proposed rezoning ordinance.

No action taken.

Mayor Ricardo Guerra closed Public Hearing at 6:12 p.m.

CONSENT AGENDA ITEM(S)

Commissioner Deborah A. Morales requested that Agenda Items 4, 5, and 11, be moved out of sequence for discussion and action.

Upon motion by Commissioner Tom Goodman seconded by Mayor Pro Tem Pedro A. Galvan and carried unanimously, Consent Agenda Items 1 through 3, 6 through 10, 12, and 13, were approved.

ITEM 1. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE MINUTES OF THE OCTOBER 13, 2023, CITY OF SAN BENITO SPECIAL CITY COMMISSION MEETING, OCTOBER 17, 2023, CITY OF SAN BENITO REGULAR CITY COMMISSION MEETING, AND OCTOBER 21, 2023, CITY OF SAN BENITO REGULAR CITY COMMISSION MEETING.

ITEM 2. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN INTERLOCAL COOPERATION CONTRACT BETWEEN THE CITY OF SAN BENITO AND THE TEXAS DEPARTMENT OF PUBLIC SAFETY FOR THE FAILURE TO APPEAR PROGRAM, IMPLEMENTING TEXAS TRANSPORTATION CODE CHAPTER 706 PROVISIONS.

ITEM 3. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE ARTWORK LOAN AGREEMENT FOR THE EXHIBITION, "DUE SOUTH 2024: TEXAS SCULPTURE GROUP JURIED EXHIBITION" BEGINNING MAY 23-JULY 26, 2024, AT THE SAN BENITO CULTURAL HERITAGE MUSEUM LOCATED AT 250 E. HEYWOOD ST.

ITEM 4. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A CONCESSION AGREEMENT WITH 80'S BAR & GRILL, LLC, TO PROVIDE ALCOHOLIC BEVERAGE SALES AT THE 2024 RESACAFEST ON JULY 6, 2024.

Nikki Serrano, Parks and Recreation Special Projects Planner, noted that the proposed agenda item is to allow the 80's Bar & Grill, LLC., to sell alcoholic beverages at the Resacafest Event.

Commissioner Deborah A. Morales moved that a Consent Agenda Item 4, a Concession Agreement with 80's Bar & Grill, LLC., to provide alcoholic beverage sales at the 2024 Resacafest on July 6, 2024, be approved. The motion was seconded by Mayor Pro Tem Pedro A. Galvan and carried unanimously.

ITEM 5. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A CONTRACT WITH STEFANI ENTERTAINMENT FOR THE HEADLINE ACT AT THE 2024 RESACAFEST.

Nikki Serrano, Parks and Recreation Special Projects Planner, noted that the proposed agenda item is to allow staff to proceed with negotiations and booking of a headline act with an artist from Stephanie Entertainment for a performance at the Resacafest.

Commissioner Deborah A. Morales, enquired about the lineup performance for the Resacafest. In response to Commissioner Morales inquiry, Ms. Serrano stated that City is pending confirmation of other performers besides Stephani Entertainment and will also have local bands playing at the Resacafest event.

Commissioner Deborah A. Morales moved that Consent Agenda Item 5, a contract with Stefani Entertainment for the headline act at the 2024 Resacafest, be approved. The motion was seconded by Commissioner Tom Goodman and carried unanimously.

ITEM 6. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE PRELIMINARY AND FINAL PLAT OF B77 SUBDIVISION PHASE A, BEARING A LEGAL DESCRIPTION OF: BEING A 5.53-ACRE TRACT OUT OF LOTS 9 AND 16 OF BLOCK 129, AND LOTS 12 AND 13 BLOCK 126, SAN BENITO LAND & WATER COMPANY SUBDIVISION, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 6, MAP RECORDS, CAMERON COUNTY, TEXAS. APPLICANT: SHIELD ENTERPRISES, LLC.

ITEM 7. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE PRELIMINARY AND FINAL PLAT OF B77 SUBDIVISION PHASE B, BEARING A LEGAL DESCRIPTION OF: BEING A 5.29-ACRE TRACT OUT OF LOTS 8 AND 9 OF BLOCK 129, AND LOTS 5 AND 12, BLOCK 126, SAN BENITO LAND & WATER COMPANY SUBDIVISION, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 6, MAP RECORDS, CAMERON COUNTY, TEXAS. APPLICANT: SHIELD ENTERPRISES, LLC.

ITEM 8. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE PRELIMINARY PLAT OF 3C SUBDIVISION, BEARING A LEGAL DESCRIPTION OF: BEING A 40.00 ACRE TRACT OF LAND COMPRISED OF LOTS 3, 6, 11, AND 14, IN BLOCK (129) OF THE SAN BENITO LAND AND WATER COMPANY SUBDIVISION, IN THE CONCEPCION DE CARRICITOS GRANT, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 6 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS. APPLICANT: RANDALL P. CRANE.

ITEM 9. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE PRELIMINARY AND FINAL PLAT OF CAMPEROS NO. 1 SUBDIVISION, BEARING A LEGAL DESCRIPTION OF: BEING 10.00 ACRES OF LAND OUT OF BLOCK 123, SAN BENITO LAND AND WATER COMPANY SUBDIVISION, RECORDED IN VOLUME 1, PAGE 6, MAP RECORDS OF CAMERON COUNTY, TEXAS, BEING OF THE TRACT OF LAND DESCRIBED IN DOCUMENT NO. 2021-42894, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS. APPLICANT: CAMPEROS DEVELOPMENT, LLC.

ITEM 10. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A RE-PLAT OF 788 STENGER STREET, HAVING A LEGAL DESCRIPTION OF: BEING 0.34 ACRES COMPRISED OF THE EASTERLY ONE HUNDRED FEET (E. 100 FT.) OF LOT SIXTEEN (16), BLOCK TEN (10) SECOND ADDITION TO THE CITY OF SAN BENITO, CAMERON COUNTY, TEXAS, ACCORDING TO MAP THEREOF RECORDED IN VOLUME 2, PAGE 5, MAP RECORDS OF CAMERON COUNTY, TEXAS, LOT TWENTY (20) AND TWENTY-ONE (21), OF THE RE-SUBDIVISION OF LOTS SEVENTEEN (17), AND EIGHTEEN (18), BLOCK TEN (10), SECOND ADDITION TO THE CITY OF SAN BENITO, CAMERON COUNTY, TEXAS, ACCORDING TO THE RE-SUBDIVISION MAP THEREOF RECORDED IN VOLUME 8, PAGE 89, MAP RECORDS OF CAMERON COUNTY, TEXAS. APPLICANT: ESTELA A. SEPULVEDA.

ITEM 11. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE CITY OF SAN BENITO ANNUAL RENEWAL MEMBERSHIP WITH THE SAN BENITO CHAMBER OF COMMERCE IN THE TOTAL AMOUNT OF \$17,500.00.

[Michelle Guerra Velez, Executive Director for the San Benito Chamber of Commerce](#), stated that the chamber would like to extend a formal invitation for the renewal of the organizations membership, in addition to the standard membership benefits. Additionally, the renewal is for the top sponsorship level for all events throughout the entire year.

[Commissioner Deborah A. Morales](#) enquired about the membership with the San Benito Chamber of Commerce. In response to Commissioner Morales's inquiry, Ms. Guerra Velez noted that the membership is covered until the end of the year.

[Mayor Pro Tem Pedro A. Galvan](#) stated that it is important to support organizations like the Chamber of Commerce to demonstrate that the City and the Chamber of Commerce are collaborating to advance and benefit our community.

[Commissioner Deborah A. Morales](#) moved that Consent Agenda Item 11, that the City of San Benito annual renewal membership with the San Benito Chamber of Commerce in the total amount of \$17,500.00, be approved. The motion was seconded by [Mayor Pro Tem Pedro A. Galvan](#) and carried unanimously.

ITEM 12. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE PURCHASE OF 46 GLOCK G45MOS6 FIREARMS EQUIPPED WITH A HOLOSUN 509 RED DOT SIGHT, FROM GT DISTRIBUTORS, INC., FOR THE TOTAL AMOUNT OF \$37,486.72.

ITEM 13. CONSIDERATION AND POSSIBLE ACTION TO APPROVE BID RECEIVED FOR RFP #2024-03-003 FOR COMPREHENSIVE PLAN SERVICES TO CSRS, LLC.

EXECUTIVE SESSION:

At this time, [Mayor Ricardo Guerra](#) requested to go into Executive Session.

The City Commission stepped into Executive Session at 6:19 p.m., to discuss the following agenda item.

ITEM a. CONSULTATION WITH CITY ATTORNEY PURSUANT TO TEXAS GOVERNMENT CODE SECTION 552.107(1) TO DISCUSS PRIVILEGED COMMUNICATION PROTECTED BY THE ATTORNEY-CLIENT PRIVILEGE.

ITEM 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, CITY MANAGER.

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

Upon conclusion of Executive Session, [Mayor Ricardo Guerra](#) convened the Regular meeting at 7:17 p.m.

POSSIBLE ACTION ON ANY ITEM(S) AS DISCUSSED IN EXECUTIVE SESSION:

ITEM 1. CONSIDERATION AND POSSIBLE ACTION, IF ANY, RELATED TO PERSONNEL MATTERS, CITY MANAGER EMPLOYMENT CONTRACT.

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

ADJOURNMENT.

There being no further business to come before the Commission, upon duly made motion [Mayor Ricardo Guerra](#) announced ADJOURNMENT AT 7:18 P.M.

CITY OF SAN BENITO

HONORABLE RICARDO GUERRA
MAYOR

ATTEST:

RUTH MCGINNIS
CITY SECRETARY



EXECUTIVE SUMMARY

REQUEST:

Consideration and possible action to approve the Second and Final Reading of Ordinance Number 2252-V-09-2024 requesting to rezone a property located on Zillock Road, bearing a legal description of: Being 37.592 acre (1,637,507.52 square feet) tract of land out of block 118, San Benito Land and Water Company Subdivision, Cameron County, Texas according to the map thereof recorded in Volume 1, Page 6, Map Records, Cameron County, Texas from MF “Multi-Family Residential” to MH “Mobile Home”. Applicant: Equity Lifestyle Properties.

RECOMMENDATION:

The Planning and Zoning Commission recommended approval of this rezone on August 22, 2024.

RATIONALE:

The applicant is requesting a rezone from MF “Multi-Family Residential” and C-2 “Commercial General Retail Business” to MH “Mobile Home”. The future Land Use Map indicates General Residential for this property. They are proposing to place mobile homes in this subdivision. To do so, the property must be rezoned to comply with city ordinances.

BUDGET IMPACT:

N/A

RESOURCE PERSONNEL:

Johanna maldonado, Planning Director

EXHIBITS:

Rezoning Application
Location Map
Zoning Map
Future Land Use Map
Survey
Land Use Chart
Ordinance 2252-V-09-2024

PREPARED BY: *Johanna Maldonado*

Planning & Development Director

09/12/2024
Date

Fred R. Sandoval

Fred Sandoval
City Manager



CITY OF SAN BENITO
PLANNING DEPARTMENT

400 N. Travis Street
San Benito, TX 78586

APPLICATION FOR
REZONING

(956) 361-3800 (ph.)

