



MINUTES OF THE CITY OF SAN BENITO REGULAR CITY COMMISSION MEETING

On June 16, 2020 the City Commission met for a Regular City Commission Meeting at the San Benito Municipal Building, Cesar Gonzalez Meeting Hall, 401 North Sam Houston Boulevard, San Benito, Texas.

City Commission Members Present: Benjamin Gomez, Mayor ; Antonio Gonzales, Commissioner, Place 1; Rene Villafranco, Commissioner, Place 2 ; Mark Sossi, City Attorney.

City Commission Member Absent: Carol Lynn Sanchez, Mayor Pro Tem ; Vacant, Commissioner, Place 3.

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

ITEM 1. WELCOME.

Mayor Benjamin Gomez 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.

Ms. Michelle Ozuna, San Benito Youth Group, Templo El Salvador, led the City Commission and audience in reciting the pledge of allegiance to the U.S. Flag and to the Texas Flag.

ITEM 3. INVOCATION.

Ms. Jenna Ozuna, San Benito Youth Group, El Templo Salvador, led the City Commission and audience in prayer.

ITEM 4. ANNOUNCEMENTS: ITEMS OF COMMUNITY INTEREST.

Mayor Benjamin Gomez announced items of community interest advising precaution during COVID-19 pandemic.

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

Ruth McGinnis, City Secretary, announced Mrs. Deborah Morales, Citizen, addressed the City Commission by identifying herself and stating to be a resident of San Benito for over twenty years. I come to you today with concern about the decisions you as leaders in our community have been deciding. Right now we are in a time of uncertainty and the unknown about COVID-19. Our numbers are rising by the day, the decisions you make will determine the fate of a lot of our residents. As I go around the City, I see a lot of residents taking the necessary precautions to protect their family. But, I also see a lot of residents thinking this virus is over or never existed. The simple task of wearing a mask has become a debate. Why? I have two family members that work at HEB, one in Harlingen and one in San Benito. Both locations have had at least one employee test positive. What are we waiting for? I worry every day for their wellbeing. To those of you that think that you do not have to wear a mask because you are not going to let fear beat you, well, that same fear makes you buy medical insurance for the fear of you getting sick. That same fear makes you buy auto insurance for the fear of an accident. That same fear makes you buy homeowners insurance in the fear of your home catching fire. That same fear makes you buy some type of life insurance for the fear your family will not suffer the burden of funeral expense. I look at another aspect, responsibility. Let's all be responsible, not just for our family but for our community that is family as well. I work in the death industry, I have seen all different types of mourning, none are ever pleasant. But, there is one that sticks out the most, the loss of a child for a mother is unbearable, no matter what age, that cry will echo in your mind and heart for the rest of your life. It is something that you will never forget. I want everyone in here to close your eyes for a moment, can you hear them? Can you hear your child calling out for you? Mommy, daddy, grandpa, grandma, because I can, you'll not be able to comfort them. Our children are just as vulnerable as we are. So, when

you are making these decisions to open a park or to have upcoming events, close your eyes, listen to those voices. Don't cast your vote on a few residents that have been requesting the openings of parks and events. Base your decision on the majority that are concerned for everyone's being. I rather lose votes on an election than lives in our community.