(956) 361-3810 (fax)

APPLICANT INFORMATION (Please PRINT or TYPE)

Name Civil And Surveying Associates, Inc. (CASA)

Address

City

State

Zip

Phone No.

Fax No.

E-mail

PROPERTY INFORMATION (Please PRINT or TYPE)

Owner of Property Equity Lifestyle Properties

Address of Property Zillock Rd.

City San Benito

State TX

Zip 78586

Legal Description of Property: Lot , Block 118

Subdivision San Benito Land & Water Co. Subd.

Existing Zoning MF Multi-Family Residential

Proposed Zoning MH Mobile Home

Existing Land Use General Residential

Proposed Land Use Manufactured Home

REQUIREMENTS

- ✓ \$200.00 (non-refundable)
- ✓ Survey and Metes & Bounds / Recorded Plat
- Tax Certificates (City, School)

✓ Warranty Deed

Please provide a basic description of the proposed project:

Rezoning from multi family residential to mobile home for future expansion of Fun N Sun park.

I hereby certify that I have read and examined this application and know the same to be true and correct.
If any of the information provided on this application is incorrect, the permit or approval may be revoked.

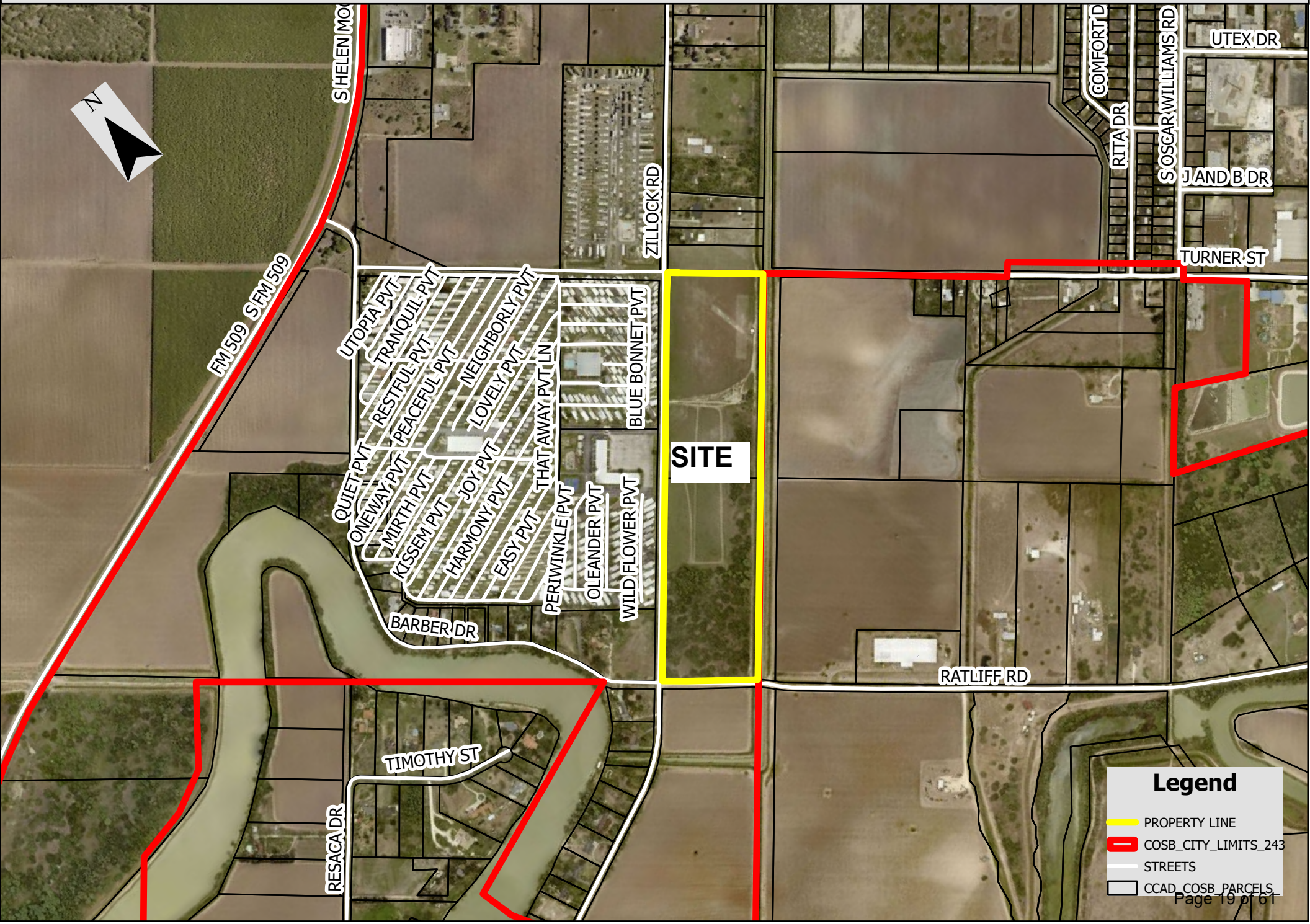
Applicant's Signature J.V.S.

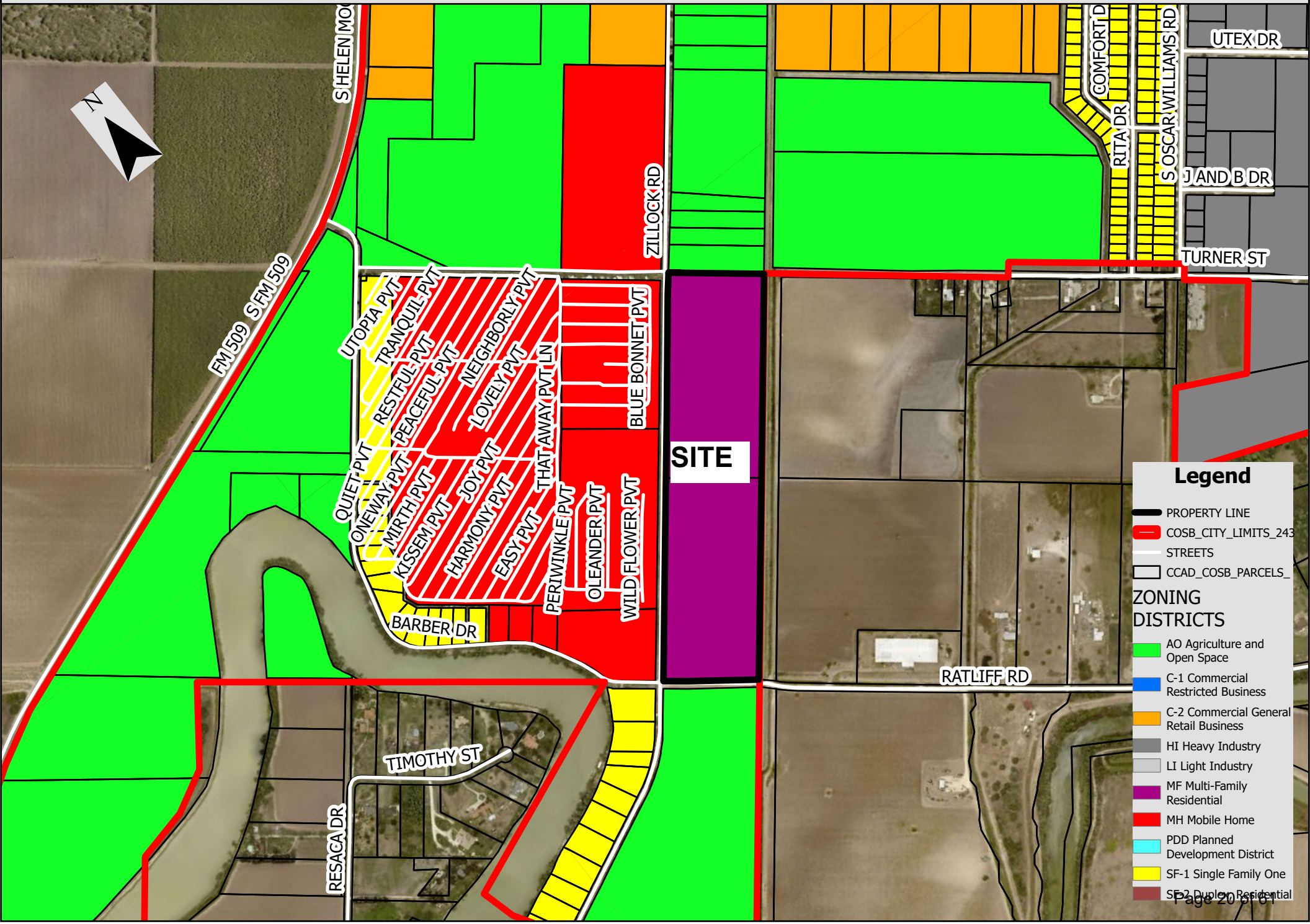
Date 07/02/2024

Property Owner(s) Signature

Date

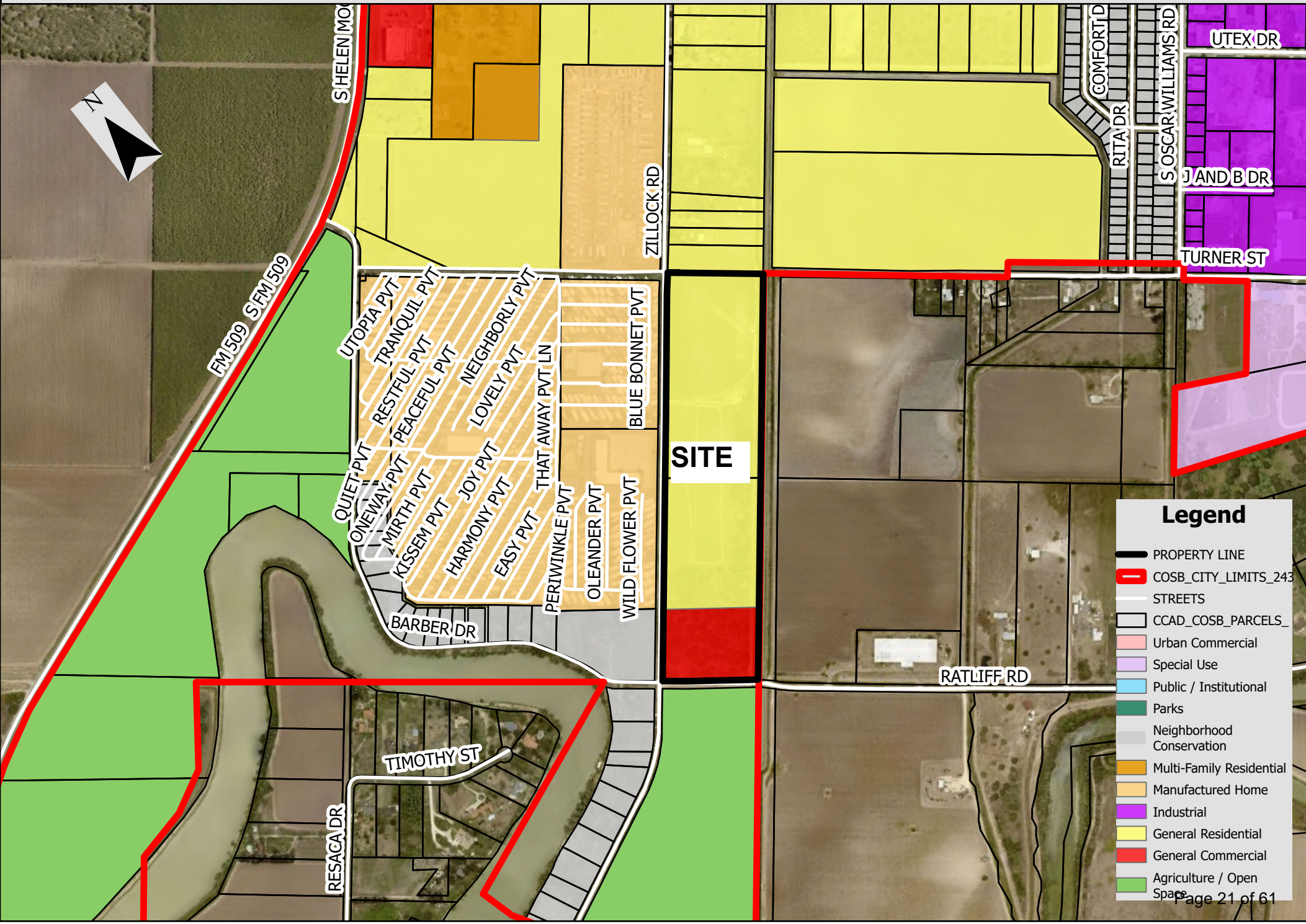
Location Map- Planning & Zoning Meeting Thursday, August 22, 2024
Block 118, San Benito Land and Water Company Subdivision
Rezone from MF "Multi-Family Residential" to MH "Mobile Home" Applicant: Equity Lifestyle Properties