Ruth McGinnis, City Secretary, announced **Mr. Joe Medrano, Citizen**, addressed the City Commission by identifying himself stating, I am the Public Relations and Communications Director for CASA, Court Appointed Special Advocates. We've been serving children in foster care in Cameron and Willacy Counties for twenty-five years. Our application for CDBG funding, our requesting funding for this year, Fiscal year 2020-2021 is \$15,000.00. Our current funding received for Fiscal Year 2019-2020 is \$8,000.00 and we thank you very much for that support. San Benito CDBG funds are just a portion that fund one of our volunteer supervisors assigned to San Benito children. Currently, we are serving 36 children with seven advocates. Please keep in mind that the advocates serve the child in foster care from between twelve and sixteen and sometimes eighteen months before a final decision is made on that child. We have several volunteers from the City of San Benito and one of our Board Members was born in San Benito. In Fiscal Year 2019-2020, we have served a total of forty-nine children thus far. Some of the results of those twelve from San Benito children closed with the following outcomes; seven of those children were returned home, four of those children their custody was granted to a relative, and one of those children was adopted, and we are pleased with the positive results of those outcomes. As a reminder, CASA has complied with all funding requirements and submitted all reports in a timely fashion. And I'll close with this, I ask you to consider the work we've done with the children of San Benito. I'll ask you to consider the current climate in which the kids are at home and the financial situation for many families is difficult and can be trying and sometimes there is a propensity for family situations that will result in a need for a CASA. So, I'll ask you to consider all of that in making your decisions. Thank you for the opportunity to speak this evening.

Ruth McGinnis, City Secretary, announced **Ms. Lynn Pare, Citizen**, who addressed the City Commission by stating hello, it has been a while since I've been here. I'm Lynn Pare, resident of San Benito. I was kind of surprised when I came up to the door and was refused entrance, but then they explained it to me. Then I looked at the sign outside that said, you can come in at 5:15 to sign up and to enter the room. I got here at 5:14 p.m. and I was refused entrance. How did those other people get in here before 5:15 p.m. that is announced on the door? I am going to say what many in the community are thinking and not willing to say in public. First of all, I do not think that all cops are bad but there are bad cops everywhere. Second, boy, isn't the City lucky? Given the current upheaval and disgust of an excessive force by the cops. The San Benito Police Department did not receive the attention of the nationwide media. Remember Ricky Trevino. I'd like to question Item 16 regarding a proposed memo of understanding to adopt a schedule change for law enforcement personnel as a pilot project. Since everything is discussed in Executive Session, leaving up the consideration and possible action in secret, will there be any discussion during tonight's meeting of our commission expanding this MOU any discussions or specifics of this proposal to the children you all serve? We need a culture shift, putting citizens first. Today, the federal government announced a new Executive Order safe policing for safe communities. It's over two pages long, it directly affects us today. I suggest if you haven't read it that you read it, I can give you a copy if you need to. Also, the Texas A.G. Office is proposing an independent civil rights union. But, getting to the City of San Benito when I'm short on time, it's, I think you should be inclusive of the City citizens for a police policy manual review, accountability for the city website, webpage is grossly outdated, accountability on transparency is not there. The budget is coming up, there may be some budgetary items that need to be adjusted and we as citizens know nothing about it. The check register has not been updated since 2017. I propose that there is citizens' review board to keep politics out of it that is long-term sustainable change to be included a process and unaided on police reform and review. And also, I think it should be included in picking a new police chief so that there no longer are any appearances of impropriety. Thank you.

Ruth McGinnis, City Secretary, announced the end of public comments.

Mayor Benjamin Gomez presented Certificates of Appreciation Church's Fried Chicken in San Benito for providing meals to our troops during the COVID-19 testing and to Chuy's Custom Sports for donating the signage for the COVID testing.

ITEM 6: CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE MINUTES OF THE JUNE 2, 2020 REGULAR CITY COMMISSION MEETING.

Mayor Benjamin Gomez requested a motion. Commissioner Rene Villafranco moved to approve. Commissioner Antonio Gonzales seconded the motion. Voting Aye: Mayor Benjamin Gomez, Commissioner Antonio Gonzales, and Commissioner Rene Villafranco. Motion carried to **APPROVE THE MINUTES OF THE JUNE 2, 2020 REGULAR CITY COMMISSION MEETING.**

ITEM 7. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE SAN BENITO ECONOMIC DEVELOPMENT CORPORATION'S COMMERCIAL FACADE IMPROVEMENT GRANT AWARD TO UNIFORMS, ETC., IN THE AMOUNT OF \$920.12.