Legend

- PROPERTY LINE
 - COSB_CITY_LIMITS_243
 - STREETS
 - CCAD_COSB_PARCELS_
- ### ZONING DISTRICTS
- AO Agriculture and Open Space
 - C-1 Commercial Restricted Business
 - C-2 Commercial General Retail Business
 - HI Heavy Industry
 - LI Light Industry
 - MF Multi-Family Residential
 - MH Mobile Home
 - PDD Planned Development District
 - SF-1 Single Family One
 - SF-2 Duplex Residential



SAN BENITO CODE

RESIDENTIAL USES

X	Permitted by Right
C	Conditional Use Permit Required
	Not Allowed

Zoning Classifications	A-O	SF-1	SF-2	MF	MH	OP	NS	C-1	C-2	LI	HI	PDD	C/P
Single-Family Dwelling	X	X	X	X	X	X	X	X	X			X	C
Double Family Dwelling/ Duplex			X	X			X	X	X			X	C
Multi-Family Dwelling				X			X	X	X			X	C
Mobile Home					X							C	C
Recreational Vehicle Campground					X							C	C
Recreational Vehicle		*	*	*	X	*	*	*	*	*	*	C	C
Garden Home/Patio Homes		C	C	X	X	X	X	X				X	C
Townhouses		C	C	X			X	X				X	C
Condominium		C	C	X			X	X				X	C

* For Storage Purposes Only

(Ordinance 2252 adopted 7/1/14)

ORDINANCE NUMBER 2252-V-09-2024

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 BEARING A LEGAL DESCRIPTION OF: BEING 37.592 ACRE (1,637,507.52 SQUARE FEET) TRACT OF LAND OUT OF BLOCK 118, SAN BENITO LAND AND WATER COMPANY SUBDIVISION, CAMERON COUNTY, TEXAS ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 1, PAGE 6, MAP RECORDS, CAMERON COUNTY, TEXAS FROM MF “MULTI-FAMILY RESIDENTIAL” TO MH “MOBILE HOME”.

WHEREAS, the rezone is consistent with the city’s land use plan as set-forth in the land use map that is a part of the city’s zoning ordinance, and consistent with the city’s intentions of allowing and encouraging residential development that generates property taxes and water and sewer revenues; and

WHEREAS, the rezone is adopted by this ordinance after a hearing at which the public was given the opportunity to give testimony and present written evidence, and the City Planning and Zoning Commission has reviewed the rezone request; and all other legal requirements have been met.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SAN BENITO, TEXAS:

SECTION I. ADOPTION

The zoning district classification of the property bearing a legal description of: bearing a legal description of: Being 37.592 acre (1,637,507.52 square feet) tract of land out of block 118, San Benito Land and Water Company Subdivision, Cameron County, Texas according to the map thereof recorded in Volume 1, Page 6, Map Records, Cameron County, Texas from MF “Multi-Family Residential” to MH “Mobile Home”.

SECTION II. EFFECTIVE DATE

This ordinance shall be effective upon its passage.

FIRST READING before the City Commission of the City of San Benito, Texas, at a Regular City Commission Meeting on the 3rd day of September, 2024.

PASSED, APPROVED, AND ADOPTED on the Second and Final Reading at a Regular City Commission Meeting of the City of San Benito, Texas, on this, 17th day of September, 2024.

CITY OF SAN BENITO, TEXAS

Honorable Ricardo Guerra
Mayor

ATTEST:

Ruth A. McGinnis
City Secretary



EXECUTIVE SUMMARY

REQUEST:

Consideration and possible action to approve the Second and Final Reading of Ordinance Number 2252-X-09-2024 requesting to rezone a property located on South Sam Houston Boulevard and Yost Road, bearing a Legal Description of: Tract II being a 0.603-acre tract of land out of Block 25, San Benito Land and Water Company Subdivision, as recorded in Volume 1, Page 6 of the Map Records of Cameron County, Texas; and further being out of certain 1.42-acre tract recorded in Volume 5458, Page 274, Official Records, Cameron County, Texas from AO "Agriculture and Open Space" to C-1 "Commercial Restricted Business". Applicant: Orangetree Management Corporation.

RECOMMENDATION:

The Planning and Zoning Commission recommended approval of this rezone on August 22, 2024.

RATIONALE:

The applicant is requesting a rezone from AO "Agriculture and Open Space" to C-1 "Commercial Restricted Business". The future Land Use Map indicates General Commercial for this property. They are proposing to place apartments in this proposed subdivision, to do so, the property would need to be rezoned to comply with city ordinances.

BUDGET IMPACT:

N/A

RESOURCE PERSONNEL:

Johanna maldonado, Planning Director

EXHIBITS:

Application
Location Map
Zoning Map
Future Land Use Map
Survey
Ordinance 2252-X-09-2024

PREPARED BY: *Johanna Maldonado*

Planning & Development Director

09/12/2024
Date

Fred R. Sandoval

Fred Sandoval
City Manager



CITY OF SAN BENITO
PLANNING DEPARTMENT

400 N. Travis Street
San Benito, TX 78586

APPLICATION FOR
REZONING

(956) 361-3800 (ph.)
(956) 361-3810 (fax)

#067581

APPLICANT INFORMATION (Please PRINT or TYPE)

Name Orangetree Management Corp
Address [REDACTED]
City [REDACTED] State [REDACTED] Zip [REDACTED]
Phone No. [REDACTED] Fax No. [REDACTED]
E-mail [REDACTED]

PROPERTY INFORMATION (Please PRINT or TYPE)

Owner of Property Orangetree Management Corp
Address of Property S San Houston Blvd / Yacht Rd
City San Benito State TX Zip 78586
Legal Description of Property: Lot [REDACTED], Block 25
Subdivision Reds Subdivision
Existing Zoning Irrigation "AO" Proposed Zoning C-1
Existing Land Use Vacant Proposed Land Use Multi-family dwellings

REQUIREMENTS

\$200.00 (non-refundable)

Survey and Metes & Bounds / Recorded Plat

Tax Certificates (City, School)

Warranty Deed

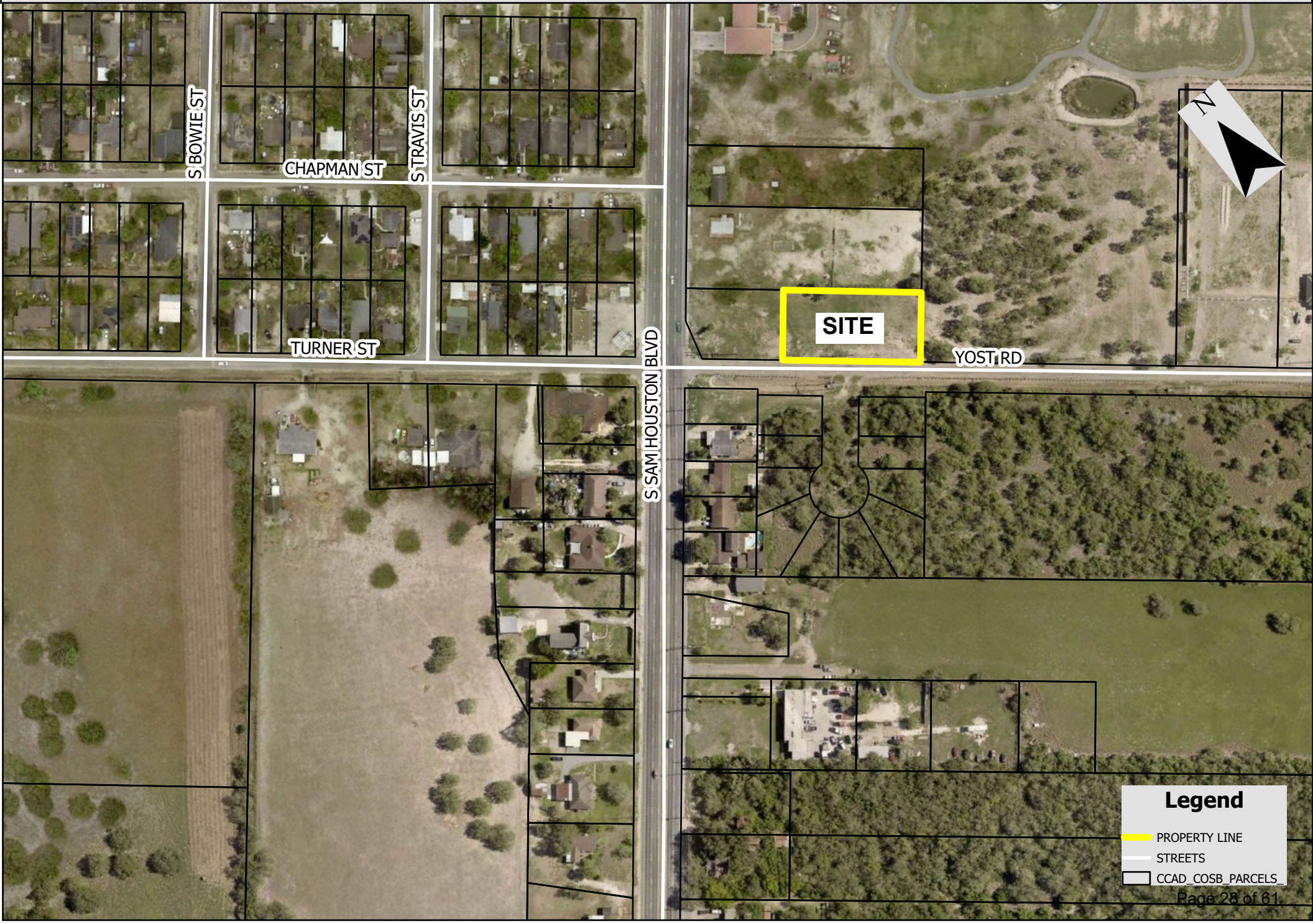
Please provide a basic description of the proposed project: Multi family
apartment complex. Project will be catared to low
income and affordable housing

I hereby certify that I have read and examined this application and know the same to be true and correct.
If any of the information provided on this application is incorrect, the permit or approval may be revoked.

Applicant's Signature [Signature]
Property Owner(s) Signature [Signature]

Date 7-31-24
Date 7-31-24

Location Map- Planning & Zoning Meeting Thursday, August 22, 2024
0.603 Acre Tract of Land on Block 25, San Benito Land and Water Company Subdivision
Rezone from AO "Agriculture and Open Space" to C-1 "Commercial Restricted Business" Applicant: Orangetree Management Corp.

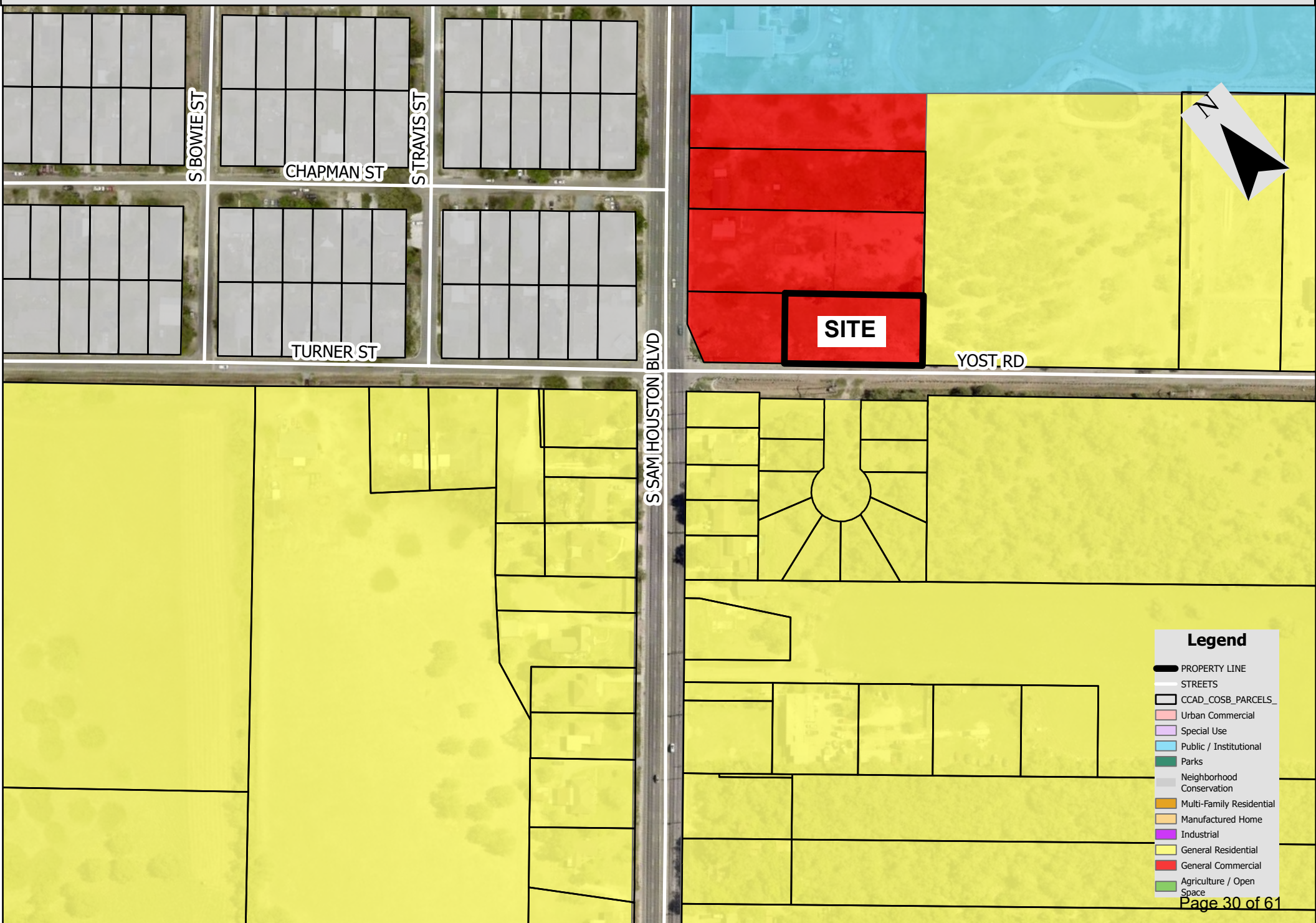


Legend

- PROPERTY LINE
- STREETS
- CCAD COSB PARCELS



Future Land Use Map- Planning & Zoning Meeting Thursday, August 22, 2024
0.603 Acre Tract of Land on Block 25, San Benito Land and Water Company Subdivision
Rezone from AO "Agriculture and Open Space" to C-1 "Commercial Restricted Business" Applicant: Orangetree Management Corp.



- Legend**
- PROPERTY LINE
 - STREETS
 - CCAD_COSB_PARCELS_
 - Urban Commercial
 - Special Use
 - Public / Institutional
 - Parks
 - Neighborhood Conservation
 - Multi-Family Residential
 - Manufactured Home
 - Industrial
 - General Residential
 - General Commercial
 - Agriculture / Open Space

ORDINANCE NUMBER 2252-X-09-2024

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 BEARING A LEGAL DESCRIPTION OF: TRACT II BEING A 0.603 ACRE TRACT OF LAND OUT OF BLOCK 25, SAN BENITO LAND AND WATER COMPANY SUBDIVISION, AS RECORDED IN VOLUME 1, PAGE 6 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS; AND FURTHER BEING OUT OF CERTAIN 1.42 ACRE TRACT RECORDED IN VOLUME 5458, PAGE 274, OFFICIAL RECORDS, CAMERON COUNTY, TEXAS FROM AO “AGRICULTURE AND OPEN SPACE” TO C-1 “COMMERCIAL RESTRICTED BUSINESS”.

WHEREAS, the rezone is consistent with the city’s land use plan as set-forth in the land use map that is a part of the city’s zoning ordinance, and consistent with the city’s intentions of allowing and encouraging residential development that generates property taxes and water and sewer revenues; and

WHEREAS, the rezone is adopted by this ordinance after a hearing at which the public was given the opportunity to give testimony and present written evidence, and the City Planning and Zoning Commission has reviewed the rezone request; and all other legal requirements have been met.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SAN BENITO, TEXAS:

SECTION I. ADOPTION

The zoning district classification of the property bearing a legal description of: bearing a Legal Description of: Tract II being a 0.603-acre tract of land out of Block 25, San Benito Land and Water Company Subdivision, as recorded in Volume 1, Page 6 of the Map Records of Cameron County, Texas; and further being out of certain 1.42-acre tract recorded in Volume 5458, Page 274, Official Records, Cameron County, Texas from AO “Agriculture and Open Space” to C-1 “Commercial Restricted Business”.

SECTION II. EFFECTIVE DATE

This ordinance shall be effective upon its passage.

FIRST READING before the City Commission of the City of San Benito, Texas, at a Regular City Commission Meeting on the 3rd day of September, 2024.

PASSED, APPROVED, AND ADOPTED on the Second and Final Reading at a Regular City Commission Meeting of the City of San Benito, Texas, on this, 17th day of September, 2024.

CITY OF SAN BENITO, TEXAS

Honorable Ricardo Guerra
Mayor

ATTEST:

Ruth A. McGinnis
City Secretary



EXECUTIVE SUMMARY

REQUEST:

Consideration and possible action to ratify Resolution Number 2024-0917-001(R), authorizing the Mayor to execute an Agreement For Temporary Closure of State Right-Of Way with the Texas Department of Transportation requesting the temporary closure of Sam Houston Boulevard for the San Benito Consolidated Independent School District 2024 Homecoming Parade on September 19, 2024.

RECOMMENDATION:

The City Staff recommends approval.

RATIONALE:

The San Benito CISD is having its 2024 Homecoming Parade on September 19, 2024, from 5:30 p.m. to 6:30 pm. and is requesting the closure of Sam Houston Boulevard. This request needs to be approved by the City Commission through a resolution before requesting final approval from the Texas Department of Transportation. Due to time constraints, the Mayor executed the required resolution early, as it is part of the agreement to be turned in to TXDOT for review. TXDOT requires all documents along with traffic control plans to be turned in at least a week prior to the event for review and approval.

BUDGET IMPACT:

None.

RESOURCE PERSONNEL:

Mario Perea, Police Chief

EXHIBITS:

Resolution 2024-0917-001 _TXDOT Agreement
Request from SBCISD

PREPARED BY: Mario G. Perea
Chief of Police

09/12/2024
Date

Fred R. Sandoval

Fred Sandoval
City Manager

STATE OF TEXAS §
COUNTY OF CAMERON § RESOLUTION NUMBER 2024-0917-001(R)
CITY OF SAN BENITO §

A RESOLUTION ESTABLISHING THE SAN BENITO CONSOLIDATED INDEPENDENT SCHOOL DISTRICT ANNUAL HOMECOMING PARADE CONDUCTED ON SAM HOUSTON BOULEVARD IN SAN BENITO, TEXAS, WHICH SERVES A PUBLIC PURPOSE, AND HEREBY AUTHORIZE THE MAYOR TO EXECUTE THE TEXAS DEPARTMENT OF TRANSPORTATION AGREEMENT FOR THE TEMPORARY CLOSURE OF STATE RIGHT-OF-WAY FOR SAM HOUSTON BOULEVARD AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City of San Benito holds and sponsors annually a San Benito Independent School District Homecoming Parade viewed by hundreds of members of the public; and

WHEREAS, the City Commission finds the Homecoming Parade helps foster a spirit of community, patriotism and unity that serves a public purpose; and

WHEREAS, the Homecoming Parade takes place on Sam Houston Boulevard, the main thoroughfare through downtown San Benito; and

WHEREAS, the Texas Department of Transportation requires the passage of this Resolution and the execution of an Agreement for the Temporary Closure of State Right-of-Way before it will permit the closure of Sam Houston Boulevard for purposes of the Homecoming Parade; and

WHEREAS, the City Commission requests the temporary closure of Sam Houston Boulevard on September 19, 2024, for purposes of permitting the City of San Benito to hold and conduct its annual Homecoming Parade.

NOW, THEREFORE, BE IT RESOLVED, that the City Commission of the City of San Benito finds and adopts the statements above as true and expressly finds that the annual Homecoming Parade serves a legitimate public purpose.

BE IT FURTHER RESOLVED that the City Commission of the City of San Benito approves the Agreement for the Temporary Closure of State Right-of Way proposed by the Texas Department of Transportation and hereby authorizes the Mayor to execute the Agreement on behalf of the City of San Benito.