Ms. Rebeca Castillo, Executive Director, San Benito EDC, addressed the City Commission advising this agenda item is a part of the Small Business Investment Program Commercial Façade Improvement. They have requested funding at fifty percent of the cost for a sign for Uniforms, Etc. There were three quotes, three bids that were submitted and the lowest cost is from here locally in San Benito and we are asking for your consideration to approve the award of \$920.12. Mayor Benjamin Gomez requested a motion. Commissioner Antonio Gonzales moved to approve. Commissioner Rene Villafranco seconded the motion. Voting Aye: Mayor Benjamin Gomez, Commissioner Antonio Gonzales and Commissioner Rene Villafranco. Motion carried to **APPROVE THE SAN BENITO ECONOMIC DEVELOPMENT CORPORATION'S COMMERCIAL FACADE IMPROVEMENT GRANT AWARD TO UNIFORMS, ETC., IN THE AMOUNT OF \$920.12.**

ITEM 8. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AMENDMENT NUMBER 1 TO THE U.S.D.A. INTERMEDIARY REVOLVING LOAN AGREEMENT BETWEEN THE FOLLOWING LOAN RECIPIENTS AND THE SAN BENITO ECONOMIC DEVELOPMENT CORPORATION FOR THE DEFERMENT OF PAYMENTS FROM MARCH 31, 2020 TO DECEMBER 31, 2020

- a) David Perez, San Bene Properties
- b) Delia Rodriguez, New Beginnings Day Care
- c) Griselda Ornelas, Ornelas Bakery
- d) Griselda Ornelas, Ornelas Bakery & Taqueria
- e) Orlando Garza, Slicks Premium Wash
- f) Veronica Aguilar, Delia's Adult Day Care

Rebeca Castillo, Executive Director of the San Benito EDC addressed the City Commission stating the USDA, we have this intermediary loan with the USDA that awards loans. We have six loan recipients, who through USDA they have been awarded or taken action to defer their payments for six months. They have all opted to take advantage of this. We are asking for your consideration to approve the loan agreements where we are setting the terms of the deferment for six months and the maturity of the date will change to six months after their original date. Each of the loan agreements are attached to your packet and I am here to answer any questions that you may have. The six recipients have been up to date so they are eligible to be able to be consider for the deferment. Mayor Benjamin Gomez requested a motion. Commissioner Rene Villafranco moved to approve. Commissioner Antonio Gonzales seconded the motion. Voting Aye; Mayor Benjamin Gomez, Commissioner Antonio Gonzales and Commissioner Rene Villafranco. Motion carried to **APPROVE AMENDMENT NUMBER 1 TO THE U.S.D.A. INTERMEDIARY REVOLVING LOAN AGREEMENT BETWEEN THE FOLLOWING LOAN RECIPIENTS AND THE SAN BENITO ECONOMIC DEVELOPMENT CORPORATION FOR THE DEFERMENT OF PAYMENTS FROM MARCH 31, 2020 TO DECEMBER 31, 2020**

ITEM 9. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NUMBER 2020-0010 AUTHORIZING THE MAYOR OR HIS DESIGNEE TO APPROVE THE APPLICATION AND ACCEPTANCE OF ANY LOCAL BORDER SECURITY PROGRAM (OPSG) GRANT NUMBER 3150905 THAT THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANTS DIVISION, ISSUES FOR THE PERIOD OF PERFORMANCE BEGINNING SEPTEMBER 1, 2020 AND ENDING AUGUST 31, 2021. (BL-21 LOCAL BORDER SECURITY PROGRAM).