All prior resolutions in conflict herewith are expressly repealed. This Resolution shall take effect immediately upon passage.

PASSED, APPROVED AND ADOPTED this 5th day of September, 2024.

CITY OF SAN BENITO, TEXAS

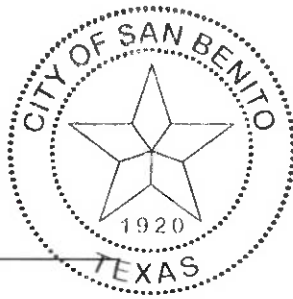


Honorable Ricardo Guerra
Mayor

ATTEST:



Ruth A. McGinnis
City Secretary



STATE OF TEXAS §

COUNTY OF §

**AGREEMENT FOR THE TEMPORARY CLOSURE
OF STATE RIGHT-OF-WAY**

THIS AGREEMENT is made by and between the State of Texas, acting by and through the Texas Department of Transportation, hereinafter called the "State," and the City of San Benito, a municipal corporation, acting by and through its duly authorized officers, hereinafter called the "City."

W I T N E S S E T H

WHEREAS, the State owns and operates a system of highways for public use and benefit, including State Hwy 345, in Cameron County; and

WHEREAS, the City has requested the temporary closure of State Hwy 345 also known as Sam Houston Blvd. for the purpose of SBCISD Homecoming Parade 2023, as described in the attached "Exhibit A," hereinafter identified as the "Event;" and

WHEREAS, the Event will be located within the City's incorporated area; and

WHEREAS, the State, in recognition of the public purpose of the Event, wishes to cooperate with the City so long as the safety and convenience of the traveling public is ensured and that the closure of the State's right-of-way will be performed within the State's requirements; and

WHEREAS, on the 19th day of September, 2024, the San Benito City Council passed Resolution / Ordinance No. 2024-09-17-001(R) attached hereto and identified as "Exhibit B," establishing that the Event serves a public purpose and authorizing the City to enter into this agreement with the State; and

WHEREAS, 43 TAC, Section 22.12 establishes the rules and procedures for the temporary closure of a segment of the State highway system; and

WHEREAS, this agreement has been developed in accordance with the rules and procedures of 43 TAC, Section 22.12;

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto, to be by them respectively kept and performed as hereinafter set forth, it is agreed as follows:

A G R E E M E N T

Article 1. CONTRACT PERIOD

This agreement becomes effective upon final execution by the State and shall terminate upon completion of the Event or unless terminated or modified as hereinafter provided.

Article 2. EVENT DESCRIPTION

The description of the Event, including the proposed schedule of start and stop times, approximate number of people attending the Event, and equipment involved shall be attached hereto and identified as "Exhibit C."

Article 3. OPERATIONS OF THE EVENT

- A.** The City shall assume all costs for the operations associated with the Event, to include but not limited to, plan development, materials, labor, public notification, providing protective barriers and barricades, protection of highway traffic and highway facilities, and all traffic control and temporary signing.
- B.** The City shall submit to the State for review and approval the construction plans, if construction or modifications to the State's right-of-way is required, the traffic control and signing plans, traffic enforcement plans, and all other plans deemed necessary by the State.
- C.** The City will not initiate closure prior to 24 hours before the scheduled Event and all barriers and barricades will be removed and the highway reopened to traffic within 24 hours after the completion of the Event.
- D.** The City will provide adequate enforcement personnel to prevent vehicles from stopping and parking along the main lanes of highway right-of-way and otherwise prevent interference with the main lane traffic by both vehicles and pedestrians. The City will prepare a traffic enforcement plan, to be approved by the State in writing at least 48 hours prior to the scheduled Event. Additionally, the City shall provide to the State a letter of certification from the law enforcement agency that will be providing traffic control for the Event, certifying that they agree with the enforcement plan and will be able to meet its requirements.
- E.** The City hereby assures the State that there will be appropriate passage allowance for emergency vehicle travel and adequate access for abutting property owners during construction and closure of the highway facility. These allowances and accesses will be included in the City's traffic control plan.
- F.** The City will avoid or minimize damage, and will, at its own expense, restore or repair damage occurring outside the State's right-of-way and restore or repair the State's right-of-way, including roadway and drainage structures, signs, and pavement, etc. to a condition equal to that existing before the closure, and, to the extent practicable, restore the natural environment, including landscape features.

Article 4. OWNERSHIP OF DOCUMENTS

Upon completion or termination of this agreement, all documents prepared by the City will remain the property of the City. All data prepared under this agreement shall be made available to the State without restriction or limitation on their further use.

Article 5. TERMINATION

- A.** This agreement may be terminated by any of the following conditions:
 - (1) By mutual written agreement and consent of both parties.
 - (2) By the State upon determination that use of the State's right-of-way is not feasible or is not in the best interest of the State and the traveling public.
 - (3) By either party, upon the failure of the other party to fulfill the obligations as set forth herein.
 - (4) By satisfactory completion of all services and obligations as set forth herein.
- B.** The termination of this agreement shall extinguish all rights, duties, obligations and liabilities of the State and City under this agreement. If the potential termination of this agreement is due to the failure of the City to fulfill its contractual obligations as set forth herein, the State will notify the City that possible breach of contract has occurred. The City

must remedy the breach as outlined by the State within ten (10) days from receipt of the State's notification. In the event the City does not remedy the breach to the satisfaction of the State, the City shall be liable to the State for the costs of remedying the breach and any additional costs occasioned by the State.

Article 6. DISPUTES

Should disputes arise as to the parties' responsibilities or additional work under this agreement, the State's decision shall be final and binding.

Article 7. RESPONSIBILITIES OF THE PARTIES

The State and the Local Government agree that neither party is an agent, servant, or employee of the other party and each party agrees it is responsible for its individual acts and deeds as well as the acts and deeds of its contractors, employees, representatives, and agents.

Article 8. INSURANCE

A. Prior to beginning any work upon the State's right-of-way, the City and/or its contractors shall furnish to the State a completed "Certificate of Insurance" (TxDOT Form 1560, latest edition) and shall maintain the insurance in full force and effect during the period that the City and/or its contractors are encroaching upon the State right-of-way.

B. In the event the City is a self-insured entity, the City shall provide the State proof of its self-insurance. The City agrees to pay any and all claims and damages that may occur during the period of this closing of the highway in accordance with the terms of this agreement.

Article 9. AMENDMENTS

Any changes in the time frame, character, agreement provisions or obligations of the parties hereto shall be enacted by written amendment executed by both the City and the State.

Article 10. COMPLIANCE WITH LAWS

The City shall comply with all applicable federal, state and local environmental laws, regulations, ordinances and any conditions or restrictions required by the State to protect the natural environment and cultural resources of the State's right-of-way.

Article 11. LEGAL CONSTRUCTION

In case one or more of the provisions contained in this agreement shall for any reason be held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions hereof and this agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

Article 12. NOTICES

All notices to either party by the other required under this agreement shall be delivered personally or sent by certified U.S. mail, postage prepaid, addressed to such party at the following respective addresses:

Agreement No.

City:	State:
City of San Benito	Texas Department of Transportation
401 N Sam Houston Blvd.	
San Benito, Texas 78586	

All notices shall be deemed given on the date so delivered or so deposited in the mail, unless otherwise provided herein. Either party hereto may change the above address by sending written notice of such change to the other in the manner provided herein.

Article 13. SOLE AGREEMENT

This agreement constitutes the sole and only agreement between the parties hereto and supersedes any prior understandings or written or oral agreements respecting the within subject matter.

IN TESTIMONY WHEREOF, the parties hereto have caused these presents to be executed in duplicate counterparts.

THE CITY OF San Benito

Executed on behalf of the City by:

By Ricardo Guerra Date September 5, 2024
City Official

Typed or Printed Name and Title Ricardo Guerra
City of San Benito Mayor

THE STATE OF TEXAS

Executed for the Executive Director and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By _____ Date _____
District Engineer

By _____ Date _____
Director of Maintenance



Alfredo Perez
Superintendent of Schools

August 27, 2024

Fred Sandoval
City Manager
401 N. Sam Houston Blvd.
San Benito, TX 78586

Board of Trustees

Orlando Lopez
President

Dr. Ariel Cruz-Vela
Vice-President

Rudy Corona
Secretary

Frutoso M. Gomez, Jr.
Crystal Hernandez
Alex Reyna
Israel Villarreal, III

City Manager,

The San Benito High School will be celebrating Homecoming on September 20, 2024. We are hereby requesting permission to have the annual Homecoming Parade in downtown San Benito on Thursday, September 19, 2024. The parade is set to begin at 5:30 p.m. at the corner of Brooks and Sam Houston Street and end approximately at 6:30 p.m. at the corner of Sam Houston and Adele Street. Entries in the parade include Homecoming Royalty, other SBCISD campus clubs and organization entries, as well as community entries. San Benito High School Student Council will assist in the preparation of the Homecoming events.

Following the parade, the Community Pep Rally is to take place at San Benito High School, student parking area, located at 450 S. Williams Rd. During this time, the annual Lighting of the "SB" ceremony will take place.

Please present this request to the City of San Benito City Commission for approval. We need to secure permission from City Commissioners for the closing of Sam Houston Street. We will also need assistance from the City Police Department for the parade and the Fire Department to be present and assist at the lighting of "SB".

Thank you for your consideration of this request.

Sincerely,

Alfredo Perez
Superintendent of Schools

San Benito Schools - The Gold Standard in Public Education

240 North Crockett • San Benito, TX 78586 • 956.361.6110 • www.sbcisd.net

It is the policy of the San Benito CISD not to discriminate on the basis of race, color, national origin, gender, or disability in its educational and Career and Technology programs, services or activities as required by Title VI of the Civil Rights Act of 1964.





EXECUTIVE SUMMARY

REQUEST:

Consideration and possible action to approve a Contract for Election Services with Cameron County for the November 5, 2024 Special City Election.

RECOMMENDATION:

City Administration recommends approval.

RATIONALE:

A Special Election will be held on November 5, 2024, to amend the City Charter to comply with state regulations.

BUDGET IMPACT:

Estimated cost \$26,235.00 - 05-0103-0315

RESOURCE PERSONNEL:

Fred R. Sandoval

Ruth McGinnis, City Secretary

EXHIBITS:

1. Report of Contracted Expenses for the County Elections Service Contracts
2. City of San Benito Contract for Election Service
3. House Bill 2524
4. Deposit Invoice

PREPARED BY: Ruth McGinnis
City Secretary

09/12/2024
Date

Fred R. Sandoval

Fred Sandoval
City Manager



REPORT OF CONTRACTED EXPENSES FOR THE
COUNTY ELECTIONS SERVICE CONTRACTS

ELECTIONS SERVICES FOR November 5, 2024 ELECTION
COUNTY, CAMERON, TEXAS, CONTRACTING City of San Benito

ELECTION	RUNOFF	RECOUNT
☒ ESTIMATE	☐ ESTIMATE	☐ ESTIMATE
☐ FINAL COST	☐ FINAL COST	☐ FINAL COST

SECTION A		
A1 TAB 1	Letter from Administrator, Report of Contracted Expenses, Deposit	
A2 TAB2	Jurisdiction voter turnout	
A3 TAB 3	Number of election day polling places (excluding early voting)	70
A4 TAB 4	Number of early voting stations	22
A5 TAB 5	Number of Ballots (include early voting ballots; do not include sample/test ballots)	
A6 TAB 6	Number of Poll Workers	

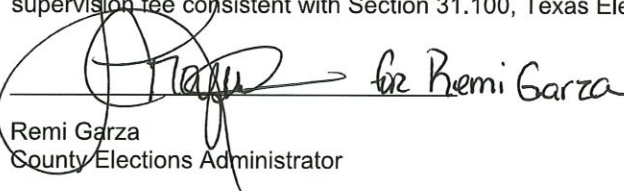
SECTION B

B1 TAB 7	Personnel-Overtime, Extra Help, Additional Extra Help, IT Technical Support, Security, Early Voting, Election Day, Trainings, Delivery, Ballot Boards, Central Count, Phone Banking (6004, 6005, 6006, 6007, 6008, 6011, 6012)	\$ 15,000.00
B2 TAB 8	Election Supplies (6014, 4607)	\$ 500.00
B3 TAB 9	Transportation of Voting equipment, supplies and mileage (6016, 6050)	\$ 500.00
B4 TAB 10	Professional Services (6045)	\$ 500.00
B5 TAB 11	Network Communications & Mobile Phones (6048, 6047)	\$ 500.00
B6 TAB 12	Postage (6049)	\$ 100.00
B7 TAB 13	Advertising (6054)	\$ 250.00
B8 TAB 14	Printing & Binding (Ballots Only 6055)	\$ 1,500.00
B9 TAB 15	Real Estate & Equipment Rental (6068, 6069)	\$ 500.00
B10 TAB 16	Rental of County owned equipment per unit or electronic voting system equipment installed at the polling locations and central Counting station (DS200, DS450 and Automarks (4607)	\$ 1,500.00
B11 TAB 17	Data Processing (6077)	\$ 2,500.00
B12 TAB 18	Miscellaneous (any expenses legally necessary for the conduct of the election which cannot be reported elsewhere in the report)(6014,6025, 6033)	\$ 500.00

SECTION B CONTINUED

Total Cost of Contracted Expenses	\$ 23,850.00
County Election Services Contract Admin Fee (up to the total contracted expenses)	\$ 2,385.00
Total Cost of Contracted Election	\$ 26,235.00
Applied Deposit	\$ 0.00
Final Amount Due	\$ 26,235.00

I, Remi Garza, Elections Administrator, Hereby Certify that the cost on this invoice are true and correct representation of the actual expenses directly attributable to the election services provided to Cameron County, Texas City of San Benito contracting entity and the 10% general supervision fee consistent with Section 31.100, Texas Election


Remi Garza
County Elections Administrator

09/07/24

Date

THE STATE OF TEXAS

§

Contract No.

COUNTY OF CAMERON

§

THE CITY OF SAN BENITO CONTRACT FOR ELECTION SERVICES

FOR A JOINT ELECTION TO BE HELD WITH CAMERON COUNTY ON TUESDAY,
NOVEMBER 5, 2024, TO BE ADMINISTERED BY THE CAMERON COUNTY
ELECTIONS DEPARTMENT

I. JURISDICTION

The City San Benito (the Participating Authority) has called an election for November 5, 2024 in Eleven (11) county election precinct(s) and proposes to open Seventy (70) Election Day polling location (s).

II. ADMINISTRATION

Cameron County agrees to coordinate, supervise and handle all aspects of administering the election as a joint election in accordance with provisions in the Texas Election Code and as outlined in this agreement. The Participating Authority agrees to pay Cameron County for equipment, supplies, services and administrative costs as outlined in this agreement. The Cameron County Elections Administrator will serve as administrator for the Election; however, the Participating Authority remains responsible for the lawful conduct of their elections and for the notice to their electorate of any changes in single-member district boundaries from previous elections.

III. LEGAL DOCUMENTS

The Participating Authority will be responsible for preparation, adoption and publication of all required election orders, resolutions, notices and any other pertinent documents required by their pertaining governing bodies.

Preparation of necessary bilingual materials for notices and preparation of the text for the official ballot will also be the responsibility of the Participating Authority. The Participating Authority will provide a copy of their election notices to the County Elections Administrator.

IV. VOTING LOCATIONS

The County Commissioners' Court will select and arrange for the use of and payment for all voting locations. Voting locations will be, whenever possible, the usual voting locations for the precincts. The proposed voting locations are listed in Attachment "A", which is attached hereto and incorporated by reference as if fully set forth herein. In the event a voting location is not available, the Elections Administrator will arrange for the use of an alternate location with the approval of the Participating Authority. The Elections Administrator will notify the Participating Authority of any changes from the locations listed in Attachment A.

The Elections Administrator may send the Participating Authority a final version of Attachment A which reflects the actual locations to be used on the day of the election if changes become necessary.

V. ELECTION JUDGES, CLERKS AND OTHER ELECTION PERSONNEL

The Cameron County Commissioners' Court will be responsible for the appointment of the presiding judge and alternate for each polling location under the advisement of each Participating Authority. The Election Administrator shall arrange for the training and compensation of all presiding judges and clerks. The proposed election judges are listed in Attachment "B", which is attached hereto and incorporated by reference as if fully set forth herein. If a person is unable or unwilling to serve, the Elections Administrator will name a judge for the precinct.

The Elections Administrator will send the Participating Authority an updated version of Attachment "B", which reflects the names of judges who were sent the letter requesting services for this election, and a final version of Attachment "B" which reflects the names of the judges who actually presided on the day of the election.

The election judges are responsible for picking up election supplies at the time and place determined by the Elections Department (which will be set forth in the election judge letter requesting services for this election.)

For Election Day staffing of the Polling Locations, the presiding judge will receive up to \$15.00 per hour, alternate judge up to \$14.00 per hour and the election clerks up to \$13.00 per hour (for a maximum of 16 hours). The election workers will receive compensation for attending the election training session and \$40.00 for delivery of ballots and supplies to the designated sites after the polls close.

The Elections Administrator will employ other personnel necessary for the proper administration of the election, including such part-time help as is necessary to prepare for the election, to ensure the timely delivery of supplies and equipment during the period of early voting and on Election Day.

VI. EQUIPMENT SUPPLIES AND PRINTING

The Elections Department will arrange for the delivery of programmed and tested equipment to the voting locations. The Participating Authority will provide current district maps. The Elections Administrator will instruct the election judges in the reporting precincts that may have more than one ballot style on the procedures to properly conduct the election.

The Participating Authority will furnish the Elections Administrator a list of candidates and or propositions showing the order and the exact manner in which their names and/or proposition(s) are to appear on the official ballot. The list will be delivered to the Elections Administrator as soon as possible after the Participating Authority has determined ballot positions. The Participating Authority will be responsible for proofreading and approving the ballot in so far as it pertains to that authority's candidates and/or propositions.

VII. EARLY VOTING

Remi Garza, Elections Administrator, will be appointed as early voting clerk in compliance with Section 31.097 of the Texas Election Code. Deputy early voting clerks will be appointed as needed to conduct early voting at the main and branch locations. Each early voting supervisor will receive up to \$15.00 per hour and the clerks up to \$13.00 per hour. The early voting supervisor and the clerks will receive compensation for attending the election training session and \$30.00 for delivery of election supplies to the designated sites.

Early Voting by personal appearance will be conducted each weekday from Monday, October 21, 2024 through Friday, November 1, 2024, and on the intervening weekend(s) depending on location. Please see locations, dates and hours of operation listed for each location in Attachment C:

Persons voting by mail will send their request and voted ballots to: Cameron County Elections Department
P. O. Box 3587
Brownsville, Texas 78523.

All ballots voted by mail will be prepared for counting by an early voting ballot board appointed in accordance with Section 87.001 of the Texas Election Code.

The Participating Authority agrees to appoint Laura Lee Ortiz as presiding judge of the Early Voting Ballot Board. A list of members will be furnished to the Participating Authority. The Early Voting Ballot Board will convene as the Late Ballot Board to consider properly postmarked overseas military ballots to be delivered, corrected ballots by mail and any provisional ballots cast.

VIII. RETURNS OF ELECTIONS

The Elections Department will be responsible for establishing and operating the Central Counting Station to receive and tabulate the voted ballots in accordance with the provisions of the Texas Election Code and of this agreement.

The Participating Authority, in accordance with Sections 127.002, 127.003, and 127.005 of the Texas Election Code, appoints the following Central Counting Station officials:

Manager	Remi Garza, County Elections Administrator
Presiding Judge	Deborah Sloss
Tabulating Supervisor	Mary Vasquez

The manager or his representative will deliver timely cumulative reports of the election results as precincts are tabulated. The manager will be responsible for releasing cumulative totals and precinct returns from the election to the participating authorities, the press, and general public. Cameron County will operate an election result center (Central Count) to release election results at the County Courthouse, Central Jury Room, 974 East Harrison, Brownsville, Texas. The Participating Authority, upon request, may require release of returns be given only at a specified location other than from the result center.

The Cameron County Elections Department will prepare the unofficial canvass report after all precincts have been counted, and will deliver a copy of the unofficial canvass to the Participating Authority as soon as possible after all returns have been tabulated. Each participant will be responsible for the official canvass of their elections.

IX. ELECTION EXPENSES

A general administrative fee not to exceed 10% of the total cost of the election shall be assessed as authorized by the Texas Election Code, Sec. 31.100.

Final election expenses will be determined within 90 days after the election. The Elections Administrator will provide each Participating Authority a final accounting in writing of all funds deposited into their account and an accounting of all payments from each Participating Authority's account.

If additional funds are needed, the Elections Administrator will bill each Participating Authority in accordance with the expense formula previously agreed to by the Participating Authority. Any amount remaining will be refunded accordingly to each Participating Authority.

In the event of cancellation of this election, the Elections Administrator may assess charges for costs incurred and services rendered in preparation for the election.

X. DEPOSIT OF FUNDS

The Participating Authority agrees to deposit with the Cameron County Elections Administrator, by no later than September 15, 2024, a sum equal to 60% of the total estimated cost (Attachment D) of election expenses to be paid to Cameron County as administrator of the election. The final payment to be paid within 30 days after receipt of the summary of final cost submitted to the Participating Authority by the Office of the Elections Administrator. The funds will be placed in a special election account to be used by the County for paying expenses as outlined in this agreement. No funds will be expended by Cameron County except for supplies and services outlined in this agreement, or except as may be agreed to, in writing, by the Participating Authority.

The estimated cost is \$ 26,235.00. The amount to be deposited is \$15,741.00. Deposits should be delivered to:

Remi Garza
County Elections Administrator
1050 E. Madison St.
P. O. Box 3587
Brownsville, Texas 78520

XI. RECORDS OF THE ELECTION

Remi Garza, Elections Administrator, is hereby appointed general custodian of the voted ballots and all records of the Election as authorized by Section 271.010 of the Texas Election Code.