Assistant City Manager and Interim Chief of Police Fred Bell addressed the City Commission advising at the last City Commission Meeting, the Local Border Security Program Grant Resolution was approved. When the agenda packet was prepared, it reflected the previous year's grant number. It's the same grant, it's just been revised, corrected with the right grant number. Mayor Benjamin Gomez requested a motion. Commissioner Rene Villafranco moved to approve. Commissioner Antonio Gonzales seconded the motion. Voting Aye; Mayor Benjamin Gomez, Commissioner Antonio Gonzales and Commissioner Rene Villafranco. Motion carried to APPROVE RESOLUTION NUMBER 2020-0010 AUTHORIZING THE MAYOR OR HIS DESIGNEE TO APPROVE THE APPLICATION AND ACCEPTANCE OF ANY LOCAL BORDER SECURITY PROGRAM (OPSG) GRANT NUMBER 3150905 THAT THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANTS DIVISION, ISSUES FOR THE PERIOD OF PERFORMANCE BEGINNING SEPTEMBER 1, 2020 AND ENDING AUGUST 31, 2021. (BL-21 LOCAL BORDER SECURITY PROGRAM).

ITEM 10. CONSIDERATION AND POSSIBLE ACTION TO APPROVE SECOND AND FINAL READING OF ORDINANCE NUMBER 2574 AN ORDINANCE OF THE CITY OF SAN BENITO, TEXAS, REPEALING ORDINANCE NUMBER 2436 AND ABANDONING THE SIXTY (60) FOOT RIGHT OF WAY BEING ON THE NORTH PART OF LOT 15, BLOCK 200 OF SAN BENITO LAND AND WATER COMPANY SUBDIVISION, AS DESCRIBED IN THE TWO EXHIBITS TO ORDINANCE 2436.

Assistant City Manager and Interim Chief of Police, Fred Bell addressed the City Commission advising this is the second reading of this ordinance. What's been included in your packets this go-around at the request of some of you elected officials. You have copy of Ordinance 2574, we've included a copy of the City Commission Meeting of April 6th and April 20th, 2004 pertaining to Ordinance 2314 which is the one that created the initial sixty-foot wide section of land. There is also a copy of Ordinance 2314. We've also included a copy of City Commission Meeting from June 2nd and 16th from 2009 pertaining to Ordinances 2435 and 2436 and the exhibits that go with it. Basically, the short version of that is, in 2009 they repealed the ordinance setting the initial sixty-foot wide and passed some ordinances moving that sixty-foot to the northern end part of the cemetery property. So, we included all those minutes as well as including the City Commission Minutes from July 24, 2018 when this was initially brought to you all consideration. There was a quest about obtaining the minutes from the previous meetings and those are included in your packets. Mayor Benjamin Gomez requested a motion. Commissioner Rene Villafranco moved to approve. Commissioner Antonio Gonzales seconded the motion. Voting Aye; Mayor Benjamin Gomez, Commissioner Antonio Gonzales and Commissioner Rene Villafranco. Motion carried to APPROVE SECOND AND FINAL READING OF ORDINANCE NUMBER 2574 AN ORDINANCE OF THE CITY OF SAN BENITO, TEXAS, REPEALING ORDINANCE NUMBER 2436 AND ABANDONING THE SIXTY (60) FOOT RIGHT OF WAY BEING ON THE NORTH PART OF LOT 15, BLOCK 200 OF SAN BENITO LAND AND WATER COMPANY SUBDIVISION, AS DESCRIBED IN THE TWO EXHIBITS TO ORDINANCE 2436.

ITEM 11. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A TWENTY (20) FOOT ACCESS EASEMENT ON PROPERTY LOCATED AT THE SAN BENITO MEMORIAL PARK IDENTIFIED BY LEGAL DESCRIPTION SAN BENITO LAND AND WATER COMPANY SUBDIVISION, 10.00 ACRES, LOT 15, BLOCK 200 (VOLUME 1 PAGE 6 CCMR) AS DESCRIBED BY METES AND BOUNDS.