Access to the election records will be available to each Participating Authority as well as to the public in accordance with the Texas Public Information Act, Chapter 552, Government Code, at the Elections Department, 954 E. Harrison, Brownsville, Texas, at any time during normal business hours. The Elections Administrator shall ensure that the records are maintained in an orderly manner, so that records are clearly identifiable and retrievable per records storage container.

Records of the election will be retained and disposed of in accordance with the records retention schedules which may have been adopted by each Participating Authority, and in accordance with the provisions of Title 6, Subtitle C, Chapters 201 through 205, Texas Local Government Code, including the minimum retention requirements established by the Texas State Library and Archives Commission. If records of the election are involved in any pending election contest, investigation, litigation, or Texas Public Request, the Election Administrator shall maintain the records until final resolution or until final judgment, whichever is applicable. It is the responsibility of any Participating Authority to bring to the attention of the Elections Administrator any notice of any pending election contest, investigation, litigation, or Texas Open Records Request which may be filed with a Participating Authority.

XII. RUNOFF ELECTION

In the event a runoff is necessary, the agreement will automatically be extended to cover the runoff. The Elections Administrator will provide participants in the runoff election with an estimate of funds to be deposited in a runoff election account. The funds must be deposited no later than seven (7) days after the runoff estimate figures are received from the Elections Administrator.

XIII. CONTRACT WITHDRAWAL

The participants may withdraw from the election contract in accordance with Sections 2.051, 2.052 and 2.053 of the Texas Election Code. Any expenditure incurred prior to withdrawal shall be billed separately and shall be removed from the contract (see also Section IX of this contract).

XIII. NOTICE

Whenever this agreement requires any consent, approval notice, request or demand, it must be in writing to be effective and shall be delivered to the party intended to receive it as shown below:

Remi Garza
County Elections Administrator
P. O. Box 3587
Brownsville, Texas 78523

Ruth McGinnis
City Secretary
401 North Sam Houston
San Benito, Texas 78586

Executed on this _____ day of _____, 2024.

RECOMMENDED FOR APPROVAL BY
COUNTY OF CAMERON

Eddie Treviño Jr.
County Judge

Date

ACCEPTED AND AGREED TO BY
City of San Benito

Ricardo "Ricardo" Guerra
Mayor

Date

ATTEST:

Ruth McGinnis
City Secretary

Date

**Notice of Early Voting Locations for the General Election
to be held on November 5, 2024**

Early voting by personal appearance will be conducted at the following locations, dates, and times:

LOCATION	ADDRESS	DATES	TIMES
Main Early Voting Place	Cameron County Courthouse Judicial Complex 954 E. Harrison St. Brownsville, Texas	Monday, Oct. 21 thru Friday, Oct. 25	9:00 am to 7:00 pm
		Saturday, Oct. 26	8:00 am to 8:00 pm
		Sunday, Oct. 27	10:00 am to 5 pm
		Monday, Oct. 28 thru Friday, Nov 1	8:00 am to 8:00 pm
Brownsville Public Library	2600 Central Blvd. Brownsville, Texas	Monday, Oct. 21 thru Friday, Oct. 25	9:00 am to 7:00 pm
		Saturday, Oct. 26	8:00 am to 8:00 pm
		Sunday, Oct. 27	10:00 am to 5 pm
		Monday, Oct. 28 thru Friday, Nov 1	8:00 am to 8:00 pm
BISD Administrative Bldg	1900 E. Price Rd Brownsville, Texas	Monday, Oct. 21 thru Friday, Oct. 25	9:00 am to 7:00 pm
		Saturday, Oct. 26 thru Sunday, Oct. 27	10:00 am to 5 pm
		Monday, Oct. 28 thru Friday, Nov. 1	8:00 am to 8:00 pm
Southmost Public Library	4320 Southmost Rd. Brownsville, Texas	Monday, Oct. 21 thru Friday, Oct. 25	9:00 am to 7:00 pm
		Saturday, Oct. 26 thru Sunday, Oct. 27	10:00 am to 5 pm
		Monday, Oct. 28 thru Friday, Nov. 1	8:00 am to 8:00 pm
Cameron Park Community Center (El Centro Cultural)	2100 Gregory Ave. Brownsville, Texas	Monday, Oct. 21 thru Friday, Oct. 25	9:00 am to 7:00 pm
		Saturday, Oct. 26 thru Sunday, Oct. 27	10:00 am to 5 pm
		Monday, Oct. 28 thru Friday, Nov. 1	8:00 am to 8:00 pm
Harlingen County Annex Bldg.	3302 Wilson Rd. Harlingen, Texas	Monday, Oct. 21 thru Friday, Oct. 25	9:00 am to 7:00 pm
		Saturday, Oct. 26	8:00 am to 8:00 pm
		Sunday, Oct. 27	10:00 am to 5 pm
		Monday, Oct. 28 thru Friday, Nov 1	8:00 am to 8:00 pm
San Benito Community Bldg.	210 E. Heywood St. San Benito, Texas	Monday, Oct. 21 thru Friday, Oct. 25	9:00 am to 7:00 pm
		Saturday, Oct. 26	8:00 am to 8:00 pm
		Sunday, Oct. 27	10:00 am to 5 pm
		Monday, Oct. 28 thru Friday, Nov 1	8:00 am to 8:00 pm
Port Isabel Event and Cultural Center	309 Railroad St. Port Isabel, Texas	Monday, Oct. 21 thru Friday, Oct. 25	9:00 am to 7:00 pm
		Saturday, Oct. 26 thru Sunday, Oct. 27	10:00 am to 5 pm
		Monday, Oct. 28 thru Friday, Nov. 1	8:00 am to 8:00 pm
American Legion Hall	219 E. Commercial Ave. La Feria, Texas	Monday, Oct. 21 thru Friday, Oct. 25	9:00 am to 7:00 pm
		Saturday, Oct. 26 thru Sunday, Oct. 27	10:00 am to 5 pm
		Monday, Oct. 28 thru Friday, Nov. 1	8:00 am to 8:00 pm
Los Fresnos Community Center	204 N. Brazil St. Los Fresnos, Texas	Monday, Oct. 21 thru Friday, Oct. 25	9:00 am to 7:00 pm
		Saturday, Oct. 26 thru Sunday, Oct. 27	10:00 am to 5 pm
		Monday, Oct. 28 thru Friday, Nov. 1	8:00 am to 8:00 pm

**Notice of Early Voting Locations for the General Election
to be held on November 5, 2024**

LOCATION	ADDRESS	DATES	TIMES
New Horizon Medical Center	191 E. Price Rd. Brownsville, Texas	Monday, Oct. 21 thru Friday, Oct. 25	9:00 am to 7:00 pm
		Saturday, Oct. 26 thru Sunday, Oct. 27	10:00 am to 5 pm
		Monday, Oct. 28 thru Friday, Nov. 1	8:00 am to 8:00 pm
Harlingen Cultural Arts Center	576 "76" Dr. Harlingen, Texas	Monday, Oct. 21 thru Friday, Oct. 25	9:00 am to 7:00 pm
		Saturday, Oct. 26 thru Sunday, Oct. 27	10:00 am to 5 pm
		Monday, Oct. 28 thru Friday, Nov. 1	8:00 am to 8:00 pm
Rio Hondo Municipal Center	121 N. Arroyo Blvd Rio Hondo, Texas	Monday, Oct. 21 thru Friday, Oct. 25	9:00 am to 7:00 pm
		Saturday, Oct. 26 thru Sunday, Oct. 27	10:00 am to 5 pm
		Monday, Oct. 28 thru Friday, Nov. 1	8:00 am to 8:00 pm
Santa Rosa Maria Luisa Ruiz Guerra County Annex Bldg.	116 Santa Vista Ave. Santa Rosa, Texas	Monday, Oct. 21 thru Friday, Oct. 25	9:00 am to 7:00 pm
		Saturday, Oct. 26 thru Sunday, Oct. 27	10:00 am to 5 pm
		Monday, Oct. 28 thru Friday, Nov. 1	8:00 am to 8:00 pm
UTRGV Interdisciplinary Academic Bldg (BNAB)	1 West University Blvd Brownsville, Texas	Monday, Oct. 21 thru Friday, Oct. 25	9:00 am to 7:00 pm
		Saturday, Oct. 26 thru Sunday, Oct. 27	10:00 am to 5 pm
		Monday, Oct. 28 thru Friday, Nov. 1	8:00 am to 8:00 pm
Los Indios Community Center	309 Heywood St. Los Indios, Texas	Monday, Oct. 21 thru Friday, Oct. 25	9:00 am to 7:00 pm
		Saturday, Oct. 26 thru Sunday, Oct. 27	10:00 am to 5 pm
		Monday, Oct. 28 thru Friday, Nov. 1	8:00 am to 8:00 pm
Town of Rancho Viejo City Hall	3301 Carmen Ave. Rancho Viejo, Texas	Monday, Oct. 21 thru Friday, Oct. 25	9:00 am to 7:00 pm
		Saturday, Oct. 26 thru Sunday, Oct. 27	10:00 am to 5 pm
		Monday, Oct. 28 thru Friday, Nov. 1	8:00 am to 8:00 pm
Bob Clark Social Service Center	9901 California Rd. Brownsville, Texas	Monday, Oct. 21 thru Friday, Oct. 25	9:00 am to 7:00 pm
		Saturday, Oct. 26 thru Sunday, Oct. 27	10:00 am to 5 pm
		Monday, Oct. 28 thru Friday, Nov. 1	8:00 am to 8:00 pm
Santa Maria ISD Administrative Bldg.	Board Room 11119 Military Hwy 281 Santa Maria, Texas	Monday, Oct. 21 thru Friday, Oct. 25	9:00 am to 7:00 pm
		Saturday, Oct. 26 thru Sunday, Oct. 27	10:00 am to 5 pm
		Monday, Oct. 28 thru Friday, Nov. 1	8:00 am to 8:00 pm
South Padre Island Community Center	4501 Padre Blvd South Padre Island, Texas	Monday, Oct. 21 thru Friday, Oct. 25	9:00 am to 7:00 pm
		Saturday, Oct. 26 thru Sunday, Oct. 27	10:00 am to 5 pm
		Monday, Oct. 28 thru Friday, Nov. 1	8:00 am to 8:00 pm
Harlingen City Hall Town Hall Meeting Room	118 E. Tyler Ave Harlingen, Texas	Monday, Oct. 21 thru Friday, Oct. 25	9:00 am to 7:00 pm
		Saturday, Oct. 26 thru Sunday, Oct. 27	10:00 am to 5 pm
		Monday, Oct. 28 thru Friday, Nov. 1	8:00 am to 8:00 pm
Laguna Vista City Hall	122 Fernandez St Laguna Vista, Texas	Monday, Oct. 21 thru Friday, Oct. 25	9:00 am to 7:00 pm
		Saturday, Oct. 26 thru Sunday, Oct. 27	10:00 am to 5 pm
		Monday, Oct. 28 thru Friday, Nov. 1	8:00 am to 8:00 pm

**Notice of Early Voting Locations for the General Election
to be held on November 5, 2024**

LOCATION	ADDRESS	DATES	TIMES
City of Primera City Hall	22893 Stuart Place Rd. Primera, Texas	Monday, Oct. 21 thru Friday, Oct. 25	9:00 am to 7:00 pm
		Saturday, Oct. 26 thru Sunday, Oct. 27	10:00 am to 5 pm
		Monday, Oct. 28 thru Friday, Nov. 1	8:00 am to 8:00 pm
Harlingen Convention Center	701 Harlingen Heights Dr. Harlingen, Texas	Monday, Oct. 21 thru Friday, Oct. 25	9:00 am to 7:00 pm
		Saturday, Oct. 26 thru Sunday, Oct. 27	10:00 am to 5 pm
		Monday, Oct. 28 thru Friday, Nov. 1	8:00 am to 8:00 pm

Approved By Commissioners Court On:
Minutes\August 27, 2024-Regular\Page 14
Presentations Item "4H"



REMI GARZA, CERA
ELECTIONS ADMINISTRATOR

September 6, 2024

House Bill 2524, SOS Election Advisory No. 2009-14
RE: Conducting Criminal Background Check

PURPOSE:

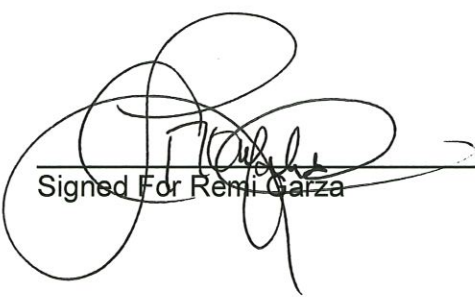
To secure and ensure the purity of the Elections conducted by the Cameron County Elections/Voter Registration Department.

Certification:

The Cameron County Elections/Voter Registration Office Certifies that a criminal background check has been conducted, in compliance with Texas Election Code § 129.051 (g), enacted by the 81st Texas Legislature in House Bill 2524 and which went into effect on September 1, 2009, on all employees, permanent and temporary, that may program, test, perform maintenance, transport equipment, or perform maintenance, transport equipment, or perform technical support on the voting system equipment for all election has been performed by the Cameron County Office of Human Resources. We report no findings that would prevent our department employees from performing their assigned duties.

Remi Garza, Elections Administrator

Date



Signed For Remi Garza



Printed Name

Invoice # 2024-180- City of San Benito

For:

Ruth McGinnis
City Secretary
401 North Sam Houston
San Benito, Texas 78586

City of San Benito- A1-TAB 1- Deposit for the November 5, 2024 Election (4067)

Item Number	Description	Price	Quantity	%	Amount
4067	Deposit for the November 5, 2024 Elections	\$ 26,235.00	1	60%	\$ 15,741.00
Subtotal	Total items: 3				15,741.00

Make all checks payable to:

Cameron County Elections Dept

**If you have any questions
concerning this invoice,
contact:**

Remi Garza

Elections Administrator

remi.garza@co.cameron.tx.us

Sales Tax Rate: ☐ Tax Exempt

Sales Tax

Less Deposit Received

Invoice Total

\$	15,741.00
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Due Upon Receipt

Thank you for your business!

Cameron County Elections Department

Tel 956-544-0809

1050 East Madison St

www.co.cameron.tx.us

Fax 956-550-7298

Brownsville, Texas 78520

remi.garza@co.cameron.tx.us





EXECUTIVE SUMMARY

REQUEST:

Consideration and possible action to approve payment to GDJ Engineering for the San Benito Drainage, Water and Sewer System Survey, and the Geographic Information Systems Dashboard Development, in the amount of \$54,729.42.

RECOMMENDATION:

City staff recommends approval

RATIONALE:

GDJ Engineering is actively working on the City's Drainage, Water & Sewer System mapping.

BUDGET IMPACT:

\$54,729.42 Planning Department-Professional Services 5-0131-0403

RESOURCE PERSONNEL:

Johanna maldonado, Planning Director

EXHIBITS:

GDJ INVOICE # 2023-174

PREPARED BY: Johanna Maldonado

Planning and Development Director

09/12/2024

Date

Fred R. Sandoval

Fred Sandoval
City Manager

September 1, 2024

Mr. Fred Sandoval
City Manager
City of San Benito
401 North Sam Houston Boulevard.
San Benito, Texas 78586

Ref: San Benito Drainage, Water & Sewer System Survey & GIS Dashboard Development
Invoice #: 2023-174

Dear Mr. Sandoval,

GDJ Engineering is submitting this progress report in support of the corresponding invoice and as a request for payment. The detailed task item updates are described below.

Task #1 – Project Management and Coordination 83.5% Complete

The GDJ Team is on track with project management based on the contract schedule.

Task #2 – Inventory Data Collection: 95% Complete

The GDJ survey team has been coordinating with City of San Benito Staff and in the field collecting data on water, sewer, and storm sewer infrastructure. Multiple meetings with staff in the office and field have been held to finalize data sets.

Task #3 – 2D / 3D Mapping (Flowline development): 40% Complete

The GDJ design team has been coordinating with surveyors and getting data to establish flowlines of storm sewer infrastructure. This data and photos are being utilized to develop conceptual projects.

Task #4 – Creation of GIS Database, Exhibits, Figures, & GIS Dashboard: 95% Complete

The GDJ GIS team has been coordinating with City of San Benito Staff and continued the creation of the GIS Database and preliminary Dashboard. The team also performed a review of current COSB GIS data, created a project specific folder on COSB AGOL (Arc GIS Online) account where all Web Layers, Web Maps, and Web Dashboards will be housed. Created a QuickCapture App for field Asset Reconnaissance, created a QuickCapture Dashboard for real time asset collection status, and created a Preliminary Dashboard Layout using Experience Builder on AGOL.

Task #5 – Preliminary Project Development Planning: 50% Complete

The GDJ team has continued the collection of data and the development of preliminary future repairs and capital improvements needed.

Task #6 – Drainage District Coordination: 50% Complete

The GDJ Planning team has begun coordination with the local Drainage District to delineate outfalls for the City of San Benito Storm Sewer system.

Thank you and should you have any questions or require additional information, please feel free to call me at (956) 603-2025.

Sincerely,

A handwritten signature in blue ink, appearing to read 'R. Macheska', with a stylized flourish at the end.

Robert Macheska, P.E., CFM
Executive VP/COO
LDG Enterprises (GDJ Engineering), LLC

TRANSPORTATION MANAGEMENT DESIGN DRAINAGE DESIGN DESIGN CONSTRUCTION COORDINAT
WATER TRANSPORTATION DESIGN DRAINAGE STRUCTUI



2805 Fountain Plaza Blvd., Suite B
Edinburg, Texas 78539
(956) 603-2025

Invoice

Date	Invoice #
9/1/2024	2024-174

Please send remittance with copy of invoice to:

Attn: Mr. Robert Macheska
2805 Fountain Plaza Blvd.
Suite B
Edinburg, Texas 78539

Bill To:

City of San Benito
401 North Sam Houston Blvd.
San Benito, Texas 78586

Project Info:

*San Benito Drainage, Water & Sewer System
Survey & GIS Dashboard Development*

Billing Period: August 2024

Description	Contract	Previous Applications	Current Completed	Total Completed	% Complete
Task 1 - Project Management and Coordination	\$ 9,260.00	\$ 6,182.59	\$ 1,546.42	\$ 7,729.01	83.5%
Task 2 - Inventory Data Collection	\$ 170,000.00	\$ 127,500.00	\$ 34,000.00	\$ 161,500.00	95.0%
Task 3 - 2D / 3D Mapping (Flowline development)	\$ 21,000.00	\$ 4,200.00	\$ 4,200.00	\$ 8,400.00	40.0%
Task 4 - Creation of GIS Database for Project Data, Exhibits, Figures, & GIS Dashboard	\$ 29,500.00	\$ 20,650.00	\$ 7,375.00	\$ 28,025.00	95.0%
Task 5 - Preliminary Project Development Planning	\$ 27,800.00	\$ 8,340.00	\$ 5,560.00	\$ 13,900.00	50.0%
Task 6 - Drainage District Coordination	\$ 10,240.00	\$ 3,072.00	\$ 2,048.00	\$ 5,120.00	50.0%

Total For This Billing Period: \$54,729.42

Work Authorization ~ Summary

<u>WA No.</u>	<u>WA Amount</u>	<u>Previously Inv.</u>	<u>Percent Complete</u>	<u>Remaining Balance</u>
PSA #1	\$267,800.00	\$169,944.59	83.9%	\$43,125.99

Robert Macheska - Exec. Vice-President/COO



EXECUTIVE SUMMARY

REQUEST:

Consideration and possible action to approve Payment Number 1 to Cornett Construction Company for the reconstruction of Lift Station Number 6, Alamo Improvements Project, in the amount of \$376,129.28.

RECOMMENDATION:

City staff recommend approval.

RATIONALE:

Cornett Construction submitted an invoice for Payment Number 1 for the Alamo Lift Station, verifying construction processes and materials on site, matching the percentage of application.

BUDGET IMPACT:

Series 2019 Certificate of Obligations: 51-5-0101-0706

RESOURCE PERSONNEL:

Raul Morales, City Engineer

EXHIBITS:

Cornett Construction Invoice Application #1

PREPARED BY: Raul G. Morales
City Engineer

09/12/2024
Date

Fred R. Sandoval

Fred Sandoval
City Manager

Contractor's Application for Payment

Owner: CITY OF SAN BENITO	Owner's Project No.:
Engineer: HC ENGINEERING	Engineer's Project No.: P326
Contractor: CORNETT CONSTRUCTION CO.	Contractor's Project No.:
Project: ALAMO STREET LIFT STATION NO.6 IMPROVEMENTS	
Contract:	
Application No.: 1	Application Date: 8/25/24
Application Period: From 7/1/24 to 8/31/24	

1. Original Contract Price	\$ 1,362,407.09
2. Net change by Change Orders	\$ -
3. Current Contract Price (Line 1 + Line 2)	\$ 1,362,407.09
4. Total Work completed and materials stored to date (Sum of Column G Lump Sum Total and Column J Unit Price Total)	\$ 417,921.42
5. Retainage	
a. 10% X \$ 417,921.42 Work Completed	\$ 41,792.14
b. 10% X \$ - Stored Materials	\$ -
c. Total Retainage (Line 5.a + Line 5.b)	\$ 41,792.14
6. Amount eligible to date (Line 4 - Line 5.c)	\$ 376,129.28
7. Less previous payments (Line 6 from prior application)	\$ -
8. Amount due this application	\$ 376,129.28
9. Balance to finish, not including retainage (Line 3 - Line 4)	\$ 944,485.67

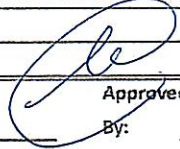
Contractor's Certification

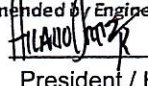
The undersigned Contractor certifies, to the best of its knowledge, the following:

(1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;

(2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such liens, security interest, or encumbrances); and

(3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Contractor: CORNETT CONSTRUCTION CO.	
Signature: 	Date: 8/25/24

Recommended by Engineer	Approved by Owner
By: 	By: _____
Title: President / HC Engineering	Title: _____
Date: 9/4/2024	Date: _____
Approved by Funding Agency	
By: _____	By: _____
Title: _____	Title: _____
Date: _____	Date: _____