Assistant City Manager and Interim Chief of Police, Fred Bell addressed the City Commission advising at the last City Commission Meeting, this item was tabled in order for you to consider and make a decision on the previous agenda item. As indicated in the previous item, the purpose of this item is to create a twenty-foot access easement across the north section of San Benito Memorial Park which will in effect prevent land locking adjacent properties. Mayor Benjamin Gomez requested a motion. Commissioner Antonio Gonzales moved to approve. Commissioner Rene Villafranco seconded the motion. Voting Aye; Mayor Benjamin Gomez, Commissioner Antonio Gonzales and Commissioner Rene Villafranco. Motion carried to APPROVE

A TWENTY (20) FOOT ACCESS EASEMENT ON PROPERTY LOCATED AT THE SAN BENITO MEMORIAL PARK IDENTIFIED BY LEGAL DESCRIPTION SAN BENITO LAND AND WATER COMPANY SUBDIVISION, 10.00 ACRES, LOT 15, BLOCK 200 (VOLUME 1 PAGE 6 CCMR) AS DESCRIBED BY METES AND BOUNDS.

ITEM 12. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE FISCAL YEAR 2020-2021 DRAFT ONE-YEAR ACTION PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING, AND AUTHORIZE THE MAYOR TO SIGN THE CORRESPONDING APPLICATION FOR FEDERAL ASSISTANCE.

Elvira Cavazos, CDBG Coordinator addressed the City Commission advising the City CDBG award for Fiscal Year 2020-2021 is \$386,288.00. In your packets is a spreadsheet detailing the allocation of funds based on previous commitments. After deducting the street debt payment, the general administration percentage and Resaca Trail property payment, \$54,183.00 is available for disbursement. City Manager Manuel De La Rosa requested permission to address the City Commission advising the spreadsheet indicates there were three applicants during this time period. One is Amigos Del Valle for \$55,000.00. The second was Maggie's House in the amount of \$8,000.00, and third, CASA in the amount of \$15,000.00. Those three added up to \$78,000.00. Certainly over the \$54,183.00 that is available. It is staff recommendation that the allocation be that Amigos Del Valle be allocated \$5,000.00 and not \$55,000.00. Maggie's House be allocated \$10,000.00, \$2,000.00 more than they requested and CASA be allocated \$15,000.00 as they requested and you heard during the public comments portion from the gentleman that represents CASA. So, those three allocations come out to \$30,000.00. That leaves a residual of \$24,183.00. which I recommend it be allocated towards park improvements. HUD is very detailed about where these park improvements can be. We know they can be used to rehabilitate bathrooms, it has to be new construction. They cannot be used to do parking lots, new parking lots. We have plenty of parkways. We have some parks that may qualify and some may not due to Census tracks. It is my recommendation you leave it fairly open for these parks and you communicate with us which parks you would like for us to look at. We'll verify with HUD if City can use all or part of those funds, and as far as those \$24,183.00 will carry us. It is staff recommendation, and you can certainly go with the three and as long as the total is up to \$54,183.00 or as I've recommended these other allocations. Ms. Cavazos already went through the publishing and she can detail all that information we published in the newspapers and we've taken applications. It cannot be opened again until the end of the year, if there are any funds left over, they do not qualify. The commission will have the opportunity to do an application process to reallocate funds. Mayor Benjamin Gomez requested a motion. Commissioner Rene Villafranco moved to approve as staff recommended. Commissioner Antonio Gonzales seconded the motion. Voting Aye; Mayor Benjamin Gomez, Commissioner Antonio Gonzales and Commissioner Rene Villafranco. Motion carried to **APPROVE THE FISCAL YEAR 2020-2021 DRAFT ONE-YEAR ACTION PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING AS STAFF RECOMMENDED, AND AUTHORIZE THE MAYOR TO SIGN THE CORRESPONDING APPLICATION FOR FEDERAL ASSISTANCE.**

ITEM 13. DISCUSSION AND POSSIBLE ACTION TO CANCEL RESACAFEST 2020, SCHEDULED FOR JULY 4, 2020 AT THE W.H. HEAVIN MEMORIAL PARK, DUE TO THE HEALTH AND SAFETY CONCERNS FROM COVID-19.

Mayor Benjamin Gomez referred to public comment by Ms. Deborah Morales on her concerns on the COVID-19 which he shares the same concern. The health of our community, exposing everyone, our police, our fire department, our employees, our staff out at the park. The other concern is that we don't have a lineup and if we try to get something right away, it is going to be very costly. I don't see how we can the Resacafest with the pandemic numbers continuing to increase. It is not right or ethical to have a concert at this moment. City Manager Manuel De La Rosa stated, just for the record, the City received a letter from Mr. Julian Rios, the Chairman of the San Benito Economic Development. Mayor Benjamin Gomez confirmed receiving the letter. City Manager Manuel De La Rosa advised the letter is in your packet confirming it will be part of our records and it is staff recommendation that the event not be held this year in the interest of public health. Benjamin Gomez requested a motion. Commissioner Rene Villafranco moved to approve. Commissioner Antonio Gonzales seconded the motion. Voting Aye; Mayor Benjamin Gomez, Commissioner Antonio Gonzales and Commissioner Rene Villafranco. Motion carried to **APPROVE THE CANCELLATION**

OF THE RESACAFEST 2020, SCHEDULED FOR JULY 4, 2020 AT THE W.H. HEAVIN MEMORIAL PARK, DUE TO THE HEALTH AND SAFETY CONCERNS FROM COVID-19.

ITEM 14. DISCUSSION AND POSSIBLE ACTION TO CANCEL HOG WADDLE COUNTRY CONCERT AND COOK-OFF, SCHEDULED FOR SEPTEMBER 12, 2020 AT THE SAN BENITO FAIRGROUNDS, DUE TO THE HEALTH AND SAFETY CONCERNS FROM COVID-19.

Mayor Benjamin Gomez advised this is another event he recommends to cancel due to the COVID-19 pandemic. Benjamin Gomez requested a motion. Commissioner Rene Villafranco moved to approve. Commissioner Antonio Gonzales seconded the motion. Voting Aye; Mayor Benjamin Gomez, Commissioner Antonio Gonzales and Commissioner Rene Villafranco. Motion carried to APPROVE THE CANCELLATION OF THE HOG WADDLE COUNTRY CONCERT AND COOK-OFF, SCHEDULED FOR SEPTEMBER 12, 2020 AT THE SAN BENITO FAIRGROUNDS, DUE TO THE HEALTH AND SAFETY CONCERNS FROM COVID-19.

ITEM 15. EXECUTIVE SESSION:

- a) Consultation with City Attorney pursuant to Texas Government Code §551.071, to receive legal advice regarding the City rights, duties, privileges, and obligations under Chapter 174 of the Texas Government Code, the current labor agreement, and the proposed memorandum of understanding relating to modification of police department schedules and related legal issues.

THE CITY COMMISSION CONVENED INTO EXECUTIVE SESSION AT 6:04 P.M. AND ADJOURNED AT 6:25 P.M.

ITEM 16. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SAN BENITO, THE CITY OF SAN BENITO POLICE DEPARTMENT CHIEF OF POLICE, AND THE SAN BENITO POLICE EMPLOYEE'S ASSOCIATION (SBPEA) TO ADOPT A SCHEDULING CHANGE FOR LAW ENFORCEMENT PERSONNEL AS A PILOT PROJECT.

Assistant City Manager and Interim Chief of Police, Fred Bell addressed the City Commission thanking the City Commission for considering this agenda item as discussed in Executive Session. He presented the San Benito Police Employee's Association President, Police Officer Lupe Andrade and Board Member Carlos Andrade, and representing the San Benito Police Administration is Assistant Police Chief Mario Perea, stating these were the workers that did the discussions. Mayor Benjamin Gomez stated he thought it's a great idea because every other weekend everybody is going to get a weekend off. You all voted on it and the majority and as long as you guys are comfortable with it and you think you can do it, let's go for it. I know it's a pilot program, you said thirteen weeks. Assistant Police Chief Perea advised it's twelve weeks. SBPE Association President, Officer Lupe Andrade confirmed twelve weeks. Mayor Benjamin Gomez advised if you all feel that it's necessary not to have that rescheduling, we can always go back to whatever it was, right. SBPE Association President, Officer Lupe Andrade confirmed advising that is part of the agreement. Commissioner Rene Villafranco advised this is a great boost morale for patrolmen and everybody in general because now you get to have the weekends off every other weekend and you get to make plans with your family. I think it's a great idea and thank you guys for coming together and bringing this to us. SBPE Association President, Officer Lupe Andrade thanked the City Commission. Commissioner Antonio Gonzales questioned if the all police officers are good with this change. Officer Lupe Andrade confirmed advising everything is fine and they gave every member the opportunity to vote, whatever they wanted and the majority voted that they wanted to give it a try. City Manager Manuel De La Rosa advised the City Commission before they vote for Interim Police Chief Fred Bell to summarize the Memorandum of Understanding so the public may understand the action being taken and how it affects the Collective Bargain Agreement. Assistant City Manager and Interim Chief of Police Fred Bell advised Mayor and Commissioners, what this is, is a twelve-week trial period in which we are going to put the patrol officers on twelve-hour schedules. The benefit of that is going to be an eight-hour work week and it will actually change

the ten-day working period down to seven days. Every patrol officer will have every other weekend off. We believe this is going to be strictly for a trial. After ten weeks, TMPA, who conducted the initial survey and gave us the results that said the majority of the department is in favor of giving this a try. The TMPA will come in and conduct another survey and if the majority of the officers are still satisfied and like the twelve-hour schedule, then we will come back before and requesting to extend the MOU until we go into contract negotiations with the association next year. If, after the survey, the majority of the department does not like it and wants to return to the eight-hours, then two weeks after that twelve-week period, Assistant Police Chief Mario Perea will return the department to eight-hour shifts. **Commissioner Rene Villafranco** questioned if the Association was requesting the MOU from the City Commission. **Assistant City Manager and Interim Chief of Police, Fred Bell** advised, no, I initiated it, but obviously this wouldn't happen without the support of the Association. We've had multiple meetings, every meeting we had was very productive. It has been very open and very transparent. We're very satisfied, all of the attorneys representing, all of the parties have reviewed the MOU. **Mayor Benjamin Gomez** commented that is great and it is something new hoping it'll work out for everyone that is involved. **Mayor Benjamin Gomez** requested a motion. **Commissioner Antonio Gonzales** moved to approve. **Commissioner Rene Villafranco** seconded the motion. Voting Aye; **Mayor Benjamin Gomez, Commissioner Antonio Gonzales and Commissioner Rene Villafranco.** Motion carried to **APPROVE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SAN BENITO, THE CITY OF SAN BENITO POLICE DEPARTMENT CHIEF OF POLICE, AND THE SAN BENITO POLICE EMPLOYEE'S ASSOCIATION (SBPEA) TO ADOPT A SCHEDULING CHANGE FOR LAW ENFORCEMENT PERSONNEL AS A PILOT PROJECT.**

ITEM 17. ADJOURNMENT.

Mayor Benjamin Gomez requested a motion to adjourn. **Commissioner Rene Villafranco** moved to approve. **Commissioner Antonio Gonzales** seconded the motion. Voting Aye: **Mayor Benjamin Gomez, Commissioner Antonio Gonzales, and Commissioner Rene Villafranco.** Motion carried to **ADJOURN AT 6:30 P.M.**

Note: The City of San Benito does not discriminate on the basis of disability in the admission of, access to, treatment of, or employment in its programs, activities, or public meetings. Any individual with a disability in need of an accommodation is encouraged to contact the City Secretary at (956) 361-3800, Extension 103, by Monday, no later than 5:00 P.M., to make proper arrangements.

CITY OF SAN BENITO

BENJAMIN "BEN" GOMEZ
MAYOR

ATTEST:

RUTH MCGINNIS
CITY SECRETARY